

DEPARTMENT OF STATE HOSPITALS
NOTICE OF 15-DAY COMMENT PERIOD EXTENSION
STATE HOSPITAL VISITATION PROCESS

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 16. State Hospital Operations
Article 3. Safety and Security

PUBLIC NOTICE

The Department of State Hospitals (Department) is extending the deadline for public comment on the State Hospital Visitation Process 15-Day Public Notice and Comment Period to allow for additional comments. The 15-Day Notice was issued pursuant to Government Code sections 11346.8, subsection (c) and 11347.1, and California Code of Regulations, title 1, section 44. This Notice of 15-Day Comment Period Extension remains pursuant to the same Government Code and California Code of Regulations sections listed above and serves only as a notice of extension to the 15-Day Public Notice and Comment Period issued on July 20, 2026.

This regulatory action was originally noticed on March 27, 2026, published in the California Regulatory Notice Register, and mailed to all interested parties and posted to the Department's website. The originally proposed regulatory action is described in the Initial Statement of Reasons provided with the originally proposed regulation which can be found on the Department's website at <https://www.dsh.ca.gov/Publications/Regulations.html>.

The modified regulations, called the "15-Day Modified Regulations Text," as well as this Notice of 15-Day Comment Period Extension, are also available on the Department's website as provided in the above paragraph.

No action by the public is necessary unless persons wish to comment specifically on the proposed modified text.

This rulemaking and all documents relevant to the rulemaking shall be available at the address provided below under the section named "Written Comments," between 8:00 AM and 5:00 PM beginning September 16, 2026, through October 1, 2026, or by request to the contact person(s) indicated below.

SUMMARY OF MODIFICATIONS TO THE PROPOSED REGULATIONS

15-Day Notice of Proposed Modifications:

The originally proposed regulatory language and its proposed modifications are shown in the document named "15-Day Modified Regulations Text." The original regulatory language is shown with single underline (e.g., single underline) to indicate addition to the regulatory language, and single strikethrough (e.g., ~~single strikethrough~~) to show

deletion to the regulatory language. The 15-day modifications are shown with double underline (e.g., double underline) to indicate addition to the regulatory language, and double strikethrough (e.g., ~~double strikethrough~~) to show deletion to the regulatory language.

Non-Substantive Changes

Entire Document: Added double underline and ~~double strikethrough~~ to provisions that were added or adjusted for the 15-Day Notice.

Section 4301(b):

Text: "A site-specific visitor application must be submitted at least ~~ten~~10 business days prior to each visit."

Rationale: The word "ten" was changed to the numerical "10" for uniformity with the rest of the text.

Section 4301(g):

Text: Section 4301(~~g~~f).

Rationale: Renumbered section 4301, subsection (g) to subsection (f).

Section 4303(c)(2)(A):

Text: "Within ~~ten~~10 working days of receiving the request to remove the restriction or suspension, the Executive Director or designee, will respond in writing with a decision."

Rationale: The word "ten" was changed to the numerical "10" for uniformity with the rest of the text.

Section 4304(c):

Text: Section 4304(~~c~~d).

Rationale: Renumbered section 4304, subsection (c) to subsection (d).

Section 4304(d):

Text: Section 4304(~~d~~e).

Rationale: Renumbered section 4304, subsection (d) to subsection (e).

Section 4304(e):

Text: Section 4304(~~e~~f).

Rationale: Renumbered section 4304, subsection (e) to subsection (f).

Section 4304(f):

Text: Section 4304(~~fg~~).

Rationale: Renumbered section 4304, subsection (f) to subsection (g).

Section 4304(g):

Text: Section 4304(~~gh~~).

Rationale: Renumbered section 4304, subsection (g) to subsection (h).

Section 4304(h):

Text: Section 4304(~~hi~~).

Rationale: Renumbered section 4304, subsection (h) to subsection (i).

Section 4304(i):

Text: Section 4301(~~ij~~).

Rationale: Renumbered section 4304, subsection (i) to subsection (j).

Section 4304(j):

Text: Section 4304(~~jk~~).

Rationale: Renumbered section 4304, subsection (j) to subsection (k).

Section 4304(k):

Text: Section 4304(~~kl~~).

Rationale: Renumbered section 4304, subsection (k) to subsection (l).

Section 4304(l):

Text: Section 4304(~~lm~~).

Rationale: Renumbered section 4304, subsection (l) to subsection (m).

Substantive Changes

Section 4300(c)(3):

Text: "Patients are allowed no more than ~~four~~ five visitors at a time per visitation session, unless prior authorization is requested and obtained from the Executive Director or designee at least 30 calendar days prior to the visit."

Rationale: The text was adjusted to increase the maximum number of allowed visitors per visitation session for a single patient. A timeline of at least 30 calendar days is necessary to obtain prior authorization from the Executive Director or designee for a visit exceeding the five-person maximum. This timeline was added for specificity due to the processing time needed at each hospital and to ensure that spacing and staffing within the Secure Visiting Center can accommodate parties of this size. A timeline of at least 30 calendar days allows hospitals enough time to review all relevant documents pertaining to these special visitation requests, weigh the risks inherent to larger groups against the benefits of the proposed visit to the patient, assess and adjust staff calendars as necessary, conduct all necessary verification and background checks via the California Law Enforcement Telecommunications System for all incoming individuals, and route to each appropriate authority within the hospital leading up to either the Executive Director or designee for authorization of the request.

Section 4300(c)(5):

Text: "Except as outlined in subsection (c)(2), the scheduled Secure Visiting Center hours will not be changed without a minimum of 10 working days' notice provided to hospital patients and the public."

Rationale: The text was adjusted to include clarification that both hospital patients and members of the public will be provided notice at a minimum of 10 working days if the scheduled Secure Visiting Center hours change except as outlined in section 4300, subsection (c)(2).

Section 4300(c)(6):

Text: "Visits outside normal visiting hours may be permitted with the approval of the Executive Director or designee if the visit request is received at least 30 calendar days prior to the visit or when exceptional or exigent circumstances exist."

Rationale: The text was adjusted to provide clarification to readers by adding a specific timeline to request approval from the Executive Director or designee for a visit outside normal visiting hours. A timeline of at least 30 calendar days allows hospitals enough time to receive and review all relevant documents pertaining to these special visitation requests, weigh the risks associated with pulling staff from other assignments against the benefits of the proposed visit, and to allow the hospitals enough time to make proper staffing arrangements before leading up to either the Executive Director or designee for either denial or approval of the request. Visits outside of normal visiting hours are typically only allowed for exceptional or exigent circumstances such as end-of-life care for patients or their families, court proceedings which require the patients' virtual attendance, or travel emergencies for incoming visitors.

Section 4300(d)(5):

Text: “Combined visitation is when two or more patients request a visit with one or more outside visitor(s). Combined visits will be prohibited unless requested at least 30 calendar days prior to the visit and subsequently approved prior approval is obtained by the Executive Director or designee.”

Rationale: The text was adjusted to provide clarification to readers by adding a specific timeline to request approval from the Executive Director or designee for combined visitation. A timeline of at least 30 calendar days allows hospitals enough time to receive and review all relevant documents pertaining to these special visitation requests, weigh the risks inherent to such meetings against the benefits the proposed visit has for the patient, conduct all necessary verification and background checks via the California Law Enforcement Telecommunications System for all incoming individuals, review the patients’ files for any behavioral concerns, and route to each appropriate authority within the hospital before leading up to either the Executive Director or designee for either denial or approval of the request. Combined visitation increases the risk of certain safety and security concerns such as strongarming between patients and visitors, and increased risk of contraband breaching the Secured Treatment Area. Asking applicants to submit special visitation requests at least 30 calendar days prior to their visit is necessary to allow the hospital enough time to receive, review, and consider the request carefully and determine if the option of separate visitation sessions would be more practical to lessen risk.

Section 4300(e):

Text: “The facility shall provide private areas for individual patients to consult with an attorney ~~or~~, an attorney’s representative, or a mental health professional for confidential communications.”

Rationale: The text was adjusted to include “mental health professional” among the list of specific visitors who have granted access to private areas to conduct confidential communications with patients.

Section 4301(f):

Text: ~~“Unscheduled visits will not be permitted without submission and approval of the information outlined in subsections (c) and (d).”~~

Rationale: This text was removed because it was confusing and inconsistent with other subsections of these regulations. Unscheduled visits are not permitted at any of the five hospitals.

Section 4304(c):

Text: “The Executive Director or designee of the department must review any visit requests from individuals requesting to bring minors to a visit. Visit requests must be received in writing at least 30 calendar days prior to the visit and subsequently approved by the Executive Director or designee. Minor visitation will not be authorized

unless approval is given prior to the visit. The Executive Director or designee's determination will be provided to the visitor and must be presented at the time of the visit."

Rationale: This text was added to provide clarification on the process for admitting minor visitors into the Secure Visiting Center. All minor visitation requests will need to be received in writing at least 30 calendar days prior to the visit to allow the Executive Director or designee enough time to receive, review, and approve the request. The decision made by the Executive Director or designee must also be brought with the minor visitor at the time of the visit to be admitted into the Secure Visiting Center. A timeline of at least 30 calendar days allows hospitals enough time to receive and review all relevant documents pertaining to these special visitation requests, weigh the risks and benefits the request has to minor visitors and patients within the Secure Visiting Center, conduct all necessary verification and background checks via the California Law Enforcement Telecommunications System for all incoming individuals accompanying the minor, and route to each appropriate authority within the hospital before leading up to either the Executive Director or designee for either denial or approval of the request. A 30 calendar day timeline allows thorough review of the patient's file to assess if there are any threats to the minor via the patient's criminal background or if minor visitation may pose a threat to the patient's treatment plan progress.

WRITTEN COMMENTS

The Department invites all interested persons to provide comments relevant to the specific changes made in the 15-Day Modified Regulations Text. The public may provide comment only in writing, submitted by postal mail, or electronically using the contact information below:

California Department of State Hospitals
Regulations and Policy Oversight Unit
RE: State Hospital Visitation Process (15-Day Extension)
1215 O Street, MS-20
Sacramento, CA 95814
Email: DSH.Regulations@dsh.ca.gov

All written comments received by October 1, 2026, which pertain to the changes proposed in the 15-Day Modified Regulations Text, will be considered and responded to by the Department in a document prepared by the Department named the Final Statement of Reasons.

CONTACT PERSONS

The primary contact for this regulatory action is Rachelle Sack, and the backup contact is Anna Libonati. They can be reached by contacting the Regulations and Policy Oversight Unit phone number at (916) 654-2478 or the email provided above.