

MPP/TITLE 22. DEPARTMENT OF SOCIAL SERVICES  
NOTICE OF PROPOSED CHANGES IN REGULATIONS

ITEM # 1 Automated External Defibrillators in Adult and Elderly Facilities      ORD #0801-17

The California Department of Social Services (CDSS) hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held April 17, 2002, as follows:

April 17, 2002  
Office Building # 9  
744 P St. Auditorium  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on April 17, 2002.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are also available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

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## CHAPTERS

Community Care Licensing, Title 22, Division 6, Chapter 1 – General Licensing Requirements, Section 80001 [Definitions], Section 80061 [Reports], Section 80075.1 [Automated External Defibrillators (AEDs)], Chapter 3 – Adult Day Care Facilities/Adult Day Support Centers, Section 82001 [Definitions], Section 82061 [Reports], Section 82075.2 [Automated External Defibrillators (AEDs)], Chapter 8 – Residential Care Facilities for the Elderly, Section 87101 [Definitions], Section 87561 [Reports], Section 87575.2 [Automated External Defibrillators (AEDs)], Chapter 8.5 – Residential Care Facilities for the Chronically Ill, Section 87801 [Definitions], Section 87861 [Reports], and Section 87925 [Automated External Defibrillators (AEDs)].

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to Health and Safety Code Section 1797.196, these regulations pertain to the use of Automated External Defibrillators (AEDs) in adult and elderly facilities. Presently there is no prohibition against AEDs in community care facilities. Anyone wishing to purchase an AED may do so, following federal regulations which AED vendors must provide to purchasers. The purpose of having Community Care Licensing regulations in place for adult and elderly facilities is to clarify for licensees that AEDs in facilities are permitted, and what the requirements are. The regulations will also provide guidelines to licensees for district office oversight of AEDs in facilities. It is preferable to proactively address this new technology than to have licensees trying to seek information from district offices with no regulations to guide them.

AEDs were designed to enable trained lay persons to administer an electric shock to the heart of anyone in cardiac arrest wherever an AED was located. The AED voice-prompts the user through the process of preparing to apply, and applying, electric shock. Almost anyone can quickly learn to use an AED. Cardiac arrest due to abnormal heart rhythm causes death for many thousands of Americans every year. Electric shock restores normal rhythm to the heart. If applied within a maximum of ten minutes from the beginning of the cardiac arrest, electric shock saves lives. Before the introduction of portable AEDs, paramedics and physicians were rarely able to administer electric shock within ten minutes; therefore, most victims of cardiac arrest died. Today, with the placement of AEDs in locations where groups of people gather (sports arenas, shopping malls, airports, etc.), it is possible for rescuers to apply electric shock with an AED in a shorter period of time, thus saving the lives of many more cardiac arrest victims.

## COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

#### LOCAL MANDATE STATEMENT

These regulations do not impose a mandate upon local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code.

#### STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

#### STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is an impact on small businesses.

#### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

#### STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Health and Safety Code Sections 1530, 1568.072, and 1569.30. Subject regulations implement and make specific Health and Safety Code Sections 1250, 1501, 1502, 1507, 1530, 1531, 1568.02, 1568.061, 1568.072, 1569.1, 1569.2, 1569.30, 1569.312, 1569.73, and 1797.196.

#### CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez (916) 657-2586  
Backup: Jaimie Porter (916) 657-2586

#### CDSS REPRESENTATIVE REGARDING SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Sharon Anderson (916) 324-4170  
Backup: Joan Regeleski (916) 324-3058

AGENDA ITEMS FOR THIS PUBLIC HEARING - April 17, 2002

- ITEM #1      ORD #0801-17 - Automated External Defibrillation Regulations
  
- ITEM #2      ORD #1201-22 - California Food Assistance Program
  
- ITEM #3      ORD #0801-16 - Incidental Medical Services Clean-up Regulations
  
- ITEM #4      ORD #1201-24    AB 1692 CalWORKs Amendments
  
- ITEM #5      ORD #1201-23    CalWORKs 60-Month Time Limit Procedures