

# CHEAC Legislative Hot Sheet 2005 - #23

## September 9, 2005

### Hot Sheet at a glance

Bill Number	Status	CHEAC Position
AB 109/Chan	In Assembly for concurrence. Assembly concurred in Senate amendments (76-2). To Governor.	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	On Senate Floor. Referred to Senate Inactive File. <b>Removed from Senate Inactive File. On Senate Floor.</b>	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	To Governor. <b>Signed by Governor. Chapter 219, Statutes of 2005.</b>	Support-2
AB 547/Berg	In Assembly for concurrence. Assembly concurred in Senate amendments (47-31). To Governor.	Support-1
AB 576/Wolk	Referred to Senate Health Committee and Judiciary Committee. Set for hearing 6/15/05 (Health). Reset for hearing 6/22/05. Not Heard. Amended 8/15/05.	Support-2
AB 586/Negrete McLeod	Passed off Assembly Floor (79-0). In Senate. Referred to Senate Health Committee. Set for hearing 6/22/05. Reset for hearing 6/29/05. Not heard.	Watch (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	On Senate Floor. Passed off the Senate Floor (34-0). To Governor.	Support-2
AB 1078/Keene	On Senate Floor. Amended 8/30/05. <b>Passed off Senate Floor (38-1). In Assembly for concurrence. Assembly concurred in Senate amendments (79-0). To Governor.</b>	Watch w/ concerns (Special Interest Bill)
<b>NEW BILL AB 1116/Yee</b>	<b>Amended 9/2/05. Passed off Senate Floor (33-0). In Assembly for concurrence. Assembly concurred in Senate amendments (79-0). To Governor.</b>	<b>Support - 2</b>
AB 1179/Yee	On Senate Floor. To Inactive file. Amended 8/23/05. Re-referred to Senate Appropriations Committee. Reported out 28.8 to the Senate Floor. <b>Amended 9/2/05 to non-relevant subject matter. Bill language amended into AB 1116/Yee (see above).</b>	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 for concurrence. <b>Senate concurred in Assembly amendments (26-10). To Governor.</b>	Support-2
SB 35/Florez	In Senate for concurrence. <b>Senate concurred in Assembly amendments (40-0). To Governor.</b>	Watch (Special Interest Bill)
SB 57/Alarcon	In Senate for concurrence. <b>Senate concurred in Assembly amendments (23-15). To Governor.</b>	Support if Amended
SB 104/Ortiz	In Senate for concurrence. <b>Senate concurred in Assembly amendments (40-0). To Governor.</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 454/Ortiz	In Senate Appropriations. Heard, placed on suspense file. Set for hearing 5/26/05. Heard, remains in committee.	Support-2
SB 941/Alquist	On Assembly Floor. <b>Amended 9/2/05. Passed off Assembly Floor (77-0). To Senate for concurrence. Senate concurred in Assembly amendments (38-0). To Governor.</b>	Watch w/ concerns (Special Interest Bill)
SB 965/Escutia	In Senate for concurrence. <b>Senate concurred in Assembly amendments (26-11). To Governor.</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:** On Senate Floor. Referred to Senate Inactive File.

**STATUS:** Removed from Senate Inactive File. On Senate 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 off Senate Floor (24-15). To Assembly for concurrence.

**STATUS:** Assembly concurred in Senate amendments (47-31). To Governor.

**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:** Assembly concurred in Senate amendments (75-1). To Governor.

**STATUS:** Signed by Governor, Chapter 219, Statutes of 2005.

**AB 576/Wolk** - Allows a patient or client's physician, local health departments and DHS to maintain access to this information after a patient has refused the sharing of the information for purposes of patient care or protecting the public's health. Allows the sharing of a patient's name, by DHS or local health departments with state or local health departments, health care providers, the IZ system or any designated entity allowed access to the info, unless the patient refuses to allow the information to be shared.

**LAST ACTION:** Referred to Senate Health Committee and Senate Judiciary Committee. Set for hearing 6/15/05 (Health). Rescheduled for hearing 6/22/05 (Health). Not heard.

**STATUS:** Amended 8/15/05.

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

**LAST ACTION:** In Senate Appropriations. Set for hearing 8/16/05. Reported out 28.8 to the Senate Floor.

**STATUS:** Passed off the Senate Floor (34-0). To Governor

**NEW BILL – AB 1116/Yee – Authorizes designated foster care providers and other persons to administer emergency medical assistance and injections for severe diabetic hypoglycemia and anaphylactic shock, and subcutaneous injections of other prescribed medication, to a foster child, if the provider is trained to administer injections by a licensed health care professional. Would not supersede existing law requirements applicable to the administration of psychotropic medication to a dependent child of the court. Requires the licensed health care professional to periodically review, correct, or update the training as the health care professional deems necessary and appropriate. Prohibits a child’s need to receive injections pursuant to the bill from being the sole basis for determining that the child has a medical condition requiring specialized in-home health care. STATUS: Amended 9/2/05. Passed off Senate Floor (33-0). In Assembly for concurrence. Assembly concurred in Senate amendments (79-0). To Governor.**

~~AB 1179/Yee – Requires DHS to permit designated foster care providers to administer emergency medical assistance and injections for diabetes and anaphylactic shock, or subcutaneous injections of 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: Amended 8/23/05. Re-referred to Senate Appropriations Committee. Reported out 28.8 to the Senate Floor.~~

~~STATUS: Amended 9/2/05 to non-relevant subject matter. Bill language amended into AB 1116/Yee.~~

**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 off Assembly Floor (49-27). In Senate for concurrence.**

**STATUS: Senate concurred in Assembly amendments (26-10). To Governor.**

**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: Passed off of Assembly Floor (47-28). In Senate for concurrence.**

**STATUS: Senate concurred in Assembly amendments (26-11). To Governor.**

### **SUPPORT IF AMENDED**

**SB 57/Alarcon – Provides that a county board of supervisors, until 1/1/09, 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 off the Assembly Floor (42-35). In Senate for concurrence.**

**STATUS: Senate concurred in Assembly amendments (23-15). To Governor.**

### **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.

## **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 Senate Appropriations (12-0). On Senate Floor. Amended 8/30/05.

**STATUS:** Passed off Senate Floor (38-1). In Assembly for concurrence. Assembly concurred in Senate amendments (79-0). To Governor.

**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 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.

**Now co-joined with SB 57/Alarcon.**

**LAST ACTION:** Senate concurred in Assembly amendments (40-0). Withdrawn from enrollment and returned to the Assembly for further action. On Assembly Floor.

**STATUS: Amended 9/2/05. Passed off Assembly Floor (77-0). To Senate for concurrence. Senate concurred in Assembly amendments (38-0). To Governor.**

### 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.

**LAST ACTION:** Passed off Senate Floor (39-0). In Assembly for concurrence.

**STATUS:** Assembly concurred in Senate amendments (76-2). To Governor.

**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 off Assembly Floor (79-0). In Senate. Referred to Senate Health Committee. Set for hearing 6/22/05.

**STATUS:** Reset for hearing 6/29/05. Not heard.

**SB 35/Florez** – Requires each county commission, on or before November 1 of each year, to submit its audit and report to the state commission. It would require the report to be in a format prescribed by the state commission, if the state commission approves that format in a public meeting prior to the fiscal year in which it is to be utilized. Requires that the state commission's report include a listing, by category, of aggregate expenditures on program areas funded by the state and county commissions. Authorizes the state commission to withhold funds that would otherwise be allocated to the county commission from the CA Children and Families Trust Fund in the event a county commission does not submit required information for the written report. Requires the Controller to issue guidelines for expanded county commission annual audits 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 on or before 4/30/06. Other provisions.

**LAST ACTION:** Passed off the Assembly Floor (67-6). In Senate for concurrence.

**STATUS: Senate concurred in Assembly amendments (40-0). To Governor.**

**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:** From Inactive File to Assembly Floor. Amended 8/30/05. Passed off the Assembly Floor (77-0). In Senate for concurrence.

**STATUS: Senate concurred in Assembly amendments (40-0). To Governor.**

**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.