

CALIFORNIA ADVOCATES FOR NURSING HOME REFORM

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April 2, 2021

Assembly Member Lisa Calderon, Chair
California Human Services Committee
1020 N Street, Room 124
Sacramento, CA 95814

Submitted via Position Letter Portal

RE: AB 499 (B. Rubio) — Oppose Unless Amended

Dear Assembly Member Calderon:

On behalf of California Advocates for Nursing Home Reform (CANHR), I am writing to express our opposition to AB 499 (B. Rubio), unless it is amended to provide additional consumer protections.

AB 499 seeks to amend California law governing referral agencies for assisted living facilities (known in California as Residential Care Facilities for the Elderly or RCFEs) to provide accountability, but instead creates unnecessary communication and compliance barriers. Specifically, while the bill allows referral agencies to provide information to seniors about its services and fees verbally, it requires seniors to submit a written request if they want to receive such information in writing. Additionally, it requires seniors to make written requests if they want the agencies to cease making referrals or cease contact with them. Seniors should not be restricted to a particular mode of communication to request assistance, obtain information, or terminate services. Instead, like the referral agencies from whom they are seeking assistance, they should be allowed to communicate their wishes verbally, electronically or in writing.

AB 499 also establishes several compliance barriers. Specifically, it restricts enforcement of violations to actions by district attorneys, and its penalty provisions are limited and static. To deter illegal conduct, consumers should have a right to obtain injunctive relief and recover civil penalties, costs and attorney fees. Additionally, civil penalties should increase for multiple or repeat violations.

CANHR urges your “no” vote on AB 499, unless and until it is amended to provide additional protections for the seniors it is intended to benefit.

Sincerely,

Jody Spiegel
Staff Attorney

cc: Assembly Member Blanca Rubio