
UNFINISHED BUSINESS

Bill No: SB 83
Author: Umberg (D)
Amended: 7/3/25
Vote: 21

SENATE HEALTH COMMITTEE: 11-0, 4/23/25

AYES: Menjivar, Valladares, Durazo, Gonzalez, Grove, Limón, Padilla,
Richardson, Rubio, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 39-0, 5/27/25

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear,
Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez,
Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar,
Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-
Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Reyes

ASSEMBLY FLOOR: 65-0 , 9/10/25 – Roll call vote not available

SUBJECT: State Department of Health Care Services: substance abuse
treatment: disclosures

SOURCE: Author

DIGEST: This bill expands current law to require the Department of Health Care Services (DHCS) to post on its website an identification and summary of each violation issued for licensed adult residential alcohol or other drug recovery or treatment facilities.

Assembly Amendments make technical, nonsubstantive changes.

ANALYSIS:

Existing law:

- 1) Grants sole authority in the state to the DHCS to certify alcohol or other drug (AOD) programs and to license adult residential alcohol or other drug recovery or treatment facilities (RTFs). [Health and Safety Code (HSC) §11832 and §11834.01]
- 2) Requires DHCS to conduct onsite program compliance visits for AOD programs and RTFs at least once during the certification or licensure period. Permits DHCS to conduct announced or unannounced site visits to review for compliance. [HSC §11832.12 and §11834.01]
- 3) Requires an operator of an AOD program or RTF to include on its website and intake form paperwork a disclosure that an individual may check DHCS's website to confirm whether the facility's license or program's certification has been placed in probationary status, been subject to a temporary suspension order, been revoked, or the operator has been given a notice of operation in violation of law. Requires the disclosure to include a link to DHCS's website that contains the Probationary Status, Temporary Suspension Order, Revoked and Notice of Operation in Violation of Law Program List. [HSC §11831.5]

This bill:

- 1) Requires DHCS to post on its website an identification and summary of each violation issued for RTFs to include:
 - a) Name of the entity or person to whom the department issued the violation;
 - b) A citation to the relevant statute, regulation, or standard;
 - c) A summary of the department's decision to issue the violation;
 - d) Date DHCS issued the violation; and,
 - e) Any other information DHCS determines is necessary for the public to recognize the entity or person who received the violation and understand the basis for the violation.
- 2) Requires DHCS to indicate, in a location and font that is easy to see and read, that notices issued to recovery residences (RRs, also known as sober living homes), if found to be providing treatment service unlawfully without first obtaining DHCS licensure as an RTF, are not included in this list.

- 3) Requires DHCS to implement these provisions to protect the public it serves by providing sufficient information regarding those who violate the state laws it administers. Prohibits DHCS from implementing this section by posting information on its website that violates privacy rights and protections provided by state or federal law.

Comments

Author's statement. According to the author, DHCS is required to provide a website with various data regarding the status of RTFs, including their addresses, license numbers, and notices of law violations. However, they do not list the reasons for probationary status, suspensions, and revoked programs. This lack of transparency undermines public trust, leading patients and families to make uninformed decisions about their care. This also exacerbates the issue of subpar facilities operating without proper scrutiny, as they often operate in a gray area, which can lead to potential conflicts of interest and substandard care. This bill would enhance transparency and trust in the regulatory process by requiring DHCS to post on its website, in a specified manner, information about actions taken against RTFs. This bill requires DHCS to implement this requirement by providing sufficient information regarding RTFs that violate the state laws it administers without posting information that violates privacy rights and protections offered by state or federal law. These new enforcement tools will help us achieve our shared goal of ensuring that treatment facilities meet standards for patient care, which is crucial to effective treatment outcomes and community well-being.

California State Auditor (CSA) report. Issued in October 2024, the CSA “Drug and Alcohol Treatment Facilities” report states complaints to DHCS may arise from various sources, including RTF residents, neighbors, staff members, or government agencies. According to internal guidelines, DHCS prioritizes death investigations over investigations into all other types of complaints. The CSA states, in fact, DHCS aims to assign death investigations to a staff member on the day it receives the report of a death. In the course of a death investigation, it directs its staff to perform a complete review of the facility where the death occurred to determine whether the resident’s death was related to deficiencies in the facility’s operation. DHCS also receives and investigates complaints about facilities that operate without a license—for which generally DHCS does not have oversight. If an investigation finds, however, that an unlicensed facility is providing or advertising services that require a license, DHCS notifies the facility that it has been violating the law. If it obtains sufficient evidence the facility has not stopped providing the services in question, DHCS is authorized in current law to bring a civil action against the facility. For a licensed RTF, if during a complaint

investigation or compliance inspection, DHCS finds a facility poses serious risks to the health and safety of residents, it may initiate a license suspension or revocation. Current law authorizes DHCS to immediately suspend a license when these concerns are present. A suspension stays in effect until DHCS makes a final determination, which may include revocation, following a hearing and a proposed decision by an Administrative Law Judge. The CSA made a series of recommendations to help DHCS improve its complaints processes—mostly through administrative means:

- a) Provide management with information about the timeliness of compliance inspections;
- b) Implement a mechanism in its licensing database that notifies staff of the dates for upcoming compliance inspections for their caseload so they can plan accordingly;
- c) Fill its vacant positions;
- d) Update its policies and staff training by April 2025 to ensure it assigns complaints to analysts for investigation within 10 days, as currently required by its regulations;
- e) Implement guidelines by October 2025 that specify the length of time analysts should take to complete key steps in the investigation process for different types of investigations;
- f) Conduct site visits beginning December 2024 in all instances in which there is an allegation that an unlicensed facility is advertising or providing treatment services without a license; and,
- g) Develop and implement, by April 2025, a follow-up procedure, such as performing another site visit, to confirm unlicensed facilities have ceased providing services unlawfully.

The CSA notes that, except for recommendation d) above, DHCS has yet to fully implement its suggested improvements.

DHCS complaint investigations. If DHCS establishes jurisdiction over a complaint it receives, the complaint is logged, assigned a complaint number, and a high-, medium-, or low-level designation. When DHCS receives a complaint that does not fall under its jurisdiction, a letter is sent to the complainant informing them of this fact. DHCS regulations define deficiencies, determined during the investigation, in the following way:

A Class A deficiency is any presenting an imminent danger to any resident of the RTF. “Imminent danger” means that the more likely consequence of the

deficiency is death or physical injury that would render a part of the body functionally useless or temporarily or permanently reduced in capacity, or inhibit any function of the body to such a degree as to shorten life or to reduce physical or mental capacity;

A Class B deficiency is any relating to the operation or maintenance of the RTF that has a direct or immediate relationship to the physical health, mental health, or safety of RTF residents; and,

A Class C deficiency is any relating to the operation or maintenance of the RTF that DHCS determines has only a minimal relationship to the health or safety of residents.

An investigation report is issued, outlining whether an allegation was substantiated, and if any additional findings were discovered. If any deficiencies are identified and substantiated, RTFs may be subject to a corrective action plan or verification of correction and civil penalties for failure to respond timely to a Notice of Deficiency. Deficiencies can also result in action to suspend or revoke the RTF's license. If no deficiencies are found, the complaint report is issued with allegations marked as "not substantiated."

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, costs to DHCS of an unknown amount, potentially over \$150,000 annually (Residential Outpatient Licensing Fund).

SUPPORT: (Verified 9/9/25)

City of Laguna Nigel
League of California Cities

OPPOSITION: (Verified 9/9/25)

None received

ARGUMENTS IN SUPPORT: Supporters state this bill requires DHCS to share more information on its website about facilities that violate state licensure law. This information would include the basis for the violation, the facts supporting the decision to issue the violation, and the date the decision was issued. Creating more transparency in the licensure violations will empower patients to make informed decisions about their care by knowing what violations, if any, have occurred within a treatment facility. This bill holds providers accountable by making these violations more easily accessible. Cal Cities states they sponsored AB 2081

(Davies, 2024), and this bill improves upon it by ensuring the DHCS website includes sufficient information about these violations.

Prepared by: Reyes Diaz / HEALTH / (916) 651-4111
9/10/25 15:05:31

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