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State of California—Health and Human
Services Agency
**California Department of
Public Health**



GAVIN NEWSOM
Governor

November 9, 2020

AFL 20-85

TO: Skilled Nursing Facilities

SUBJECT: Assembly Bill (AB) 2644 – Skilled Nursing Facilities: Infection Preventionists and Communicable Disease Reporting

AUTHORITY: Health and Safety Code sections 1255.9 and 1275.41

All Facilities Letter (AFL) Summary

- This AFL notifies skilled nursing facilities (SNFs) of the passage of AB 2644 (Chapter 287, Statutes of 2020), requiring SNFs to have a full-time, dedicated infection preventionist (IP), a plan for infection prevention quality control, and annual training in infection prevention and control for all health care personnel (HCP).
- AB 2644 also requires SNFs to report communicable disease data to the California Department of Public Health (CDPH) during a declared emergency related to the communicable disease, including data on each disease-related death that must be reported within 24 hours, and to notify residents and their representatives and family members about cases of the communicable disease within the facility.

Effective January 1, 2021, AB 2644 requires a SNF to have a full-time IP, a role that may be shared by two staff members if the total time dedicated to the IP role is equivalent to one full-time staff member. The IP must be a registered nurse or licensed vocational nurse, and the IP hours cannot be included in the 3.5 direct care service hours per patient day required in a SNF.

AB 2644 also requires a SNF to have a plan in place for infection prevention quality control and ensure all HCP receive infection prevention and control training on an annual basis. CDPH developed a recommended minimum number of hours and content for this training in AFL-20-84. CDPH will verify compliance with the training requirements via record review during periodic surveys.

AB 2644 also requires SNFs to report communicable disease data to CDPH during a declared emergency related to the communicable disease. This data must include each disease-related or suspected disease-related death that must be reported within 24 hours of the death. SNFs must notify residents and their representatives and family members about cases of the communicable disease in the facility in accordance with state and federal privacy laws, as instructed by CDPH.

AFL 20-43.3 SNF Coronavirus Disease 2019 (COVID-19) Daily Reporting requires SNFs to report daily COVID-19 facility data, including the number of deaths of residents with suspected or laboratory positive COVID-19, to CDPH via an online survey. This AFL also details requirements for notifications of residents and their representatives and

family members concerning incidents of suspected or confirmed COVID-19 in the facility. In the event of a future declared emergency related to another communicable disease, CDPH will issue guidance to SNFs regarding the format and schedule of required reporting.

Facilities are responsible for following all applicable laws. CDPH's failure to expressly notify facilities of statutory or regulatory requirements does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of all applicable sections of the Health and Safety Code and Title 22 of the California Code of Regulations.

If you have questions about infection control, please contact the CDPH Healthcare-Associated Infections Program via email at HAIPProgram@cdph.ca.gov.

If you have any questions about this AFL, please contact your local district office.

Sincerely,

Original signed by Heidi W. Steinecker

Heidi W. Steinecker
Deputy Director

Resources:

- AFL 20-43.3
- AFL-20-84

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