

# CHEAC Legislative Hot Sheet 2004 - #25

## July 23, 2004

### **SUPPORT 1**

**AB 1457/Budget Committee** – Partial fix to Poison Pill problem. Allows DMV to transfer VLF funds to Realignment Account. Also requires Controller to transfer funds to Local Revenue Fund for 02/03 and 03/04 the amount that would have been transferred absent the VLF “gap”.

**LAST ACTION:** Amended 5/3/04 – Passed off Senate Floor (33-2) – Assembly Concurred in Senate amendments (77-0) – to the Governor

**STATUS:** Signed by the Governor – Chapter 37, Statutes of 2004

**AB 1881/Berg** - Reauthorizes the integrated contracting pilot program for any county that wants to participate. Extends the programs’ sunset date to 1/1/10.

**LAST ACTION:** Passed out of Senate Appropriations via Senate Rule 28.8

**STATUS:** Passed out of the Senate (25-4) – In Assembly for concurrence

**AB 2301/Maze** - Eliminates the requirement for CHIP quarterly reports and estimated annual reports.

**LAST ACTION:** Passed off Senate Floor (33-0)

**STATUS:** Signed by Governor – Chapter 57, Statutes of 2004

**AB 2871/Berg** – Authorizes cities, counties or cities and counties to have a clean needle and syringe exchange project that authorizes such an exchange.

**LAST ACTION:** Passed out of Senate Appropriations via Senate Rule 28.8

**STATUS:** Senate Floor

**AJR 54/Pacheco** - Memorializes the President and Congress to revise the formula used to calculate the FMAP to consider, in addition to a state’s per capita income, the total number of persons living in poverty in that state.

**LAST ACTION:** Assembly concurred in Senate amendments (79-0)

**STATUS:** Signed by Governor – Resolution Chapter 97, Statutes of 2004

**AB 5 (5X)/McCarthy** – Eliminates the poison pill in Realignment regarding the computation of the VLF.

**STATUS:** Assembly Budget Committee

**SB 678/Ortiz** - Appropriations bill for the CDC and HRSA bioterrorism preparedness grants. Authorizes DHS to enter into contracts for the purpose of meeting the federally approved BT plan; exempts those contracts from provisions of law relating to contracting by state agencies.

**LAST ACTION:** To Governor

**STATUS:** Signed by Governor, Chapter 35, Statutes of 2004

### **SUPPORT 2**

**AB 1091/Negrete McLeod** - Requires the reportable diseases list to include reportable conditions and the urgency of reporting each disease and condition. Requires DHS to consult with CCLHO before making a change to the list. Exempts modifications to the list from certain existing adoption of administrative rules and regulations law provisions.

**LAST ACTION:** Passed out of Senate (36-0)

**STATUS:** In Assembly for concurrence

**AB 1657/Chan** - Prohibits the sale, offering for sale, distribution or import into CA of any prepackaged alcoholic beverage made with a gelatin, or other similar base, intended to solidify the product into a gelatinous, non-liquid state, unless it is sold on the premises in a business establishment that prohibits the presence of persons under the age of 21.

**LAST ACTION:** Senate Governmental Organization Committee – Failed Passage in Committee (5-4) – Reconsideration granted

**STATUS:** From Senate Governmental Organization Committee without further action pursuant to JR 62(a). DEAD BILL

**AB 2026/Hancock** - Extends the operative duration of the youth pilot program to 1/1/09.

**LAST ACTION:** To Governor

**STATUS:** Signed by Governor – Chapter 134, Statutes of 2004

**AB 2963/Pacheco** – Requires, by 1/1/05, DHS to evaluate the regulations that became effective on 1/1/04 relating to nurse-to-patient ratios in health facilities' medical/surgical units. Provides that DHS may not impose the 1:5 ratio requirement upon these facilities unless the department is able to demonstrate that certain conditions are satisfied.

**LAST ACTION:** Assembly Health Committee – Failed Passage (5-10) – Reconsideration Granted

**STATUS:** Assembly Health Committee

**\*SB 494/Escutia** - Revises these 3<sup>rd</sup> party claim procedures. Revises the provider lien procedures to instead authorize the lien for the reasonable and necessary charges for services provided to the beneficiary against the portion of any judgment, award, or settlement relating to past medical expenses in the action or claim brought against a 3<sup>rd</sup> party.

**STATUS:** Assembly Floor

**SB 1083/Ortiz** – Makes an order of a local health officer enforceable immediately by certain state or local peace officers.

**STATUS:** Senate Public Safety

**SB 1192/Chesbro** - Requires Knox-Keene health care service plans and disability insurance policies to provide coverage for the treatment of medically necessary substance related disorders on the same basis as they provide coverage for any other medical condition. Other provisions.

**LAST ACTION:** Assembly Health Committee – Set for hearing 6/22/04

**STATUS:** Failed passage in Assembly Health (7-5)

**SB 1566/Escutia** – Places similar restrictions on the sale of certain foods restricted from elementary, middle and junior high schools to high schools. Other provisions.

**LAST ACTION:** Passed out of Assembly Education (6-3)

**STATUS:** Assembly Appropriations Committee – Amended 7/15/04 – Set for hearing 8/4/04

**SB 1585/Speier** - Requires beef or poultry suppliers, distributors or processors that sell products in CA that is subject to a voluntary recall requested by the USDA to immediately notify DHS, and provide a list of retailers that have received the product. Requires DHS to inform appropriate health officers and environmental health directors of the incident. Health Officers and Environmental Health Directors would be required to inform the public regarding the recall, except in the case of a restaurant, prohibits the department, health officers or environmental health directors from providing public notification if the health officer or environmental health directors determine that the recalled product has been removed from the restaurant. Other provisions.

**LAST ACTION:** Passed out of Assembly Health (13-0)

**STATUS:** Assembly Appropriations Committee – Amended 7/12/03 – Set for hearing 8/4/04

**SB 1764/Speier** - Expands the entities authorized to disclose immunization information to include foster care agencies and government-funded programs that pay for health care. Other provisions.

**LAST ACTION:** Set for hearing Assembly Appropriations Committee on 6/30/04

**STATUS:** Passed out of Assembly Appropriations (20-0) – Assembly Floor

**SB 1847/Perata** - Requires each city or county that elects, on or after 1/1/05, to certify tuberculin skin test technicians to submit to a survey and an evaluation of its findings to the California Tuberculosis Controllers Association annually until 1/1/11. Other provisions.

**LAST ACTION:** Passed out as amended from Assembly Appropriations (19-0)

**STATUS:** Assembly Floor – Amended 7/6/04

### **SUPPORT IF AMENDED**

**AB 1239/Wiggins** - Imposes a fee, determined by DHS, on specified tobacco product manufacturers who did not sign the MSA. Creates the Nonparticipating Tobacco Manufacturer Mitigation Trust Fund to receive moneys derived from the imposition of the fee. Fees would be used to fund tobacco-related health measures.

**LAST ACTION:** Senate Revenue & Taxation Committee and Health & Human Services Committee – Set for hearing 6/9/04 (Rev & Tax) – Not heard

**STATUS:** Set for hearing 6/23/04 – Not heard

**Requested Amendment:** Amendment to designate local funds for health purposes.

**AB 2297/Vargas** - Amends the Childhood Lead Poisoning Prevention Act to require DHS to regulate lead in imported candy and use those fees to regulate the lead content of imported candy. Authorizes DHS to enter into contracts with health officers and to provide grants to environmental justice organizations.

**LAST ACTION:** In Senate

**STATUS:** Set for hearing in Senate Health & Human Services 6/23/04 – Failed Passage (6-2)

**Requested Amendment:** Amendment to place enforcement responsibilities with environmental health departments provided adequate *new* funding sources are also included.

**AB 2307/Richman** – Requires DHS to implement a process that allows an applicant for licensure as a primary care clinic **to submit an application for review of the clinic's qualifications for participation in any of the above-described programs simultaneous with any review for enrollment and certification as a provider in the Medi-Cal program, and if approved for participation in a program to be enrolled or certified, or both, as a provider in these the programs subsequent to certification and enrollment as a provider in the Medi-Cal program.**

**LAST ACTION:** Senate Appropriations Committee

**STATUS:** Set for hearing 8/2/04 – **Amended 7/19/04**

**Requested Amendment:** Amendment to include county clinics and CHDP & CMSP quality standards be included as part of the Medi-Cal review.

### **OPPOSE 1**

**AB 2270/Chan** – Revises the provisions requiring DHS to administer a separate Administrative Claiming process that would apply to a local education agency. Requires the department to perform various duties.

**LAST ACTION:** Assembly Appropriations Committee – Placed on Assembly Appropriations Suspense File

**STATUS:** Heard on 5/19/04, remains in Committee

**AB 2597/La Suer** - Allows a purchaser of a qualified vehicle to elect to prepay the first three years of the vehicle license fee on that qualified vehicle at a 15% discounted rate. Provides that 10% of the prepaid VLF revenues would be deposited to the credit of the Local Firefighter Account (LFA) created by the bill. Monies would be credited to each county's LFA to be used to provide firefighter training to local firefighters within that county. Other provisions.

**STATUS:** Assembly Revenue & Taxation Committee

### **OPPOSE 2**

**AB 2563/Bogh** – Provides that if a person violates provisions of being under the influence of any controlled substance while knowing she is pregnant she is punishable by a fine not to exceed \$10K, imprisonment in a county jail for a period not to exceed 1 year, imprisonment in state prison, or by both that fine and imprisonment.

**LAST ACTION:** Assembly Public Safety Committee – Failed Passage (2-4)

**STATUS:** Assembly Public Safety Committee

**AB 2763/Diaz** – Permits a temporary food facility, as defined, to sell sushi, teriyaki chicken or manju that has been at room temperature for no more than 24 hours. Requires, after this 24-hour period, that this food be destroyed.

**LAST ACTION:** Set for hearing in Senate Health & Human Services Committee on 6/30/04

**STATUS:** Failed Passage (0-7) – Reconsideration granted

**AB 3056/Vargas** - Prohibits certain counties that provide IHSS services through 2 or more modes of service delivery from ceasing to provide any of those modes of service delivery until and unless the county's IHSS advisory committee reviews the proposed actions, receives input from the recipients of said services, makes a determination that eliminating that said service would not harm those recipients and advises the board of supervisors of their findings, and the county board of supervisors makes a determination, at least 30 days before canceling a mode of service, that canceling the mode of service outweigh the gains realized from any resulting negative consequences.

**LAST ACTION:** Passed out as amended from Senate Health & Human Services Committee (9-2) – To Senate Appropriations Committee

**STATUS:** Amended 7/1/04 – Set for hearing 8/2/04

### **OPPOSE UNLESS AMENDED**

\***AB 2400/Keene** - Requires DHS to develop, **by 7/1/05**, a form **that may be recorded as a lis pendens, as specified, and a form** for methamphetamine lab lien notice, and provide that form to county health officers **and law enforcement agencies**. Requires health officers **or local police officer** to investigate all reports that real property within the county is being used for the unlawful manufacture of methamphetamine or storage of its precursors, and upon the establishment of probable cause to obtain a search warrant for the premises. Upon finding evidence that such activity is taking place, the health officer is required to file the **lis pendens or lien notice** with the county recorder.

**STATUS:** Senate Appropriations Committee – Set for hearing 8/2/04 – **Amended 7/19/04**

### **SPECIAL INTEREST BILLS**

**AB 2293/Wolk** - Requires the establishment of emergency medical care committees in each county, prescribes its membership, includes review of complaints relating to the local EMS plan within the jurisdiction of the committee and requires the Commission on Emergency Medical Services to review appeals.

**STATUS:** Assembly Health Committee – Amended 4/14/04

**AB 2766/Richman** - Deletes the existing Sales Tax Growth Account subaccounts in Realignment, revises the name of other subaccounts, adds the Non-Caseload Social Services Subaccount to that account and makes conforming changes. Other provisions.

**STATUS:** Assembly Human Services Committee

**AB 2769/Richman** - Establishes within the CA Health & Human Services Agency the State Department of Public Health, under the direction of the State Health Officer. Requires the department of administer various health-related programs.

**STATUS:** Assembly Health Committee

**SB 431/Ortiz** - Appropriates \$2,300,000 from the Federal Trust Fund to DHS to implement state and local bioterrorism preparedness measures.

**LAST ACTION:** Assembly Appropriations Committee – Set for hearing 6/30/04

**STATUS:** Heard, placed on suspense file

**SB 858/Ortiz** – Enacts the Public Health Act of 2004. Establishes the State Department of Public Health to be headed by the State Public Health Officer. Establishes a Public Health Board. Transfers the responsibility for some programs from DHS to the newly created department. Other provisions.

**LAST ACTION:** Passed out as amended from Assembly Health (18-0) – Amended 6/24/04

**STATUS:** Assembly Appropriations Committee – Set for hearing 8/4/04

**SB 1783/Dunn** - Extends the date of termination of the prohibition against CCS covered services being incorporated into a Medi-Cal managed care contract entered into after 8/1/94 – until 8/1/08. Extends the exception from that prohibition to include Medi-Cal managed care contracts entered into after 8/1/94 for regional health authorities in specified counties.

**LAST ACTION:** In Assembly

**STATUS:** Assembly Health Committee – Set for hearing 6/22/04 – Not heard

**\*New Bills to the hot sheet - Please note these are unofficial positions until ratified by the General Membership in August.**