

SB 275 Details

SB 275 requires health care providers to create a 45-day surge-level stockpile of personal protective equipment (PPE):

- Hospitals, skilled nursing facilities, dialysis clinics, and medical practices that are part of an integrated health system are all required to build stockpiles.
- PPE within the healthcare employer stockpile must be “new and not previously worn or used.”
- Providers must establish their stockpiles by January 1, 2023, or one year after the state Department of Public Health (CDPH) adopts regulations, whichever comes later.
- Providers will be subject to fines up to \$25,000 per violation for the following reasons:
 - Failing to maintain the required stockpile.
 - Failing to provide an inventory of its PPE to Cal/OSHA.
- Providers are exempt from penalties for the following reasons:
 - Facilities that have 25 or fewer employees *and* the employer will be closing in-person operations during an emergency. Exemption does not apply to hospitals or skilled nursing facilities.
 - A dip in an employer’s stockpile level due to providing employees with PPE during an emergency, so long as they replenish their stockpile.
 - If there are supply chain limitations.

The California Department of Public Health (CDPH) will seek to establish a 90-day PPE stockpile at pandemic levels, subject to “appropriation and as necessary.”

- CDPH must establish guidelines for procurement, management, and distribution of PPE and must consider recommendations from the PPE Advisory Committee (see below). Guidelines must take the following into account:
 - The various types of PPE that may be required during an emergency.
 - Shelf life of PPE, including how to restock to avoid expired PPE.
 - Amount of PPE required for all essential workers, including health care workers during a 90-day pandemic, “which shall be the amount of PPE maintained in the stockpile.”
- How PPE should be distributed to providers or employers of essential workers in the event that there is insufficient PPE, including consideration for the following:
 - Providers/employers within low-income communities.
 - Providers/employers within medically underserved areas.
 - Providers/employers that serve medically underserved populations.
 - Providers/employers within a county with high infections/hospitalizations.

SB 275 creates the Personal Protective Equipment Advisory Committee:

- Members will be appointed by the Director of the Office of Emergency Services (OES).
- The purpose of the advisory committee is to make recommendations to the office and department that are necessary to develop guidelines for CDPH and OES.
- The committee will have 15 members (4 industry, 4 labor, 7 others).