

# CHEAC Legislative Hot Sheet 2005 - #10

## May 13, 2005

Hot Sheet at a glance

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

Bill Number	Status	CHEAC Position
AB 109/Chan	In Assembly Appropriations Committee. Set for hearing 4/20/05. Heard, placed on suspense file.	Watch (Special Interest Bill)
AB 126/Dymally	In Assembly Health Committee. Set for hearing 4/26/05. Amended 4/18/05. Heard, remains in committee.	Oppose-2
AB 392/Chan	In Senate. Referred to Senate Health Committee.	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	In Assembly Appropriations. Set for hearing 5/4/05. Amended 4/26/05. Passed out of Appropriations (17-0). On Assembly Floor.	Support-2
AB 547/Berg	<b>Referred to Senate Health Committee.</b>	Support-1
*AB 568/Garcia	In Assembly Appropriations. Amended 5/3/05. Set for hearing 5/11/05.	Watch w/ concerns (Special Interest Bill)
AB 586/Negrete McLeod	In Assembly Appropriations Committee. Set for hearing 5/11/05. <b>Heard, placed on suspense file.</b>	Watch (Special Interest Bill)
*AB 699/Chan	In Assembly Appropriations Committee. Set for hearing 5/4/05. Heard, placed on suspense file.	Support-1
*AB 702/Koretz	In Assembly Appropriations. Amended 4/27/05. Set for hearing 5/11/05. <b>Heard, placed on suspense file.</b>	Support-2
<b>*AB 1078/Keene</b>	<b>In Assembly Appropriations Committee. Set for hearing 5/11/05. Heard, placed on suspense file.</b>	<b>Watch w/ concerns (Special Interest Bill)</b>
AB 1179/Yee	Passed off the Assembly Floor (73-0). To Senate.	Support-2
AB 1538/Bass	In Assembly Human Services Committee. Set for hearing 4/26/05. Not heard.	Watch w/ concerns (Special Interest Bill)
SB 12/Escutia	In Senate Rules Committee. <b>Referred to Senate Appropriations Committee. Set for hearing 5/16/05.</b>	Support-2
SB 34/Florez	On Senate Floor.	Oppose-2
SB 35/Florez	In Senate Appropriations Committee. Set for hearing 4/18/05. Heard, placed on suspense file.	Watch (Special Interest Bill)
SB 57/Alarcon	In Senate Public Safety Committee. Set for hearing 5/3/05. Passed out of Senate Public Safety (4-1). To Senate Appropriations Committee.	Support if Amended
SB 104/Ortiz	In Senate Appropriations Committee. Set for hearing 5/2/05. Not heard. Reset for hearing 5/9/05. <b>Heard, placed on suspense file.</b>	Watch (Special Interest Bill)
SB 162/Ortiz	In Senate Government Modernization, Efficiency and Accountability Committee. Set for hearing 4/20/05. Not heard. Now a two-year bill.	Watch (Special Interest Bill)
SB 325/Ducheny	In Senate Health Committee. Set for hearing 4/27/05. Not heard. Amended 4/25/05.	Watch w/ concerns (Special Interest Bill)
SB 643/Chesbro	Passed out as amended from Senate Health (11-0). To Senate Appropriations Committee. Amended 5/3/05.	Watch w/ concerns (Special Interest Bill)

SB 708/Speier	Passed out as amended from Senate Health (11-0). To Senate Appropriations Committee. Amended 5/4/05.	Watch w/ concerns (Special Interest Bill)
*SB 941/Alquist	In Senate Health Committee. Set for hearing 5/4/05. Amended 4/21/05. Passed out as amended from Senate Health (8-0). On Senate Floor. <b>Amended 5/10/05.</b>	Watch w/ concerns (Special Interest Bill)
SB 965/Escutia	Passed out as amended from Senate Health (8-3). To Senate Appropriations Committee. Amended 5/4/05.	Support-2
SB 969/Ducheny	In Senate Transportation & Housing Committee. Set for hearing 4/19/05. Amended 4/12/05. Failed Passage in Senate Transportation & Housing (6-6). Reconsideration granted.	Oppose-1

### **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 off the Assembly Floor (71-0). To Senate.

**STATUS:** Referred to Senate Health Committee.

**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 off Assembly Floor (45-30). In Senate.

**STATUS:** Referred to Senate Health Committee.

### **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 disease reporting requirements. Authorizes DHS to impose civil monetary penalties for failure to comply with these requirements.

**LAST ACTION:** In Assembly Appropriations. Set for hearing 5/4/05. Amended 4/26/05.

**STATUS:** Passed out of Assembly Appropriations (17-0). On Assembly Floor.

\***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 in California for a period of 3to 5 years upon completion of their studies.

**LAST ACTION:** In Assembly Appropriations. Amended 4/27/05. Set for hearing 5/11/05.

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

**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:** Passed out of Assembly Human Services (7-0). On Assembly Floor.

**STATUS:** Passed off the Assembly Floor (73-0). To Senate.

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

**LAST ACTION:** Passed out of Senate Health (7-3). To Senate Rules Committee.

**STATUS:** Referred to Senate Appropriations Committee. Set for hearing 5/16/05.

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

**LAST ACTION:** In Senate Appropriations Committee.

**STATUS:** Amended 5/4/05.

### **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.

**LAST ACTION:** Referred to Senate Public Safety Committee. Set for hearing 5/3/05. Amended 4/25/05.

**STATUS:** Passed out of Senate Public Safety (4-1). To Senate Appropriations Committee.

### **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.

Amended 4/12/05.

**STATUS:** Failed passage in Senate Transportation & Housing (6-6). Reconsideration granted.

### **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. Requires a county board of supervisors to 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:** In Assembly Health Committee. Set for hearing 4/26/05. Amended 4/18/05.

**STATUS:** Heard, remains in committee.

**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 that any woman seeking an annual gynecological exam or family planning appointment be provided with information on HIV and AIDS. Requires that the woman be offered the option of being tested onsite, if available, or referral information to other testing locations. Requires informational counseling for patients. Requires positive test results be reported to local health officers.

**LAST ACTION:** In Assembly Appropriations. Amended 4/27/05. Set for hearing 5/11/05. Amended 5/3/05.

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

**Please note that AB 586 will be dropped from subsequent Hot Sheets. The Legislative Committee has recommended a watch position on the bill due to the 5/3/05 amendments.**

**\*AB 1078/Keene** - Enacts the "Methamphetamine Contaminated Property Cleanup Act of 2005." Specifies the human occupancy standards for property that is subject to the act, and those standards would remain in place until the Department of Toxic Substances, in consultation with the Office of Environmental Health Hazard Assessment develops standards to determine when a property is contaminated by meth lab activity is safe for human occupancy. Requires local health officers to take specified actions after receiving notification from a law enforcement agency of potential contamination. Authorizes health officers to delegate all or part of the duties specified in the act to a designated agency. Requires the local health officer to record with the county recorder a lien and the issued order on the property. Authorizes the city, county or city and county to impose a nuisance abatement lien if the property owner fails to pay for the costs of remediation. Other provisions.

**STATUS:** Assembly Appropriations Committee – Suspense File

**SB 325/Ducheny** - Requires the Medi-Cal beneficiaries selective provider contracts special negotiator, in negotiating these contracts, to provide a per diem rate that is reflective of the cost of providing care for any hospital that is not a DSH hospital and that meets 7 specific conditions.

**LAST ACTION:** In Senate Health Committee. Set for hearing 4/27/05.

**STATUS:** Not heard. Amended 4/25/05.

**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:** In Assembly Human Services Committee. Set for hearing 4/26/05.

**STATUS:** Not heard.

**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:** Passed out as amended from Senate Health (11-0). To Senate Appropriations Committee.

**STATUS:** Amended 5/3/05.

**SB 708/Speier** – Requires DHS to develop a standard contract for private nonprofit hospitals whereby a hospital that elects to participate in the drug discount program to provide charity care on a continuing basis.

**LAST ACTION:** Passed out as amended from Senate Health (11-0). To Senate Appropriations Committee.

**STATUS:** Amended 5/4/05.

**Please note that SB 708 will be dropped from subsequent Hot Sheets. The Legislative Committee has recommended a watch position on the bill due to the 4/25/05 amendments.**

**\*SB 941/Alquist** – Provides that the costs of administering the EMS fund and the Physician Services Account shall be based on actual administrative costs not to exceed 10%. Revises reimbursement from the Physician Services Account to ~~allow~~ **delete the 50% maximum, and to require** proportional distribution to physicians and surgeons ~~beyond 50% of the amount claimed~~, as to all funds remaining at the end of the year **not to exceed the total claimed**. Requires counties establishing Physician Services Account to annually report by 4/15 to the Legislature on the implementation and status of the account. Requires counties to adopt a fee schedule for the Physician Services Account as well as require periodic disbursement of the fund at least quarterly. Other provisions.

**LAST ACTION:** In Senate Health Committee. Set for hearing 5/4/05. Amended 4/21/05. Passed out as amended from Senate Health (8-0). On Senate Floor.

**STATUS: Amended 5/10/05.**

### **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:** In Assembly Appropriations Committee. Amended 4/14/05. Set for hearing 4/20/05.

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

**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:** Passed out of Assembly Health (14-0). To Assembly Appropriations Committee. Set for hearing 5/11/05.

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

**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. Set for hearing 4/18/05.

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

**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:** Passed out of Senate Public Safety (6-0). To Senate Appropriations Committee. Set for hearing 5/2/05. Not heard. Reset for hearing 5/9/05.

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

**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:** In Senate Gov't Modernization, Efficiency & Accountability Committee. Amended 3/30/05. Set for hearing 4/20/05.

**STATUS:** Not heard. Now a two-year bill.