

MEETING DATE: February 15, 2024

AGENDA ITEM: B

TO: BSCC Chair and Members

FROM: Gregory Hosman, Acting Deputy Director
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SUBJECT: Implementation of Assembly Bill 268 – Annual Training Requirements, CPR Training, and Facility Operations – (Proposed Revisions to Sections 184 and 1028 of Title 15): **Requesting Approval**

Summary

This agenda item requests that the Board authorize staff to begin the process of revising regulations for adult correctional officers to mandate four hours of mental health and behavioral health training annually each year and to require all adult correctional officers to be trained in cardiopulmonary resuscitation (CPR) in accordance with Assembly Bill (AB) 268 (Chapter 298, Statutes of 2023).

Background

On October 4, 2023, Governor Newsom signed AB 268 by Assemblymember Dr. Akilah Weber, which will add two additional members to the board, a licensed health, and mental or behavioral health care provider to be appointed by the Governor and subject to confirmation by the Senate. Beginning July 1, 2024, AB 268 requires annual training of correctional officers to include at least four hours of training on mental and behavioral health annually. In addition, AB 268 requires correctional officers to be certified in CPR and, when safe and appropriate to do so, to begin CPR on a nonresponsive person without obtaining approval from supervisors or medical staff. (Pen. Code, § 6048, subs. (b), (d) & (e).)

Existing law under Section 184 of Title 15 of the California Code of Regulations, in pertinent part, requires that adult correctional officers must undergo annual training in any year when they are not engaged in a core course, as specified in Section 171 of Title 15.

BSCC staff are proposing to add new language to Section 184 of Title 15 that would require the following:

- Adult correctional officers to be mandated four hours of mental and behavioral health training;
- Agencies to maintain proof of CPR certification for adult correctional officers; and,
- Adult correctional officers shall be trained so that when it is safe and appropriate to do so, staff shall begin CPR on a nonresponsive person without obtaining approval from supervisors or medical staff.

BSCC staff also propose to amend Section 1028 of Title 15 to require:

- Facilities to implement policies and procedures so that correctional officers trained to administer CPR will administer CPR on a nonresponsive person without obtaining approval from supervisors or medical staff when it is safe and appropriate to do so.

BSCC staff are requesting approval to begin the rulemaking process for revisions to Title 15 to ensure that final revisions are effective by July 1, 2024. Beginning the rulemaking process will include providing notice to the Office of Administrative Law and opening a 45-day public comment process.

Staff are also requesting that if no changes result from the public comment process, that the Board provide approval for staff to file the final revision as drafted in Attachment B-1 to the Office of Administrative Law.

Recommendation/Action Needed

BSCC Staff recommends the following:

1. That the Board direct staff to begin the rulemaking process for revisions to Title 15, Sections 184 and 1028, as proposed in attachment B-1.
2. That the Board direct staff to bring a final package for approval if substantive revisions are made to the draft language during the regulatory making process; and
3. That if no substantive changes are made to the draft regulatory language that staff is directed to file the final regulatory package with the Office of Administrative Law and that this Board action constitute the final approval.

Attachments

B-1: Proposed Revisions to Title 15, Section 184, Annual Required Training and Section 1028, Fire and Life Safety Staff.