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**California Department of  
Public Health**



EDMUND G. BROWN JR.  
Governor

December 12, 2018

AFL 18-55

**TO:** General Acute Care Hospitals (GACH)  
Acute Psychiatric Hospitals (APH)

**SUBJECT:** Assembly Bill (AB) 2983 (Arambula) - Health Care Facilities: Voluntary Psychiatric Care

**AUTHORITY:** Health and Safety Code (HSC) section 1317

**All Facilities Letter (AFL) Summary**

This AFL notifies GACHs and APHs with emergency departments of the chaptering of AB 2983, which prohibits GACHs or APHs from requiring a person voluntarily seeking care to be on an involuntary hold as a condition of accepting a transfer of that person.

Effective January 1, 2019, AB 2983 (Chapter 831, Statutes of 2018) prohibits GACHs and APHs from requiring a person voluntarily seeking care to be on an involuntary hold as a condition of accepting a transfer of that person after documenting a patient's written consent for treatment and transfer, or in the absence of evidence of probable cause for detention, pursuant to Welfare and Institutions Code (WIC) section 5150.05(a). AB 2983 does not preclude the use of involuntary holds, pursuant to WIC section 5150; however, AB 2983 clarifies that involuntary holds are not a requirement for transferring a patient who voluntarily seeks mental health services.

The California Department Public Health'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 HSC and the California Code of Regulations to ensure compliance.

Sincerely,

**Original signed by Scott Vivona**

Scott Vivona  
Assistant Deputy Director

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