

## **AB 1356 - Alcohol and other drug: Reporting programs.**

### **SUMMARY**

AB 1356 will require a facility which offers a drug and alcohol program to provide a subsequent report to the Department of Health Services (DHCS) within 60 days of the death of a resident at the facility with updated information on the events surrounding the resident's death and on the facility's follow-up action plan to prevent future incidents from occurring.

### **EXISTING LAW**

Under existing law, when there is a death of a resident within a drug and alcohol recovery program at a licensed facility, DHCS is required to investigate and write a report on the incident. As part of the investigation's report, the facility where the death occurred is required to provide the department with a description of the event or incident, including the time, location and nature of the event or incident. They are also required to provide a list of immediate actions that were taken, including persons contacted, and a description of the follow-up action that is planned, including, but not limited to, steps taken to prevent a future death.

### **ISSUE**

Despite the requirement for such facilities to provide the department with information in the immediate aftermath of a death of a resident within the facility, there is no statutory requirement for these facilities to provide any subsequent reports in the aftermath of the incident.

This is problematic for a number of reasons, in particular, there may be information that was not known at the time of the incident and that was not included in the initial report which may be crucial for the department's investigation into the death. Furthermore, there is currently a lack of oversight to ensure that the facilities in which the death occurred actually implemented the necessary safety measures and steps to prevent future deaths that were stated in the initial report.

### **SOLUTION**

To address these issues, AB 1356 will require a facility which offers a drug and alcohol program to submit a subsequent report to DHCS within 60 days of the initial death of a resident. The report shall include a description of the follow-up action plan that was implemented and any relevant information that was not known at the time of the initial incident report.

AB 1356 is a common sense solution to strengthen DHCS's death investigation policy, provide the department with the necessary information to properly regulate and oversee facilities which offer drug and alcohol programs and improve the safety of those residents within the facilities who are receiving treatment.

### **SIMILAR LEGISLATION**

AB 2995 (Jackson, 2024) - Public health: alcohol and drug programs – Chaptered  
AB 2081 (Davies, 2024) - Recovery and treatment programs – Chaptered  
AB 381 (Davies, 2021) - Licensed facilities: duties – Chaptered  
AB 2374 (Mansoor, 2014) - Recovery and treatment services – Chaptered

### **SUPPORT**

None on File.

### **OPPOSITION**

None on File.

### **CO-AUTHORS**

None on File.

### **FOR MORE INFORMATION**

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