



Heath Flora

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CLIMATE CRISIS, RESOURCES,
ENERGY, AND TRANSPORTATION
JOINT LEGISLATIVE COMMITTEE ON
EMERGENCY MANAGEMENT

California Legislature

(December 6, 2024)—Assemblymember Heath Flora (R-Ripon) today issued the following statement in response to [revised guidance by the Centers for Medicare & Medicaid Services \(CMS\)](#) for surveyors and health care providers regarding immediate jeopardy:

“On behalf of my constituents, I commend CMS’ decision to revise their immediate jeopardy (IJ) guidelines. By introducing more precise and evidence-based criteria, health care facilities in California can address safety concerns without undue overreach. The revisions promote fairness and accountability in regulatory oversight, and should help reduce the risk of arbitrary enforcement that can destabilize health care facilities and jeopardize access to care.

“Surveyor bias – and the unprecedented escalation of hospital bylaw inconsistencies to an IJ finding – recently caused thousands of surgeries in my district to be inappropriately and unnecessarily cancelled, negatively impacting Medicare and Medi-Cal beneficiaries. The prior lack of oversight not only undermined our health care delivery system, but also eroded trust. Fortunately, CMS stepped up to better protect patients. The November 2024 revisions will help address past inequities and refocus oversight to improve patient safety.”

“I urge the California Department of Public Health and other relevant state agencies to immediately align with the updated federal standards. Consistent and fair application of the law is essential to safeguarding access to care while maintaining accountability.

“In a time of growing patient demand and workforce challenges, California must ensure its regulatory practices support—not hinder—all health care providers and facilities in delivering safe, high-quality care.”