



OFFICE OF THE GOVERNOR

SEP 27 2022

To the Members of the California State Assembly:

I am returning Assembly Bill 1809 without my signature.

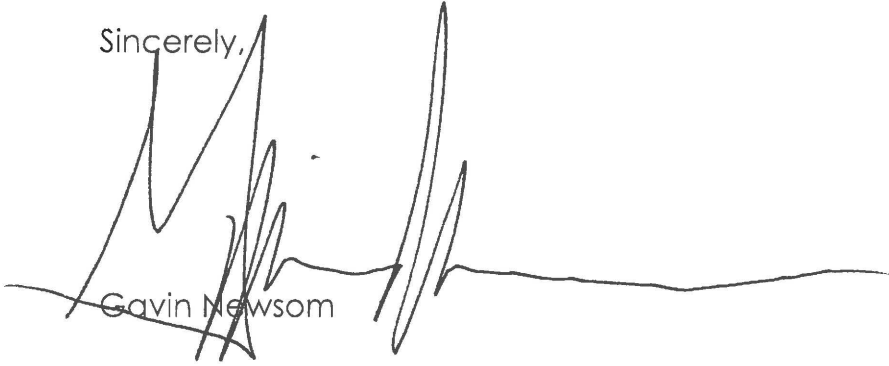
This bill would establish new rights and procedures for obtaining informed consent from nursing home residents before administering treatments or procedures and provides residents with the right to refuse psychotherapeutic drugs used as a chemical restraint, except in an emergency. The bill would also require the California Department of Public Health (CDPH) to develop an informed consent form for long-term care residents that includes a model disclosure statement for providing material information on the use of psychotherapeutic medications and the resident's right to withdraw informed consent.

I support the author's goal of improving informed consent requirements and protecting long-term care residents from inappropriate uses of psychotherapeutic medications. However, this bill creates ambiguity as to whether long-standing informed consent requirements will continue to be required until a new standardized form is developed, which could put the health of long-term care residents in jeopardy. Furthermore, the State Health Facilities Citation Penalties Account is not an appropriate funding source for the development of this form because the funds in the account are by law reserved for the protection of health or property of residents of long-term health



care facilities. I encourage the author to work with CDPH to resolve these concerns in the next legislative session.

Sincerely,

A handwritten signature in black ink, appearing to be 'Gavin Newsom', written over a horizontal line. The signature is stylized and somewhat illegible due to the cursive and overlapping strokes.

Gavin Newsom