

# CHEAC Legislative Hot Sheet 2005 - #13

## June 3, 2005

### Hot Sheet at a glance

| Bill Number           | Status  | CHEAC Position                               |
|-----------------------|---|--|
| AB 109/Chan           | <b>Passed off Assembly Floor (vote unavailable). In Senate.</b>   | Watch<br>(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<br>(Special Interest Bill) |
| AB 512/Richman        | Referred to Senate Business, Professions and Economic Development Committee.  | Support-2                                    |
| AB 547/Berg           | Referred to Senate Health Committee.  | Support-1                                    |
| AB 568/Garcia         | In Assembly Appropriations. Amended 5/3/05. Set for hearing 5/11/05.  | Watch w/ concerns<br>(Special Interest Bill) |
| AB 586/Negrete McLeod | <b>Passed off Assembly Floor (79-0). In Senate.</b>   | Watch<br>(Special Interest Bill)             |
| AB 699/Chan           | In Assembly Appropriations Committee. Set for hearing 5/4/05. Heard, placed on suspense file. Set for hearing 5/25/05. Heard, remains in committee. | Support-1                                    |
| AB 702/Koretz         | <b>Passed off Assembly Floor (vote unavailable). In Senate.</b>   | Support-2                                    |
| AB 1078/Keene         | <b>Passed off Assembly Floor (79-0). In Senate.</b>   | Watch w/ concerns<br>(Special Interest Bill) |
| AB 1179/Yee           | Referred to Senate Human Services Committee and Health Committee. Set for hearing 6/14/05 (Hum Serv).   | Support-2                                    |
| AB 1538/Bass          | In Assembly Human Services Committee. Set for hearing 4/26/05. Not heard.   | Watch w/ concerns<br>(Special Interest Bill) |
| SB 12/Escutia         | <b>Passed off Senate Floor (24-14). In Assembly.</b>  | Support-2                                    |
| SB 34/Florez          | On Senate Floor. <b>Amended 6/1/05 (Amended to non-relevant subject matter).</b>  | Oppose-2                                     |
| SB 35/Florez          | <b>Passed off Senate Floor (38-1). In Assembly.</b>   | Watch<br>(Special Interest Bill)             |
| SB 57/Alarcon         | <b>Passed off Senate Floor (24-13). In Assembly.</b>  | Support if Amended                           |
| SB 104/Ortiz          | <b>Passed off Senate Floor (40-0). In Assembly.</b>   | Watch<br>(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<br>(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<br>(Special Interest Bill) |
| SB 454/Ortiz          | In Senate Appropriations. Heard, placed on suspense file. Set for hearing 5/26/05. Heard, remains in committee.                                     | Support-2                                    |
| SB 643/Chesbro        | <b>Passed off Senate Floor (29-1). In Assembly.</b>   | Watch w/ concerns<br>(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<br>(Special Interest Bill) |
| SB 941/Alquist        | Referred to Assembly Health Committee. <b>Set for hearing 6/14/05.</b>  | Watch w/ concerns<br>(Special Interest Bill) |
| SB 965/Escutia        | <b>Passed off Senate Floor (25-12). In Assembly.</b>  | 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.

**AB 699/Chan** - Eliminates the Medi-Cal beneficiary semiannual status reports.

**LAST ACTION:** In Assembly Appropriations Committee. Heard, placed on suspense file. Set for hearing 5/25/05.

**STATUS:** Heard, remains in 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:** Passed off Assembly Floor (76-0). To Senate.

**STATUS:** Referred to Senate Business, Professions and Economic Development Committee.

**AB 702/Koretz** - Additionally allows OSHPD to provide financial assistance to students who are seeking a nursing master or doctoral degree.

**LAST ACTION:** Passed out as amended from Assembly Appropriations Committee (13-0). Amended 5/27/05. On Assembly Floor.

**STATUS: Passed off Assembly Floor (vote unavailable). In Senate.**

**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:** In Senate Human Services Committee and Senate Health Committee.

**STATUS:** Set for hearing 6/14/05 (Hum Serv).

**SB 12/Escutia** –Revises the provisions relating to the sale of certain beverages and food items at high schools, to include, among other things, portion size restrictions, commencing 7/1/07.

**LAST ACTION:** Passed out as amended from Senate Appropriations (9-4). Amended 5/27/05. On Senate Floor.

**STATUS: Passed off Senate Floor (24-14). In Assembly.**

**SB 454/Ortiz** - Requires MRMIB to adopt policies to establish standards for participating health plans to provide information that beneficiaries may request that promotes nutrition education, increased physical activity and participation in federal nutrition programs. Requires DHS to implement a program to provide to Medi-Cal beneficiaries the same.

**LAST ACTION:** Set for hearing in Senate Appropriations 5/26/05.

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

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

**LAST ACTION:** Reported from Senate Appropriations 28.8 to the floor. On Senate Floor.

**STATUS: Passed off Senate Floor (25-12). In Assembly.**

### **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. Requires counties that have pediatric trauma units to spend 15% of the funds collected pursuant to these provisions for pediatric trauma centers. Requires use of these funds, not to exceed 10%, for administrative costs, including, but not limited to, the court's cost in processing the fees.

**LAST ACTION:** Passed out as amended from Senate Appropriations (8-5). Amended 5/27/05. On Senate Floor.

**STATUS: Passed off Senate Floor (24-13). In Assembly.**

### **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. **Amended 6/1/05.**

**Amended to non-relevant subject matter. Will be dropped from subsequent Hot Sheets.**

### **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 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.

**LAST ACTION:** Passed out as amended from Assembly Appropriations (18-0). Amended 5/27/05. On Assembly Floor.

**STATUS: Passed off Assembly Floor (79-0). In Senate.**

**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 Appropriations (8-0). On Senate Floor.

**STATUS: Passed off Senate Floor (29-1). In Assembly.**

**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 delete the 50% maximum, and to require proportional distribution to physicians and surgeons, 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:** Referred to Assembly Health Committee.

**STATUS: Set for hearing 6/14/05.**

### **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 Appropriations (13-4). On Assembly Floor.

**STATUS: Passed off Assembly Floor (vote unavailable). In Senate.**

**AB 586/Negrete McLeod** – Authorizes the local EMS agency administrator, if any, and the local health officer to jointly appoint a medical/health operational area coordinator. Designates the medical/health operational area coordinator, if any, in cooperation with various agencies, as the person responsible for ensuring the development of a medical and health disaster system. Requires DHS and EMSA to adopt related regulations.

**LAST ACTION:** Passed out as amended from Assembly Appropriations (18-0). Amended 5/26/05. On Assembly Floor.

**STATUS: Passed off Assembly Floor (79-0). In Senate.**

**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:** Passed out of Senate Appropriations (13-0). On Senate Floor.

**STATUS: Passed off Senate Floor (38-1). In Assembly.**

**SB 104/Ortiz** – Makes an order of a local health officer enforceable immediately by certain state or local peace officers. Authorizes the state DHS director and the local health officer to consider whether a request for enforcement assistance would necessitate advising regarding measures to be taken to prevent infection of enforcement officers when requesting assistance in enforcement of their orders. Contains placeholder language for possible use in implementation of federal bioterrorism preparedness grant.

**LAST ACTION:** Passed out of Senate Appropriations (13-0). On Senate Floor.

**STATUS: Passed off Senate Floor (40-0). In Assembly.**

**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.