Hi, everyone! Welcome back to our health law updates. Today, we're summarizing California's new outpatient adverse event reporting rules, as covered in our recent blog post on our Lawyers in Lafayette blog.

California has required general acute care hospitals to report adverse events which are unexpected incidents causing patient harm. This rule has existed for years. A new law, effective January 1, 2025, extends this rule to outpatient facilities, like surgical clinics. You can google it as Assembly Bill 1645 or California Health and Safety Code, Section twelve seventy nine point six.

Private surgery centers are increasingly handling surgeries and many hospitals are buying these centers as a low cost way to expand.

Adverse events are defined broadly and include things like surgical errors, severe medication reactions, or equipment failures leading to harm. The California Department of Public Health requires outpatient facilities to report these events to the CDPH within five calendar days of detection. The time frame reduced to 24 hours if there's an immediate threat, such as an ongoing safety risk from infection or sexual assault. A recent example is a surgery center that had a machine failure and tubes reused for colonoscopies were not sterilized. This carried a risk of infection but the center did not shut down very quickly. A malpractice investigation by private lawyers was the result of that failure and delay.

Reports must be filed through the CDPH's secure CalHEART portal. This is outlined in CDPH's All Facilities Letter number twenty four dash oh three. This ensures standardized reporting to enhance patient safety. Failure to comply can result in fines, so facilities must act promptly and a failure to comply can be used against the facility in a malpractice lawsuit.

The law also requires outpatient facilities to conduct a "culture of safety" survey every two years using a nationally recognized tool. This is required under California Health and Safety Code, Section twelve seventy nine point six, c. This helps identify safety gaps and improve care quality. The details of this will be covered in a later broadcast but again, the failure to follow these rules can be used against a facility during credentialing reviews and in civil lawsuits for malpractice.

We appreciate your time and attention to our broadcast. We hope that it was helpful. If you need legal assistance in the medical field, please call Daniel Horowitz at nine two five, two eight three, one eight, six three. Thank you again for watching.