

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2598 (Krell) – As Amended April 9, 2026

Policy Committee:	Health	Vote:	16 - 0
	Judiciary		12 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires the person in charge of a hospital or other facility to make a reasonable attempt to notify a decedent's known next of kin (NOK) that the person died in the hospital or facility, or, if the decedent was transferred to the hospital after death, that the person's body is being held by the hospital. If the hospital or facility cannot notify the NOK, the bill requires the person in charge to give notice to the county administrator. The bill provides for civil penalties, to be determined by the California Department of Public Health (CDPH).

Specifically, this bill:

- 1) Provides that if a person dies in a general acute care hospital (GACH), a hospital that is not a GACH, a skilled nursing facility (SNF), a convalescent hospital that is not a SNF, or a board and care facility, the person in charge of the hospital or facility or their designee must make a reasonable attempt to notify any known NOK of the decedent that the person died in the hospital or facility.
- 2) Provides that if the body of a person was transferred to a GACH after death, the person in charge of a hospital or their designee must make a reasonable attempt to notify any known NOK that the person's body is being held by the hospital.
- 3) Provides that, if, after the reasonable attempt described in items 1 and 2, above, the person in charge of the hospital or facility cannot locate any NOK, the person in charge must notify the public administrator of the county in which the hospital or facility is located within 48 hours.
- 4) Specifies that if the notice required by item 3, above, is not provided, the hospital or facility is liable for any cost of interment incurred by the estate or the county as a result of the failure and any loss to the estate or beneficiaries caused by loss, injury, waste, or misappropriation of property of the decedent as a result of the failure.
- 5) Defines "reasonable attempt," for the purposes of this bill, to mean a documented, good-faith effort by the hospital or facility to contact any known NOK within 72 hours of a person's death using any contact information available to the hospital or facility at the time, including speaking to the NOK via telephone, leaving a voicemail message, sending a text message or sending an email to the NOK.
- 6) Provides that if a person without known NOK dies in a hospital that is not a GACH, a convalescent hospital that is not a SNF, as defined, or a board and care facility, the person in

charge of the hospital or facility must give immediate notice of that fact to the public administrator of the county in which the hospital or facility is located.

- 7) Specifies that if the notice required by item 6, above, is not given, the hospital or facility is liable for both the cost of interment incurred by the estate or the county as a result of the failure and any loss to the estate or beneficiaries caused by loss, injury, waste, or misappropriation of property of the decedent as a result of the failure.
- 8) Makes a hospital or a SNF that violates the provisions of this bill by failing to make a reasonable attempt to notify any known NOK, as determined by CDPH, liable for a civil penalty of \$200 for each day of the violation up to \$50,000 until the actual knowledge by the NOK of the decedent's death, and authorizes CDPH to assess the penalty.

FISCAL EFFECT:

One-time costs to CDPH of an unknown amount, potentially in the low- to mid-hundreds of thousands of dollars, if CDPH needs to promulgate regulations (Licensing and Certification Fund).

COMMENTS:

- 1) **Purpose.** According to the author:

No family should have to wait months or years to discover that a loved one has passed away while at a hospital. With clear notification requirements and an enforcement mechanism, this bill ensures that compassion, dignity, and communication remain at the heart of California's healthcare system.

- 2) **Background.** KCRA has reported several hospitals in the Sacramento area have been failing to provide notice to family members or any known NOK when a person has died in their facility, leaving families in the dark for months and even years. In the most extreme example, a decedent had their death certificate and family notification delayed by three and a half years. Additionally, in some cases, KCRA reported that no official record of a patient's death could be found until weeks or months after the death.

Under existing law, if a person dies in a hospital or facility, the hospital or facility is required to notify the public administrator of the county where the hospital or facility is located if there is no known NOK. Following notification, public administrators carry the responsibility to search for property, a will, and instructions for the disposition of the decedent's remains. If the county public administrator is not given such notice, the distribution of assets to heirs and beneficiaries, among other things, is inevitably delayed. If a hospital or facility fails to give notice to a public administrator, they can be liable for costs of interment incurred as result of the failure to give notice and any loss to the estate or beneficiaries caused by loss, injury, waste, or misappropriation of the decedent's property incurred as a result of that failure. The law is not clear with respect to which entities are responsible for notification if there is a known NOK and does not specify what efforts should be made to notify any known NOK, should an initial attempt be unsuccessful.

Analysis Prepared by: Allegra Kim / APPR. / (916) 319-2081