

CHEAC Legislative Hot Sheet 2005 - #6

April 15, 2005

Hot Sheet at a glance

Bill Number	Status	CHEAC Position
AB 109/Chan	In Assembly Appropriations Committee. Amended 4/14/05. Set for hearing 4/20/05.	Watch (Special Interest Bill)
AB 126/Dymally	In Assembly Health Committee. Set for hearing 4/19/05. Reset for hearing 4/26/05.	Oppose-2
AB 392/Chan	Passed out of Assembly Appropriations (18-0). On Assembly Floor.	Support-1
AB 470/Yee	In Assembly Health Committee. Set for hearing 4/5/05. Not heard.	Watch w/ concerns (Special Interest Bill)
AB 512/Richman	Passed out as amended from Assembly Business & Professions (8-0). Amended 4/14/05. To Assembly Health Committee. Set for hearing 4/19/05.	Support-2
AB 547/Berg	Passed out of Assembly Appropriations (13-5). On Assembly Floor.	Support-1
*AB 568/Garcia	In Assembly Health Committee. Set for hearing 4/19/05.	Watch w/ concerns (Special Interest Bill)
AB 586/Negrete McLeod	Passed out of Assembly Health (14-0). To Assembly Appropriations Committee.	Watch (Special Interest Bill)
AB 686/Chu	In Assembly Health Committee. Re-set for hearing 4/26/05.	Support-2
*AB 702/Koretz	In Assembly Higher Education Committee. Set for hearing 4/19/05.	Support-2
AB 1179/Yee	In Assembly Human Services Committee. Set for hearing 4/26/05. Amended 4/12/05.	Support-2
AB 1538/Bass	In Assembly Human Services Committee. Set for hearing 4/26/05.	Watch w/ concerns (Special Interest Bill)
SB 12/Escutia	In Senate Health Committee. Set for hearing 5/4/05.	Support-2
SB 34/Florez	On Senate Floor.	Oppose-2
SB 35/Florez	In Senate Appropriations Committee. Set for hearing 4/18/05.	Watch (Special Interest Bill)
SB 57/Alarcon	In Senate Public Safety Committee. Set for hearing 4/19/05.	Support if Amended
SB 104/Ortiz	Passed out of Senate Public Safety (6-0). To Senate Appropriations Committee.	Watch (Special Interest Bill)
SB 162/Ortiz	In Senate Government Modernization, Efficiency and Accountability Committee. Set for hearing 4/20/05.	Watch (Special Interest Bill)
SB 325/Ducheny	In Senate Health Committee. Set for hearing 3/30/05. Not Heard. Reset for hearing 4/27/05.	Watch w/ concerns (Special Interest Bill)
SB 643/Chesbro	In Senate Health Committee. Set for hearing 4/13/05. Not heard. Reset for hearing 4/27/05.	Watch w/ concerns (Special Interest Bill)
SB 708/Speier	In Senate Health Committee. Set for hearing 4/13/05. Not heard. Amended 4/11/05. Reset for hearing 4/20/05.	Watch w/ concerns (Special Interest Bill)
SB 965/Escutia	Set for hearing in Senate Health Committee on 4/27/05.	Support-2
SB 969/Ducheny	In Senate Transportation & Housing Committee. Set for hearing 4/19/05. Amended 4/12/05.	Oppose-1

***Please note these bills are new to the hot sheet and positions are unofficial until ratified by the General Membership in June.**

SUPPORT 1

AB 392/Chan – Authorizes any county, with the assistance and participation of the appropriate state departments, to implement a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system. Includes evaluation components.

LAST ACTION: Passed out of Assembly Health (11-0) – To Assembly Appropriations – Set for hearing 4/13/05.

STATUS: Passed out of Assembly Appropriations (18-0). On Assembly Floor.

AB 547/Berg – Authorizes cities, counties and cities and counties to have a clean needle and syringe exchange project in consultation with DHS. Eliminates local declaration of emergency provisions.

LAST ACTION: Passed out of Assembly Health (8-3) – To Assembly Appropriations – Set for hearing 4/13/05.

STATUS: Passed out of Assembly Appropriations (13-5). On Assembly Floor.

SUPPORT 2

AB 512/Richman - Authorizes DHS to deny, suspend or revoke a clinical lab's license or registration for failure to comply with specified infectious disease reporting requirements. Authorizes DHS to impose civil monetary penalties for failure to comply with these requirements.

LAST ACTION: Referred to Assembly Business & Professions Committee and Assembly Health Committee. Set for hearing 4/12/05 (B&P).

STATUS: Passed out as amended from Assembly Business & Professions (8-0). Amended 4/14/05. To Assembly Health Committee. Set for hearing 4/19/05.

AB 686/Chu – Provides that Medi-Cal edits applied to state fiscal intermediary claims that deny or reduce reimbursement shall not apply to claims for authorized CCS program services.

LAST ACTION: Referred to Assembly Health Committee. Set for hearing 4/12/05.

STATUS: Not heard. Reset for hearing on 4/26/05.

***AB 702/Koretz** - Additionally requires OSHPD to establish a statewide Registered Nurse Educator Scholarship Program to contract with colleges and universities to establish or expand related curriculum. Provides educational loans to RNs who are seeking a nursing master or doctoral degree and who will commit to serving as RN educators for a period of 3to 5 years upon completion of their studies.

STATUS: Set for hearing 4/19/05 in Assembly Higher Education Committee.

AB 1179/Yee – Authorizes designated foster care providers to administer injections for diabetes and anaphylactic shock, or other prescribed medication, to a foster child, if the provider is trained to administer injections by a licensed health care professional. Requires the licensed health care professional to periodically review, correct or update this training as the health care professional deems necessary.

LAST ACTION: Referred to Assembly Human Services Committee. Set for hearing 4/26/05. Amended 3/31/05.

STATUS: Amended 4/12/05.

SB 12/Escutia – Prohibits the sale of certain beverages and food items at high schools, commencing 7/1/07.

LAST ACTION: In Senate Health Committee. Amended 3/30/05.

STATUS: Set for hearing 5/4/05.

SB 965/Escutia – Restricts the sale of beverages to pupils at a high school at specified times to certain specified beverages.

LAST ACTION: Passed out as amended from Senate Education (9-2). To Senate Health Committee.

STATUS: Set for hearing 4/27/05.

SUPPORT IF AMENDED

SB 57/Alarcon – Provides that a county board of supervisors may elect to levy an additional penalty in the amount of \$2 for every \$10, upon fines, penalties and forfeitures collected for criminal offenses. Provides that, in addition, a county board of supervisors may levy a penalty in the amount of \$2 for every \$10 upon fines, penalties and forfeitures collected for violations of law related to seatbelt use, speed limits, DUI and domestic violence. Allows counties that have pediatric trauma units to spend up to 15% of the funds collected pursuant to these provisions for equipping and reimbursing trauma care facilities that provide pediatric trauma care.

STATUS: Referred to Senate Public Safety Committee. Set for hearing 4/19/05.

OPPOSE 1

SB 969/Ducheny – Exempts from the motorcycle helmet law a specified driver who is 18 years of age or older and either has completed a motorcycle rider training program or has been issued a class M1 license or endorsement, or a comparable license or endorsement from another jurisdiction for 2 or more years **and has proof of current medical insurance on his or her person. Also exempts a passenger who is 18 or older if they also have proof of medical insurance on their person..**

LAST ACTION: Referred to Senate Transportation & Housing Committee. Set for hearing 4/19/05.

STATUS: Amended 4/12/05.

OPPOSE 2

AB 126/Dymally – Makes various changes to the Beilenson process before a county can close a county health facility or reduce the level of services. A county must file with DHS a description of existing facilities and services 60 days prior, and must make findings after the hearing that the proposed action would not have a detrimental impact on the health care needs of indigent people in the county. Also sets new standard for indigent care equal to that available to health care services in private facilities.

LAST ACTION: Referred to Assembly Health Committee. Set for hearing 4/5/05. Reset for hearing 4/19/05.

STATUS: Reset for hearing 4/26/05.

SB 34/Florez – Requires that the majority of a county First Five commission consist of persons who do not represent the county. Grants the commission full discretion in the selection and appointment of its chairperson. Other provisions.

LAST ACTION: Amended 3/8/05. Set for hearing 3/16/05. Passed out of Senate Local Government Committee (4-2).

STATUS: On Senate Floor.

SPECIAL INTEREST BILLS

Watch w/ concerns

AB 470/Yee - Requires county mental health agencies to provide mental health assessment and all necessary mental health services for children whose families receive CalWorks or SSI/SSP or are wards or dependent children of the court.

LAST ACTION: Referred to Assembly Health Committee. Set for hearing 4/5/05.

STATUS: Not heard.

***AB 568/Garcia** - Requires a physician or surgeon performing an annual gynecological exam to offer to test the woman for HIV through a blood specimen or a rapid HIV test. Requires acceptance of HIV testing to be documented in writing and signed by patient. Requires informational counseling for patients. Requires positive test results be reported to local health officers.

STATUS: Set for hearing on 4/19/05 in Assembly Health Committee.

SB 325/Ducheny - Authorizes counties to seek reimbursement from the Local Revenue Fund (Realignment) for all verified excess costs to fund assessments, psychotherapy and other mental health services allowable under federal regulations and required by state law.

LAST ACTION: In Senate Health Committee. Set for hearing 3/30/05. Not heard.

STATUS: **Reset for hearing 4/27/05.**

AB 1538/Bass – Requires a county to provide the same wages and benefits authorized pursuant to the collective bargaining process to any IHSS provider who is qualified to receive wages and benefits under the applicable collective bargaining agreement or MOU, but who is ineligible to receive those wages and benefits as a result of maximum provider enrollment provision in the collective bargaining agreement or MOU.

LAST ACTION: Referred to Assembly Human Services Committee.

STATUS: Set for hearing 4/26/05.

SB 643/Chesbro – Would, with respect to Medi-Cal funded long term care recipients required to meet a share-of-cost requirement, modify the personal and incidental needs allowance to the 2 months prior to discharge and provide for reimbursement of a portion of the share-of-cost to the recipient at the time of discharge. Provides that TCM services would be a covered benefit under the Medi-Cal program for nursing facility residents when medically necessary to transition into the community. Requires a county mental health agency to fund any assessments conducted at the request of a conservatee or his or her attorney in a conservatorship proceeding. Other provisions.

LAST ACTION: Referred to Senate Health Committee. Set for hearing 4/13/05.

STATUS: **Not heard. Reset for hearing 4/27/05.**

SB 708/Speier – Requires DHS to develop a standard contract for private nonprofit hospitals whereby a hospital agrees **that elects to participate in the drug discount program** to provide medical care to indigent patients, as a condition of participation in the drug discount program established under federal law, **pursuant to a MOU with DHS. Requires a hospital entering into such an agreement to increase by an unspecified amount the percentage of its operating expenses that goes to charity care by the end of the 3rd year of the MOU.**

LAST ACTION: Referred to Senate Health Committee. Set for hearing 4/13/05.

STATUS: **Not heard. Amended 4/11/05. Reset for hearing 4/20/05.**

Watch

AB 109/Chan – Adds requirements that county First Five commissions adopt policies regarding conflict of interests of commission members and commission contracting and procurement policies that the county adopt a limit on the percentage of the county commission's operating budget that may be spent on administrative functions, pursuant to guidelines issued by the state commission and that the county commission adopt policies and processes establishing the salaries and benefits of county commission employees. Requires each county commission to submit in its audit report a list of all program areas funded and administrative costs incurred if the state commission prescribes that format prior to the fiscal year in which it is to be utilized. Requires that the state commission's report include expenditures for both administration and program areas funded by the state and county commissions. Requires the to issue guidelines for expanded annual audits of each county commission and associated quality control functions, subject to funding by the state commission, and to present the final audit guidelines and implementation plan to the state commission by 4/20/06. Other provisions.

LAST ACTION: Passed out of Assembly Health (12-0). To Assembly Appropriations Committee.

STATUS: **Amended 4/14/05. Set for hearing 4/20/05.**

AB 586/Negrete McLeod – Designates the operational area coordinator, in cooperation with various agencies, as the person responsible for ensuring the development of a medical and health disaster system. Defines operational area coordinators as county health officers and the county local EMS agency who shall act jointly as the Medical/Health Operational Area Coordinator (MHOAC). Requires DHS and EMSA to adopt regulations and guidelines by which disaster medical and health preparedness, response, recovery and mitigation functions are to be evaluated and carried out.

LAST ACTION: Referred to Assembly Health Committee. Set for hearing 4/12/05.

STATUS: Passed out of Assembly Health (14-0). To Assembly Appropriations Committee.

SB 35/Florez – Adds to existing First Five requirements that a county commission adopt policies regarding conflict of interest of commission members and commission contracting and procurement policies, and that limit the percentage of a county commissions revenues spent on administrative functions. Requires each county commission to submit in its audit report a list, by category, of all program areas funded and administrative costs incurred. Requires that the state commission's report include expenditures for both administration and program areas funded by the state and county commissions. Requires the Controller to audit each county commission every three years, prescribe the scope of the audit, and authorizes the Controller to recommend to the state commission to withhold the annual allocation of money to a county commission until the county commission has corrected the practices identified in the audit. Other provisions.

LAST ACTION: In Senate Appropriations Committee. Amended 3/8/05.

STATUS: Set for hearing 4/18/05.

SB 104/Ortiz – Makes an order of a local health officer enforceable immediately by certain state or local peace officers. Contains placeholder language for possible use in implementation of federal bioterrorism preparedness grant.

LAST ACTION: Referred to the Senate Public Safety Committee. Set for hearing 4/12/05. Amended 4/4/05.

STATUS: Passed out of Senate Public Safety (6-0). To Senate Appropriations Committee.

SB 162/Ortiz – Establishes the State Department of Public Health, to be headed by the State Health Officer to be appointed by the Governor. Transfers the responsibility for certain programs from the State Department of Health Services to the State Department of Public Health. Other provisions.

LAST ACTION: Passed out as amended from Senate Health (7-1). To Senate Gov't Modernization, Efficiency & Accountability Committee. Amended 3/30/05.

STATUS: Set for hearing 4/20/05.