

CHEAC Hot Sheet #29 – 2008

August 29, 2008

PLEASE NOTE: All bills listed as “To Enrollment” have passed through the Legislature; however, both houses are holding these bills at their respective desks due to the Governor’s Veto threat of all bills sent to him during the state budget impasse.

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
ASSEMBLY BILLS			
AB 211/Jones <i>Built-Env./Health Officers Health Information</i> Amended 8/22/08	<i>Location:</i> In Assembly for concurrence.	Authorizes a local health officer to provide public health input to cities and counties as it relates to local land use planning and transportation planning processes. Requires all health care providers to prevent unlawful or unauthorized access implement specified safeguards to protect the privacy of a patient’s medical information. Establishes the Office of Health Information Integrity within the CA H&HS Agency to ensure enforcement including the imposition of administrative penalties for violations.	Watch w/ Concerns
AB 1825/Beall CCS Amended 7/7/08	<i>Location:</i> To Enrollment.	Would create a new dispute resolution process for resolving disputes between Regional Centers and any "publicly funded generic agencies" regarding which agency should pay for services identified in the individualized family service plan for any child under 6 years of age. The Regional Center would initiate the dispute resolution process, and the other agency would have to respond within 15 days. If resolution isn't reached within the next 10 days, the issue would go before the Office of Administrative Hearings, whose decision would be binding.	Watch w/ Concerns
AB 1900/Nava EMS Amended 7/2/08	<i>Location:</i> To Enrollment.	Extends the sunset, until 1/1/11, for the special Santa Barbara County Maddy legislation enacted in 2004. Dramatically decreases the types of vehicle penalty assessments going to their Maddy Fund. Eliminates the special diversion of 17% in the SB Maddy Fund to trauma care.	Watch w/ Concerns
AB 2527/Berg MAA/TCM Amended 7/10/08	<i>Location:</i> To Enrollment.	Technical clean-up to MAA/TCM statute.	S-1

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 2702/Nunez <i>EMS</i> Amended 8/6/08	<i>Location:</i> To Enrollment.	Adds standby emergency services in a Los Angeles facility to the list of eligible entities fro Maddy Fund emergency services reimbursements. Requires said standby facility to provide certification information to CDPH as well as patient encounter information to both CDPH and EMSA.	Watch w/ Concerns
AB 2716/Ma <i>Public Health Emp. Benefits</i> Amended 8/4/08	<i>Location:</i> In Senate Appropriations Committee held on the Suspense File.	Provides paid sick days for all employees in the state who work for more than 7 days in a calendar year. Clarifies that provisions apply to IHSS except where collective bargaining agreements provide for incremental wage increases sufficient to satisfy the bill’s sick days accrual requirements. Other provisions.	Watch w/ Concerns
AB 2796/Nava <i>Emergency Preparedness</i> Amended 8/4/08	<i>Location:</i> To Enrollment.	Authorizes OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating, during emergencies or exercises, services, goods, labor, equipment or other resources. Provides civil and criminal liability immunity to those entities that have joined the registry that voluntarily and without expectation provides services or resources during a state of state or local emergency or during a training conducted by OES, a city, or a county.	Support in Concept
AB 2875/Lieber <i>Medi-Cal</i> Amended 7/1/08	<i>Location:</i> In Senate Appropriations Committee held on the Suspense File.	Requires DHCS make necessary technological and policy changes to ensure that Medi-Cal is continued when beneficiaries report a change of circumstances to the Food Stamp or CalWORKs program that would continue their Medi-Cal eligibility. Also requires DHCS to establish procedures to prepopulate all Medi-Cal renewal forms sent to beneficiaries.	S-2
AB 2917/Torricon <i>EMS</i> Amended 8/13/08	<i>Location:</i> Passed to Assembly. In Assembly for concurrence.	Establishes integrated (employer/LEMSA) process for disciplining EMT’s. Requires EMSA to develop regulations for disciplinary procedures. Other provisions.	Special Interest Bill
AB 2942/Ma <i>Hospitals</i> Amended 8/4/08	<i>Location:</i> In Senate Appropriations Committee held on the Suspense File.	Requires OSHPD to develop a standardized format and methodology for hospitals to utilize in calculating and presenting community benefits information. Requires all hospitals (including public) in state (not just non-profits) to complete community needs assessments and community benefit plans. Other provisions.	Watch w/ Concerns

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
AB 2996/De La Torre <i>Emergency Preparedness</i>	<i>Location:</i> To Enrollment.	Requires CDPH and local health departments (LHDs) to establish a process when conducting exercises on the outbreak of an infectious disease to identify any deficiencies in their preparedness plans and procedures and to track implementation of corrective measures.	Watch w/ Concerns
NEW BILL AB 3076/Huffman EMS/Maddy Amended 8/28/08	<i>Location:</i> On Senate Floor.	Makes technical changes to Maddy statute correcting an inadvertent drafting error contained in SB 1773/Alarcon.	S-2
AJR 54/Laird <i>SCHIP</i> Amended 5/28/08	Resolution Chapter 82, Statutes of 2008	Memorializes Congress and the President to rescind the August 17, 2007, CMS directive on the SCHIP program.	S-2
SENATE BILLS			
SB 158/Florez <i>Hospitals Infection Control</i> Amended 8/21/08	<i>Location:</i> In Senate for concurrence.	Adds duties for the existing Healthcare Associated Infection Advisory Committee (created by SB 739/Speier). Mandates training for hospital staff on hospital-associated infections (HAIs). Requires health facilities to develop and implement patient safety plans to improve the health and safety of patients and to reduce preventable patient safety events. Requires health facilities to implement facility wide hand hygiene program. Other provisions.	Watch w/ Concerns
SB 541/Alquist <i>Health Information</i> Amended 8/21/08	<i>Location:</i> In Senate for concurrence.	Requires that all health facilities prevent unauthorized access to patient medical data. Imposes reporting requirements and administrative penalties on health facilities for violations of these provisions.	Watch w/ Concerns

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SB 840/Kuehl <i>Health Care Reform</i> Amended 8/11/08	<i>Location:</i> On Assembly Floor.	Establishes the California Health Insurance System to be administered by the newly created CA Health Insurance Agency under the control of an elected Health Insurance Commissioner. Makes all CA residents eligible for specified health care benefits under the system, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Requires the commissioner to seek all necessary waivers, exemptions, agreements or legislation to allow various existing federal, state and local health care payments to be paid to the system. Creates a health insurance policy board. Allows the Healthcare Commissioner to determine city and county contributions to the program. Other provisions.	SIA
SB 902/Padilla <i>EMS/Maddy</i> Amended 8/15/08	<i>Location:</i> On Assembly Floor.	Makes technical changes to Maddy statute correcting an inadvertent drafting error contained in SB 1773/Alarcon and eliminating obsolete reporting requirements for Prop 99/CHIP.	S-2
SB 997/Ridley-Thomas <i>EMS</i> Amended 8/8/08	<i>Location:</i> To Enrollment.	Revises the membership of the EMS Commission to include two additional members – one employed by Cal-Fire and one employed by a city, county or special district that provides fire protection - appointed by the Governor from a list of names submitted by the CA Professional Firefighters.	Watch w/ Concerns
SB 1058/Alquist <i>Health Facilities</i> Amended 8/19/08	<i>Location:</i> On Assembly Floor.	Establishes the Medical Facility Infection Control & Prevention Act that requires general acute care hospitals to implement procedures for the screening, prevention and reporting of specific acquired infections.	Watch w/ Concerns
SB 1184/Kuehl <i>Disease Reporting</i> Amended 7/3/08	<i>Location:</i> To Enrollment.	Requires all clinical labs to report all CD4 and T-Cell test results to health officers within seven days. Other provisions.	S-2
SB 1236/Padilla <i>EMS</i> Amended 4/3/08	Signed by Governor. Chapter 60, Statutes of 2008	Extends the sunset to 1/1/14 that authorizes Boards of Supervisors to levy additional penalties collected for criminal offenses to be used for pediatric trauma centers and county EMS (Maddy Fund).	S-2

Bill Number Author Subject Last Amendment	Bill Status	Description	CHEAC Position
SB 1307/Ridley-Thomas <i>Pharmacy</i> Amended 8/14/08	<i>Location:</i> To Enrollment.	Sets additional requirements for the drug pedigree program established in previous legislation by requiring the addition of a unique identification number for each drug pedigree required product. Pushes the date for compliance for the drug pedigree program for wholesalers to 7/1/16 and for pharmacies to 7/1/17. Provides an exemption for drugs transferred between governmental entities. Other provisions.	Watch w/ Concerns
SB 1415/Kuehl <i>Patient Records</i> Amended 7/14/08	<i>Location:</i> To Enrollment.	Requires health care providers to obtain a signed statement from the patient, setting forth the patient's rights regarding the intended retention period of that patient's records. Requires the provider to notify a patient no fewer than 60 days before their records are destroyed or are scheduled to be destroyed if it occurs at a date earlier than the period specified in the patient's signed statement. Health care providers who violate these requirements may be cited and assessed administrative penalties (upon second or subsequent violations). Requirement applies to all patient records created after 1/1/09 – exemption provided for patient records created for minors.	Watch w/ Concerns
SB 1420/Padilla <i>Public Health</i> Amended 8/22/08	<i>Location:</i> In Senate for concurrence.	Requires each food facility in the state that is part of a chain (14 19 or more locations) to provide nutritional information that includes per item the total number of calories, grams of saturated fat, grams of trans fats and milligrams of sodium on standard menus. Requires menu boards to include the total number of calories. Nutritional information required by the bill shall be determined on a reasonable basis. Pre-empts any local government ordinance or regulation that regulates food facility nutritional information dissemination. Other provisions.	Watch w/ Concerns

Definitions of Legislative Terms

Chaptered – A bill passed by the Legislature and signed into law by the Governor.

Concurrence – The approval by the house of origin of a bill that was amended in the opposite house .

Dead Bill – A bill that has not passed out of it's house of origin by the end of January of the second-year of the two-year legislative session.
(Please note all deadlines may be waived by Legislative leadership.)

Failed Passage – A bill that has been voted on in either a committee or assembly or senate floor and did not receive a majority vote. An urgency measure or tax increase must receive 2/3 vote on the floor.

Gut and Amend – An amended bill where the previous legislative language is removed and replaced with entirely new subject matter.

Held in Committee – Status of a bill that is heard in committee but no action is taken.

Inactive File – A bill ready for floor consideration but placed on a dormant list upon the author’s request.

Interim Study – The assignment of a bill’s subject matter to the appropriate committee for study during the period the Legislature is not in session.

Reconsideration Granted – A motion giving the opportunity to take another vote on a bill that has failed passage in a committee hearing or floor session.

Rules Committee – All bills are initially referred to this committee in each house for policy committee assignments.

Spot Bill (or intent bill) – A bill that proposes nonsubstantive changes to a code section in a particular subject. Often used as a legislative vehicle later in the legislative session for ideas not fully fleshed out when the bill is introduced.

Suspense File – Bills meeting a certain appropriation threshold in fiscal committees are placed on the suspense file. Fiscal committees in each house hold a special hearing close to the fiscal committee deadlines (late May and August) to determine which bills will come off the suspense file and move forward. The decision on each bill is pre-determined by leadership and the committee vote is mostly a formality.

Two-Year Bill – A bill that has not passed out of it’s house of origin policy or appropriations committee by designated deadlines in the first year of a two-year legislative session. (Please note all deadlines may be waived by Legislative leadership.)

CHEAC Legislative Position Chart

S - 1 Strong Support	S - 2 Soft Support	S - 3 Discretionary Support	SIA Support if Amended
O - 1 Strong Oppose	O - 2 Soft Oppose	O - 3 Discretionary Oppose	OUA Oppose Unless Amended
WC Watch with Concerns	W - SIB Watch - Special Interest Bill	W Watch	R/BB Refer/Bring Back