

Public Health Legislation from the 2002 California Legislative Session

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Legislative Council,
Alameda County Public Health Department



Purpose

This document was created to serve as a reference guide for Alameda County Public Health Department (ACPHD) staff and community members. It provides a brief summary of all public health related legislation considered during the 2002 session of the California State Legislature and is organized by Divisions and the Department's strategic directives (shelter and safety).

The intent of this document is to provide you with background on existing legislation, to help you identify gaps requiring additional legislation, and to motivate you to become active in the legislative process. A more detailed description of all included legislation can be found at www.leginfo.ca.gov, which was the main source for this document and the bill summaries.

Definitions

The final status of each bill will be listed as one of the following:

- **CHAPTERED** – A chaptered bill is one that was passed by the legislature, delivered to the governor, and signed into law by the governor.
- **VETOED** - A vetoed bill is one that was passed by the legislature, delivered to the governor, and vetoed by the governor. This bill did not become law.
- **All others** – Any other status listed other than chaptered or vetoed indicates that the bill did not make it through the legislature and was not delivered to the governor.

Legislative Council

This document was prepared under the auspices of the Alameda County Public Health Department Legislative Council. The Legislative Council is comprised of seven active members from the following divisions and areas: Administrative Services, Community Health Services, Communicable Disease Control & Prevention, Emergency Medical Services, Family Health Services, Public Health Nursing, and the Office of the Director. The mission of the Council is to raise awareness of public health issues throughout Alameda County and to develop and implement a locally focused, strategic legislative plan for ensuring that public health policies and programs are based on community needs and interests. We encourage you to participate in the legislative process by helping to shape the legislative priorities of the department, by encouraging the department to adopt a position on legislation, and by developing legislative proposals. You are also welcome to attend one of the Council's bi-weekly meetings to observe the Council's process. For additional information about the Legislative Council contact Pam Willow, the Legislative Council Coordinator, at 208-5905 or pawillo@co.alameda.ca.us or visit us on the web at www.co.alameda.ca.us/publichealth.

Feedback

We would appreciate any feedback on the usefulness of this document and how it can be improved upon in the future. Please forward any questions or comments to Pam Willow, the Legislative Council Coordinator, at 208-5905 or pawillo@co.alameda.ca.us.

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Community Health Services

- AB 275
Aroner *Medi-Cal: developmentally disabled: dental care.*
This bill would require the State Department of Health Services, in cooperation with the State Department of Developmental Services, and in consultation with the California Dental Association, to provide existing data regarding dental services received by Medi-Cal beneficiaries who are eligible to receive dental services under the act, to specified committees of the Legislature by April 1, 2003.
Status: CHAPTERED
- AB 412
Wesson &
Koretz *Tobacco products: tobacco sales*
AB 412 imposes a civil penalty on the sale of cigarettes by means of self-service display and authorizes the Attorney General, a city attorney, a county counsel, or a district attorney to bring a civil action to enforce this sale restriction. Provisions relating to self-service displays exclude tobacco product vending machines located at least 15 feet from the entrance of a public premise licensed to sell alcoholic beverages. Further, AB 412 prohibits the nonsale distribution of tobacco on private property that is open to the general public, excluding locations where minors are prohibited by law and locations leased for private functions where minors are denied access by a peace officer or licensed security guard on the premises. Finally, this legislation prohibits the sale of cigarettes in package sizes of less than 20 cigarettes, and loose tobacco in packages of less than 0.06 ounces.
Status: Set, second hearing. Hearing cancelled at request of author. (07/17/2001)
- AB 481
Firebaugh *Education: pupil health diabetes*
This bill would require a credentialed school nurse or school administrator to provide assistance to pupils with diabetes pursuant to those provisions, in accordance with instructions set forth by the pupil's physician, if the pupil is unable to perform the tasks.
Status: VETOED
- AB 1026
Oropeza *Healing arts: dentists*
AB 1026 provides that a licensed dentist shall not advertise as a specialist or as specializing in an area of practice unless certified or eligible for certification by a dental specialty board recognized by the American Dental Association or another dental specialty board in the area in which specialization is advertised with equivalent requirements approved by the Dental Board of California. Additionally, AB 1026 requires a dentist who is not certified or eligible for certification by these boards to state that he or she is a general dentist in any advertisement describing his or her practice as limited to a specific field.
Status: CHAPTERED
- AB 1360
Pescetti *Dentists: physicians: professional liability insurance*
AB 1360 requires licensed dentists and physicians who do not have liability coverage for their practice of dentistry or medicine to disclose that fact to their patients. The disclosure is to be signed by both the licensee and the patient, and a copy of it placed in the patient's dental or medical record.
Status: Withdrawn from committee. Re-referred to Com. On PUB. S. (03/07/2002)
- AB 1527
Frommer *Tobacco products*
AB 1527 would prohibit the owner, operator, or employee of a retail store from advertising cigarettes, except by reference to brand and price. This bill would make the violation of this requirement a misdemeanor and subject to the imposition of civil penalties. This bill would also prohibit cigarette manufacturers and importers from conditioning monetary payments or other inducements to cigarette retailers on specified conduct. This bill would provide that each violation of this provision would be subject to specified civil penalties.
Status: To Senate inactive file. (08/31/02)
- AB 1666
Horton *Tobacco products*
This budget trailer bill would provide for the licensure by the State Board of Equalization of manufacturers, distributors, wholesalers, importers, and retailers of cigarette and tobacco products that are engaged in business in California. The bill would prohibit retailers, manufacturers, distributors, and wholesalers from distributing or selling those cigarette and tobacco products unless they are licensed.

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AB 1666 would on October 1, 2002, eliminate the 0.85% discount afforded to licensed distributors who purchase stamps or meter register settings. The bill would prohibit a manufacturer, distributor, wholesaler, importer, or retailer from selling counterfeit cigarette and tobacco products and would provide that a violation of that prohibition is a crime. The bill would impose specified fines or imprisonment for possessing, selling, or buying false or fraudulent cigarette tax stamps.

Status: To inactive file on motion of Assembly Member Horton. (08/31/2002)

AB 1793
Migden

Education: physical education

This bill requires the State Department of Education to monitor, through the existing Coordinated Compliance Review process the number of hours of physical education instruction offered to K-12 pupils. It also requires the Superintendent of Public Instruction to recommend, and the State Board of Education to adopt, model content standards in the curriculum area of physical education. The measure also clarifies reporting requirements to pertain to grades 1-6.

Status: CHAPTERED

AB 1830
Frommer

Tobacco products: sales to minors

AB 1830 prohibits any person from distributing or selling tobacco products via the United States Postal Service, or any other public or private postal or package delivery service, to any purchaser who is a minor. AB 1830 would require a specified distributor or seller, among other things, to verify that a purchaser of tobacco products is 18 years of age or older.

Status: CHAPTERED

AB 1867
Vargas

Smoking: playgrounds

Existing law prohibits any person from smoking a cigarette, cigar, or other tobacco-related product, or from disposing of cigarette butts, cigar butts, or any other tobacco-related waste, within a playground or a tot lot sandbox area. AB 1867 expands the prohibited smoking and disposal area to within 25 feet of a playground or a tot lot sandbox area.

Status: CHAPTERED

AB 1905
Longville

Type 2 diabetes mellitus: pupil screening

This bill would establish a 3-year pilot program whereby the State Department of Education would be required to select one school district each from Contra Costa County, Merced County, and San Bernardino County to participate in the program and would require those participating school districts, in conjunction with the scoliosis screening, to screen pupils for the risk of developing type 2 diabetes mellitus. The bill would specify individuals who may perform and supervise the screenings, and would prescribe procedures for the screening process. The bill would provide for parent or guardian notification of any pupil suspected of being at elevated risk of developing type 2 diabetes mellitus, as described in the bill. The bill would repeal the pilot program on January 1, 2006, and would prescribe other, related matters.

Status: VETOED

AB 2024
Nakano

After school programs: nutrition education

The existing After School Learning and Safe Neighborhoods Partnerships Program creates incentives for schools and communities to partner together to establish after school enrichment programs that provide academic and literacy support and safe, constructive alternatives for youth. Existing law requires an after school program established pursuant to the program to provide an educational enrichment component that may include recreation and prevention activities. AB 2024 authorizes nutrition education to be provided as part of the educational enrichment component.

Status: CHAPTERED

AB 2163
Harman

Domestic violence programs: funding

AB 2163 would provide for the allocation of \$100,000 each fiscal quarter, of certain amounts in the Alcohol Beverage Control Fund, upon appropriation by the Legislature, for purposes of the OCPJ's Domestic Violence Assistance Program. This provision would cease to be operative on January 1, 2006.

Status: Re-referred to Com. on Rules. Subject matter referred to Com. on Rules (04/29/2002)

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- AB 2205
Koretz
Tobacco products: prevention of sales of untaxed cigarettes: multiagency task force
AB 2205 would impose an additional penalty for the distribution of black market cigarettes in an amount equal to \$100 per carton for the period of January 1, 2003 to January 1, 2006. AB 2205 also provides for the additional \$100 penalty to be deposited in the Unlawful Sales Reduction Fund for appropriation by the Legislature to the State Board of Equalization for the funding of a competitive grant program. The grant program would enable grantee cities to establish a multiagency taskforce for the purpose of significantly reducing the sales of black market cigarettes and creating a deterrent to those sales, through the focused investigation and prosecution of sales of black market cigarettes and other associated offenses and crimes.
Status: CHAPTERED
- AB 2302
Cardenas
Dental hygienist
AB 2302 makes nonsubstantive changes to the provisions of The Dental Practice Act, which requires the Dental Board of California to license a person as a registered dental hygienist if certain requirements are satisfied, including completing an educational program for registered dental hygienists that is approved by the board.
Status: May be heard in committee March 24. (02/22/2002)
- AB 2334
Nakano
Alcoholic beverages
AB 2334 expresses the intent of the Legislature that the Department of Alcoholic Beverage Control conduct a study on the effectiveness of education and training of licensees and their employees in order to decrease the sales of alcoholic beverages to minors.
Status: CHAPTERED
- AB 2395
Goldberg
School Breakfast program
Existing law requires the State Department of Education to provide information and financial assistance to schools to encourage participation in the federal School Breakfast Program. Existing law requires the department to award grants of up to \$15,000 per schoolsite for nonrecurring expenses incurred in initiating or expanding a school breakfast program and requires the department to give preference to school districts and county superintendents of schools that meet specified criteria. AB 2395 would include within the list of preferred criteria that the school be one at which 20% or more of the school enrollment has applied and qualified for free and reduced-price meals, that the school have failed to meet its API growth target and have an API rating at or below 700. Schools could request a waiver from the Department. AB 2395 would permit every schoolsite that meets those additional criteria to offer breakfast through the federal School Breakfast Program commencing with the 2003-04 school year and every school year thereafter, as specified.
Status: VETOED
- AB 2447
Goldberg
Infants: formula
AB 2447 prohibits a manufacturer of infant formula from sending, or a hospital or health care provider from distributing, unsolicited samples of infant formula to a mother without obtaining her written consent on a form that contains information about the drawbacks of feeding a baby infant formula and the benefits of breastfeeding. AB 2447 would also prohibit a hospital or healthcare professional from providing information about a mother to a manufacturer of infant formula without obtaining her written consent on a form that contains information about the drawbacks of feeding a baby infant formula and the benefits of breastfeeding.
Status: Failed passage in Com. on HEALTH. (04/23/2002)
- AB 2518
Campbell
Alcoholic beverages: sweepstakes: contests
The Alcoholic Beverage Control Act prohibits any licensee from giving any premium, gift, or free goods in connection with the sale or distribution of any alcoholic beverage, except as provided. AB 2518 would permit a supplier to sponsor a sweepstakes or contest, as defined, offering the chance to win prizes or other things of value, if specified conditions are met.
Status: Failed passage in Com. on G.O. (04/22/2002)

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- AB 2577
Cox *Alcoholic beverages: retail licenses: undue concentration*
The Alcoholic Beverage Control Act requires the Department of Alcoholic Beverage Control to deny an application for a license if issuance would result in or add to an undue concentration of licenses. Existing law defines undue concentration and provides that, notwithstanding the requirement that the department deny an application that would result in or add to an undue concentration of licenses, certain licenses may be issued if the local governing body, or its designated subordinate officer or body, of the area in which the applicant premises are located determines that public convenience or necessity would be served by the issuance. AB 2577 would authorize the local governing body to, in its discretion, determine that the public convenience and necessity will be served by the issuance of a license only if the license is made subject to conditions outlined by the local governing body, and in that case, no license shall be issued unless made subject to those conditions in addition to any other conditions imposed by the department.
Status: In Sen. Governmental Organization Com. Hearing canceled at the request of author. (06/25/2002)
- AB 2721
Chan *Dental health: study.*
This bill would require the State Department of Health Services, in conjunction with the State Department of Education, to conduct a study on expanding access to dental health services for children in California. It would require the department to submit this report to the Legislature and Governor within 12 months after private funding to complete the study is secured. The bill would provide that its provisions would be implemented only if sufficient funding to undertake the study is received by the department from private sources.
Status: VETOED
- AB 2746
Chan *Alcoholic Beverage Control Appeals Board*
Under existing law, the Alcoholic Beverage Control Appeals Board is required to enter its order within 60 days after the filing of an appeal. AB 2746 requires the board to enter its order within 30 days after the filing of an appeal.
Status: Referred to Com. on G.O. (03/11/2002)
- AB 2801
Chavez *Alcoholic beverages: licenses: distilled spirits*
AB 2801 provides that no new original public premises licenses shall be issued except for beer, beer and wine, or distilled spirits, and no public premises licenses shall be transferred from county to county, unless the applicant can show that substantial public demand cannot otherwise be satisfied. Existing law authorizes the Department of Alcoholic Beverage Control to issue temporary permits to transferees of licenses to operate premises during the pendency of the transfer process and requires that purchases of beer and wine by the holder of a temporary permit be made before or at the time of delivery in currency or by check, but modifies this requirement to specify a certified check for purchases of distilled spirits. Existing law also establishes an exception to this same requirement for a temporary permitholder who also holds and operates under a retail license or licenses, none of which are delinquent under a specified statute. AB 2801 would eliminate this exception, and would allow purchases of distilled spirits by the holder of a temporary permit to be made in the same manner as purchases by that permitholder of beer and wine.
Status: CHAPTERED
- AB 2818
Aanestad *Registered dental hygienists*
AB 2818 authorizes the Board of Dental Examiners to license a person who has not taken an examination as a dental hygienist if the person is licensed in another state and who meets additional specified requirements.
Status: CHAPTERED
- AB 2821
Chan *Denistry: dental licensing fees*
AB 2821 requires the Dental Board of California to adopt rules providing that (1) a licensee who can demonstrate that he or she provides \$8,000 or more of free services per year presumptively qualifies for a waiver of 25% of the renewal fee for a license to practice denistry paid every 2 years, and (2) a licensee who can demonstrate that he or she provides \$12,000 or more of free services per year

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presumptively qualifies for a waiver of 50% of the renewal fee paid every 2 years.

Status: Held under submission in Com. on Appr. (05/22/2002)

- AB 2906
Horton *Tobacco settlement agreement: escrow compliance*
AB 2906 would require the Attorney General to develop and post on the Attorney General's Internet Web site a list of tobacco product manufacturers that are participating manufacturers under the MSA, and that have made all required escrow payments. The bill would prohibit any tax stamp or meter impression to be affixed unless the tobacco product manufacturer and brand family in question is included on the Attorney General's list. The bill would give the Attorney General and the board specified authority and duties in this regard. This bill would impose specified penalties for failure to comply with the various provisions of the bill, including civil penalties. The bill would also make it a misdemeanor for a tobacco product manufacturer to make certain false representations relating to the tobacco product manufacturer's responsibilities under the bill, thus creating a state-mandated local program.
Status: To inactive file on motion of Senator Haynes (08/31/02)
- SB 35
Escutia *Tobacco settlement fund allocations*
SB 35 would create the Tobacco Settlement Fund, and would specify that all funds received pursuant to the tobacco litigation Master Settlement Agreement of November 23, 1998, shall be deposited in that fund. SB 35 would specify that distribution of funds from the Tobacco Settlement Fund shall be made by annual appropriation of the Legislature. SB 35 would declare that it is to take effect immediately as an urgency statute.
Status: To Coms. on G.O. and HEALTH (06/18/2001)
- SB 187
Vasconcellos *Medical marijuana*
Existing law, the Compassionate Use Act of 1996, prohibits any physician from being punished, or denied any right or privilege, for having recommended marijuana to a patient for medical purposes. The act prohibits the provisions of law making unlawful the possession or cultivation of marijuana from applying to a patient, or to a patient's primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of a physician. SB 187 would require the State Department of Health Services to establish and maintain a voluntary program for the issuance of identification cards to qualified patients and would establish procedures under which a qualified patient with an identification card may use marijuana for medical purposes. SB 187 would impose various duties upon county health departments relating to the issuance of identification cards, thus creating a state-mandated local program.
Status: In Senate. To unfinished business (09/14/2001)
- SB 606
Vasconcellos *Pupil Health*
Existing law requires, upon first enrollment in a California school district of a child at a California elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified. SB 606 would also require screening of the child's binocular function, ocular alignment, ocular motility, and near visual acuity, thereby imposing a state-mandated local program. SB 606 would require that if the screening reveals any abnormalities suggesting a vision-related problem, that the individual administering the test provide the child's parent or guardian with a written statement that it may be advisable for the child to see a physician, surgeon, or optometrist.
Status: Set, second hearing. Held in committee and under submission. (09/06/2001)
- SB 1417
Romero *Alcoholic beverage retailer fee*
SB 1417 would state the intent of the Legislature to enact legislation to establish a nexus between the consumption of alcoholic beverages, determine the imposition of a fee on the retail sale of alcoholic beverages to mitigate adverse health effects resulting from those sales, and determine the relationship between the fee imposed on the retail sale of alcoholic beverages to the social and economic burdens generated by the retail sale of alcoholic beverages.
Status: To Com. on RLS. (02/21/2002)

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- SB 1447
Chesbro *Treatment of addicts: drug treatment programs*
SB 1447 would repeal the limits on the amount of methadone and LAAM that a physician treating a person for addiction may lawfully prescribe for or furnish to that person during each day of the treatment. This bill would establish criteria, as specified, for determining the uniform statewide monthly reimbursement rate for narcotic replacement therapy dosing and ancillary services. SB 1447 would also provide that reimbursement paid to a narcotic treatment program provider by a county for services provided to clients pursuant to Proposition 36, and for which the client is not liable for paying, does not constitute a usual and customary charge to the general public.
Status: CHAPTERED
- SB 1589
Perata *Dentistry: dental hygienists*
Existing law requires the Board of Dental Examiners of the State of California to license registered dental hygienists. Existing law authorizes a registered dental hygienist in alternative practice to practice as an employee of a dentist or of another registered dental hygienist in alternative practice. Existing law provides that it is a crime for a person without a license to represent that he or she is a registered dental hygienist in alternative practice. SB 1589 would authorize a registered dental hygienist in alternative practice to be an employee of specified clinics.
Status: CHAPTERED
- SB 1610
Bowen *Food: nutritional labeling: fatty acids*
SB 1610 would require any manufacturer or producer of a food product that is intended for human consumption and for which there are federal labeling requirements regarding nutrient content claims and health claims, to provide in the labeling of that food product information regarding the amount of trans fatty acids present in the food product, when specified claims are made on the labeling of the food product regarding the low level of saturated fat in the product.
Status: Failed passage in Asm. Agriculture Com. (06/28/2002)
- SB 1700
Peace *Tobacco products*
Existing law vests the State Department of Health Services with primary responsibility for enforcement of tobacco control laws prohibiting the sale of tobacco products to minors, and requires the department to conduct random onsite inspections at retail sites. SB 1700 would provide for the licensure by the Attorney General of retailers of tobacco products, and manufacturers of cigarettes and smokeless tobacco products, that offer or sell those products in California. SB 1700 would also provide for the licensure by the State Board of Equalization of wholesalers of tobacco products and would prohibit those retailers, manufacturers, and wholesalers from selling those tobacco products unless they are licensed. SB 1700 would require wholesalers to affix stamps containing certain information capable of being read by hand-held scanners to packages containing tobacco products and would require retailers of tobacco products to maintain functional hand-held scanners that would read those stamps. SB 1700 would authorize the Attorney General to assess administrative fines and to suspend the license of any retailer of tobacco products that is in violation of the retailer provisions and would authorize peace officers, officers of the board, and the Attorney General to inspect the hand-held scanners of these retailers, manufacturers, and wholesalers.
Status: In Asm. G.O. Com. Hearing canceled at the request of author. (06/20/2002)
- SB 1766
Ortiz *Tobacco products: sales*
SB 1766 would require that each retail sale of cigarettes in the state shall be a vendor-assisted, face-to-face sale. SB 1766 would define a "face-to-face sale" as a sale in which the buyer and seller are within each other's physical presence, and would exclude from this definition any transaction that is conducted by mail order, the Internet, telephone, or any other anonymous transaction method, except for lawful sales that occur by means of a cigarette vending machine. SB 1766 would also provide that a retailer may engage in a non-face-to-face sale of cigarettes if the retailer ensures that all applicable taxes are paid on each sale and that no tobacco product is sold or delivered to any person in California under the age of 18 years. SB 1766 would provide that any person who violates its provisions is subject to specified civil penalties, and that the Attorney General or a city attorney, county counsel, or district attorney may bring a civil action to enforce the provisions of the bill.
Status: CHAPTERED

Public Health Legislation from the 2002 California Legislative Session

- SB 1890
Ortiz
Tobacco Use Reduction and Compensation Act of 2002
SB 1890, the Tobacco Use Reduction and Compensation Act of 2002, would create the Tobacco Use Reduction and Compensation Fund, into which would be deposited the proceeds of surtaxes imposed, at a specified rate, on the sale and distribution of cigarettes and tobacco products, as defined. SB 1890 would require moneys in the fund to be appropriated from the fund for specified purposes including tobacco use and prevention education and research, the provision of medical and preventative health services for low-income and uninsured individuals, and the expansion of medical insurance coverage for the uninsured. SB 1890 would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.
Status: Set, first hearing. Testimony taken. Further hearing to be set. (04/10/2002)
- SB 1964
Alpert
Banned substances: sale to minors
SB 1964 would make it unlawful to sell any substance, with the exception of caffeine, that is listed as a banned drug by the National Collegiate Athletic Association, to any person who is under the age of 18 years. SB 1964 would require persons engaging in the retail sale of products containing these substances to check the identification of purchasers of these products, to establish the age of the purchaser, if the purchaser reasonably appears to be under 18 years of age.
Status: To Com. on H. & H.S. Set, first hearing. Hearing canceled at the request of author. (05/09/2002)
- SB 2082
Bowen
Cigarettes: advertising and sales
Existing federal law requires specified persons who for profit sell or transport cigarettes in interstate commerce into a state that taxes the sale or use of cigarettes to provide the state taxing authority a memorandum or copy of each invoice. Existing state law prohibits false and deceptive advertising and makes a violation of those provisions a crime. SB 2082 would require a person who advertises on the Internet to sell cigarettes in California and who is subject to the above federal law, to conspicuously disclose in the advertisement that a purchaser in California is responsible for specified California taxes and the minimum amount of those taxes.
Status: Set, first hearing. Failed passage in committee. Reconsideration granted. (06/24/2002)

Division of Communicable Disease Control & Prevention

- AB 182
Vargas
Immunizations: hepatitis A: tuberculosis testing
Existing law states the intent of the Legislature to provide a means for the eventual achievement of immunization against certain childhood diseases. AB 182 would add hepatitis A to the list of childhood diseases for which the Legislature intends the eventual achievement of immunization. Further, AB 182 would, on and after July 1, 2003, prohibit the governing authority of a school from unconditionally admitting a pupil to kindergarten unless the pupil has been fully immunized against hepatitis A. Existing law requires child day care facilities that are licensed by the State Department of Social Services to require proof of each child's immunizations, including for tuberculosis, and to maintain files of this proof on the premises. AB 182 would exempt from these requirements any child day care center that exclusively offers a program of services at which there is no contract or agreement between the parent and the center for the regular care of the child, and there is no prearranged schedule of care for any child. It would require parents to sign a form acknowledging that they understand the center is not required to verify immunizations and tuberculosis testing for any children accepted for care.
Status: In committee: Hearing postponed by committee. (02/06/2002)
- AB 1633
Pescetti
Public health: tuberculosis tests
Existing law provides that the State Department of Health Services, in consultation with the State Department of Education, shall adopt rules and regulations to enforce tuberculosis testing for pupils. AB 1633 would make a technical correction in that provision.
Status: Died at desk. (02/07/2001)
- AB 1820
Strom-Martin
Worker's compensation: meningitis: tuberculosis: firefighters
Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation as a result of that injury. Existing law provides that in the case of certain state and local firefighting personnel who are employed on a regular fully paid or full-time salary basis, the term "injury" includes cases of tuberculosis and, in the case of these local firefighting personnel, cases of meningitis, that develop or manifest during a period while the individual is in the service of any prescribed firefighting department or unit. AB 1820 would expand the scope of these provisions to include individuals who are volunteers or are employed on a partly paid basis.
Status: VETOED
- AB 1853
Koretz
Health care: drug costs
AB 1853 would require the State Department of Health Services, with regard to the purchase of any drug required in the treatment of life-threatening chronic conditions, to require the drug manufacturer to disclose to the department all costs incurred in the marketing of the drug to consumers and physicians, and would limit the price of any drug to which that requirement applies, as prescribed.
Status: In Sen. H & H.S. Com. Hearing canceled at the request of author. (07/01/2002)
- AB 2064
Cedillo
Human immunodeficiency virus tests: counselors: training
AB 2064 would require the State Department of Health Services to authorize the establishment of training programs for counselors for publicly funded HIV testing programs, by specified community-based, nonprofit organizations. The bill would require the department to establish uniform curriculum guidelines for these training programs, and to review and certify the curriculum content and design for each program. This bill would provide that it shall not be construed to require or prohibit the funding of any training program administered pursuant to the bill by the department, or by any local government currently administering a training program for HIV counselors.
Status: CHAPTERED
- AB 2197
Koretz
Medi-Cal: benefits for persons infected with HIV who are not disabled
AB 2197 would require the State Department of Health Services expand eligibility for benefits under the existing Medi-Cal program, with certain exceptions, to include nondisabled persons with HIV enrolled in the Aids Drug Assistance Program, and who would be eligible for Medi-Cal if disabled, in Medi-Cal managed care plans. This bill would provide that enrollment in Medi-Cal pursuant to the

bill would be limited pursuant to an allocation system to be developed by the department. The expansion would be funded through cost savings generated by voluntary enrollment into Medi-Cal managed care of persons who are disabled as a result of AIDS, and who are either receiving Medi-Cal benefits on a fee-for-service basis as of January 1, 2003, or who become eligible to receive Medi-Cal benefits on or after that date.

Status: CHAPTERED

AB 2423
Cardenas &
Negrete
McLeod

Health: exposure to communicable diseases: first responders

AB 2423 would change the definition of "available blood or patient sample" for purposes of these and related provisions to refer to blood or other material that was legally obtained from the source patient prior to the release of the patient from the health care facility. This bill would define "communicable disease" to mean any disease that was transferable through the exposure incident, as determined by the certifying physician.

Status: CHAPTERED

AB 2529
Negrete
McLeod

Hepatitis C

AB 2529 would require the Director of Corrections to make treatment and testing for hepatitis C confidential and at no cost to inmates. AB 2529 would also require the director to provide comprehensive classroom or interactive hepatitis C education for all prisoners at intake, whether they test positive for the disease or not, and to provide total medical disability for symptomatic hepatitis C prisoners or those receiving debilitating treatments, as specified.

Status: VETOED

AB 2621
Wyland

Flu vaccines: funding

AB 2621 would require the level of state funding for the provision of flu vaccines during the 2003-04 flu season to be increased to meet at least the same level of service that was provided in 2000. AB 2621 would require the State Department of Health Services to conduct a study of existing flu vaccination practices in the state, and the increased occurrence of short-term flu vaccine shortages, and to report its findings and recommendations to the Legislature on or before January 1, 2004.

Status: In Com. on Health: set first hearing. Hearing canceled at the request of the author (04/23/02)

AB 2768
Longville

Education: AIDS prevention instruction

Under existing law, school districts are required to ensure that all pupils in grades 7 to 12, inclusive, or the equivalent thereof, except as specified, receive AIDS prevention instruction from adequately trained instructors in appropriate courses. Existing law requires each pupil to receive that instruction at least once in junior high or middle school and once in high school. AB 2768 would require each pupil to receive that instruction for at least 4 hours in junior high or middle school and 4 hours in high school, thereby imposing a state-mandated local program.

Status: Held under submission in Com. on Appr. (05/22/2002)

AB 2794
Reyes

Offenders: HIV and AIDS tests

Existing law requires the court to order every person who is convicted of, or adjudged to be a ward of the court by reason of, a violation of a sexual offense, as specified, to submit to a blood test for evidence of antibodies to the probable causative agent of AIDS. This bill would revise this provision to require the person to submit to a blood or saliva test. The bill also would revise the list of enumerated sexual offenses for which blood or saliva testing of the person would be required.

Status: CHAPTERED

AB 2905
Wright

Correctional institutions: HIV

This bill would require HIV testing to be offered by the Department of Corrections without charge to all inmates in state prison, as specified.

Status: VETOED

AB 2930
Wright

Human immunodeficiency virus (HIV): maternal and newborn health

Existing law requires a physician and surgeon to obtain a blood specimen from a pregnant woman before or at the time of delivery. Existing law requires the blood specimen to be tested for rhesus

(Rh) blood type and the presence of the hepatitis B surface antigen. AB 2930 would require that the blood specimen also be tested for the presence of antibodies to the human immunodeficiency virus or HIV. AB 2930 would authorize a pregnant woman to refuse HIV testing if she has been determined to be chronically infected with HIV or if a medical professional explains the purpose of testing and the currently approved treatments. This bill would delete the provision of existing law that requires prenatal care providers, as defined, to offer a HIV test, information, counseling, and referral services that include providing certain information to every pregnant woman patient during prenatal care.

Status: VETOED

AB 2994
Wright

HIV reporting requirements

This bill requires the Department of Health Services to determine, no later than December 31, 2005, whether California's non-name HIV reporting system has achieved federal standards established by the Centers for Disease Control and Prevention.

Status: CHAPTERED

SB 843
Perata

Omnibus Tuberculosis Control and Prevention Act of 2002

SB 843 would enact the Omnibus Tuberculosis Control and Prevention Act of 2002. This bill would until January 1, 2006, permit any local health department to provide for certification, by the local health officer, of tuberculin skin test technicians, as defined, in accordance with specified requirements. This bill would provide that when a person believed to have active tuberculosis is released on parole from a state correctional institution, the notification and written treatment plan shall be provided to both the local health officer for the county in which the parolee intends to reside and the local health officer for the county in which the state correctional institution is located. It would require the Department of Corrections to inform the parole agent, and other parole officials as necessary, that the person has active or suspected active tuberculosis disease and provide information regarding the need for evaluation or treatment. In addition, the bill would require the parole agent and other parole officials to coordinate with the local health officer in supervising the person's compliance with medical evaluation or treatment related to tuberculosis, and to notify the local health officer if the person's parole is suspended as a result of having absconded from supervision.

Status: CHAPTERED

SB 977
Battin

Condoms: warning labels

SB 977 would require each manufacturer of condoms to place, or cause to be placed, within each retail package of condoms offered for sale or distribution in California on or after January 1, 2003, a label that would state that while condoms reduce the risk of the transmission of certain sexually transmitted diseases, they do not fully guard against the transmission of HPV, which create a risk of having cervical cancer. SB 977 also require that the label urge certain women to have annual checkups that include Pap tests and pelvic examinations and that the label be printed in both English and Spanish if the label is printed on a separate package insert. Finally, SB 977 would require the department to adopt regulations, as necessary, for the implementation of these requirements.

Status: Hearing postponed by committee. (08/21/2001)

SB 1718
Vasconcellos

Hepatitis B vaccination

SB 1718 would require a health care service plan to reimburse a physician and surgeon at a reasonable rate for administering a covered hepatitis B vaccination and would specify that this reimbursement be made in addition to any other reimbursement required under the plan's contract with the physician and surgeon for an office visit.

Status: To Com. on INS. Hearing canceled at the request of author. (04/16/2002)

SB 1734
Vasconcellos

Drug paraphernalia: clean needle and syringe exchange projects

Existing law generally provides that any person who delivers, furnishes, or transfers drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to inject into the human body a controlled substance is guilty of a misdemeanor. However, existing law also provides that no public entity, its agents, or employees shall be subject to criminal prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local

emergency due to the existence of a critical local public health crisis. SB 1734 would revise the above immunity provision to also provide that no public entity, its agents, or employees shall be subject to criminal prosecution for distribution of any device or substance necessary to ensure the safety and cleanliness of needles or syringes distributed to participants in clean needle and syringe exchange projects.

Status: VETOED

SB 1785

Vasconcellos

Hypodermic needles and syringes

SB 1785 would authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions. This bill would also delete the requirements for a person to properly establish his or her identity in order to purchase a needle or syringe and for a pharmacist to keep detailed records of nonprescription sales of hypodermic needles and syringes. This bill would authorize a person to possess up to 30 hypodermic needles or syringes if acquired through an authorized source and would increase the criminal penalty for improper disposal of hypodermic needles and syringes in certain cases, thereby imposing a state-mandated local program.

Status: VETOED

Emergency Medical Services

- AB 686
Koretz
Pharmaceutical companies: marketing expenditures: rebates
AB 686 would establish a program that would require manufacturers of drugs for life-threatening chronic conditions that are on the lists for Medi-Cal or the AIDS Drugs Assistance Program to pay the department a rebate equal to the costs of marketing that drug. The bill also would require these manufacturers to disclose to the department all costs incurred in the marketing of the specified drugs to consumers and physicians.
Status: In committee: Set, first hearing. Hearing canceled at the request of author. (08/21/2002)
- AB 687
Thomson &
Hertzberg
Emergency medical services: trauma care systems
This bill would require that, by January 1, 2005, any local EMS agency that has established an emergency medical services plan, but has not implemented a trauma care system by July 1, 2003, implement a trauma care system that meets the minimum standards set forth in the regulations for implementation. Because this bill would increase the duties of counties and local EMS agencies that have established an emergency medical services plan, this bill would impose a state-mandated local program.
Status: VETOED
- AB 883
Frommer
Emergency medical services
AB 883 would authorize each administering agency maintain a reserve in its emergency medical services fund. This bill would establish a state Emergency Medical Services Equalization Fund and would require the payment of county funds that are not disbursed according to the statutory scheme to the Emergency Medical Services Equalization Fund for distribution to counties on the basis of the number of emergency room visits. The bill would revise the formula for distribution of the funds. Existing law provides that no physician and surgeon shall be reimbursed in a amount greater than 50% of those losses. This bill would require the reimbursement of up to 75% of those losses in certain circumstances.
Status: Action rescinded whereby the Assembly refused to concur in Senate amendments (08/30/2002)
- AB 1763
Richman
Public Health Emergency Powers Commission
AB 1763 would establish a Public Health Emergency Powers Commission in state government with a specified membership that would be required to submit to the Governor a designated public health emergency plan within 6 months after the commission's appointment, and a specified report on public health emergency law revision to the Governor and the Legislature within the same time period. This bill would provide that its provisions shall only be implemented to the extent that private or federal funding is available.
Status: In Asm. Com. on Appr: Set, second hearing. Held under submission. (05/22/2002)
- AB 1833
Nakano
Local emergency medical services funds
Existing law authorizes each county to establish an emergency medical services fund, and provides that the fund shall be utilized to reimburse physicians and surgeons and hospitals for a portion of the cost of services provided to patients who do not make payment for emergency medical services and for other emergency medical services purposes as determined by each county. AB 1833 would revise procedures for payment of claims against the fund and would require each administering agency of a fund to make all reasonable efforts to notify physicians and surgeons who provide or are likely to provide emergency services in the county as to the availability of the fund and the process by which to submit a claim against the fund. Existing law provides for the administration of the local emergency medical services fund by the county or by the state if the county is contracting for the provision of medical services by the State Department of Health Services, and authorizes the board of supervisors of the county or any other county agency to serve as the administering officer of the fund. This bill would include local medical societies within the scope of entities that may serve as the administering officer of the fund.
Status: CHAPTERED

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- AB 1919
Matthews *Emergency medical services: paramedics: immunization program*
Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, requires the Emergency Medical Services Authority to adopt standards for a statewide scope of practice to be used for the training and certification testing of Emergency Medical Technician-Paramedic (EMT-P) personnel. The scope of practice of an EMT-P includes providing prehospital advanced life support services. AB 1919 would authorize a disease immunization program administered by a local EMS agency under which an EMT-P who has satisfied certain training requirements established by the authority is permitted to administer immunizations during a declared state of emergency or disaster under state or local law.
Status: Hearing postponed by Com. on HEALTH. (04/23/2002)
- AB 1921
Richman *Healing arts: disaster management training*
This bill would require licensed physicians and surgeons, nurses, and pharmacists to take continuing education classes relating to disaster management plans. AB 1921 would require those classes to be developed by the licensing entity and the Office of Emergency Services.
Status: Failed passage in Com. on Health. Reconsideration granted (04/23/2002)
- AB 1988
Diaz *Emergency Medical Services Authority: task force: emergency and trauma services*
This bill would require the Emergency Medical Services Authority to convene a task force of specified members to study the delivery and provision of emergency medical services in California. The bill would require the task force to submit a report to the Legislature providing recommendations for improving the delivery of emergency medical services throughout California within 2 years from the date that funding and positions have been provided for the project. The bill would require these provisions to be implemented only to the extent that the authority obtains private funding needed to support and monitor the work of the task force.
Status: CHAPTERED
- AB 2018
Nakano *Emergency Response Communications*
This bill directs the Public Safety Radio Strategic Planning Committee to improve existing public radio system communications and develop communications between firefighters, law enforcement, hospitals, and emergency medical services. The bill is intended to bolster the state's emergency response activities by removing barriers to interagency communications.
Status: CHAPTERED
- AB 2067
Nakano *Nuclear emergencies: exposure to radioactive iodine*
This bill would also require the State Department of Health Services to develop and implement, in consultation with local health departments and local emergency management agencies, a plan for the prompt distribution of potassium iodide tablets, as specified, in the event of a nuclear emergency, and for the dissemination of instructions on the use of the tablets. The bill would require the department to work with the KI working group to develop and implement a plan and method for the efficient storage of the tablets. The bill would require the department to submit these plans to the Governor and the Legislature no later than July 1, 2004.
Status: CHAPTERED
- AB 2233
Wright *Bond act: firefighting equipment*
Existing law establishes in state government the Office of Emergency Services with specified powers and duties relating to emergency services. In the office is the thermal imaging equipment purchasing program, which requires the office to acquire firefighting thermal imaging equipment on behalf of local and state agencies that provide fire suppression services. The director of the office is authorized to purchase thermal imaging equipment at the lowest possible price from a reliable vendor that meets specified requirements. Any participating local agency is required to pay ½ of the price of equipment purchased on its behalf by the state. This bill would enact the Firefighting Equipment Bond Act of 2002, which, if adopted, would authorize, for the purpose of financing the thermal imaging equipment purchasing program and the provision of other firefighting equipment by the office to state and local agencies, as specified, the issuance, pursuant to the State General Obligation Bond

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Law, of bonds in the amount of _____.
Status: Held under submission in Asm. Com. on Appr. (05/22/2002)

- AB 2335
Pavley
Firefighting: hazardous materials equipment
AB 2335 would establish in the Office of Emergency Services a Firefighting Hazardous Materials Response Team Equipment Program to provide funding, upon appropriation by the Legislature, for the purchase of hazardous materials response apparatus and equipment to state and local agencies that provide fire protection services, as specified. The bill would require the director of the office to establish criteria for the deployment of this equipment, including, among other criteria, the number of hazardous materials response teams in an area or region in relation to the population, the number of commercial or industrial facilities that receive, handle, or generate hazardous materials, and the presence of potential targets for terrorism. The bill would provide that, to the extent permitted by federal law and upon appropriation by the Legislature, the Director of Finance may transfer any moneys in the Federal Trust Fund to the office for the purpose of implementing these provisions.
Status: Held under submission in Com. on Appr. (05/22/2002)
- AB 2522
Dutra
California Highway Patrol: transportation system
AB 2522 would make various findings relating to the effect of the terrorist attacks of September 11, 2001, on the United States. This bill would require the Office of Emergency Services, working with specified federal, state, and local agencies, to perform a risk assessment of the state's transportation facilities and to submit a confidential report of its findings to the Legislature's leadership prior to July 1, 2002.
Status: CHAPTERED
- AB 2603
Daucher
Local emergency preparedness and response plans: terrorism
The California Emergency Services Act authorizes local agencies to form disaster councils to develop plans for meeting any condition constituting a local emergency or state of emergency. AB 2603 would state the intent of the Legislature to enact legislation that would assist local agencies in developing and maintaining radiological, biological, and chemical emergency preparedness and response plans to safeguard the public in the event of terrorism involving weapons of mass destruction.
Status: From printer. May be heard in committee March 26. (02/24/2002)
- SB 27
McPherson &
Burton
Emergency services: terrorism
SB 27 would require the Office of Emergency Services to develop specified training relative to terrorism awareness and response. The bill would require categories of personnel identified by the office to complete the training by June 30, 2002.
Status: Re-referred to Com. on G.O. (02/15/2002)
- SB 406
Ortiz
Bioterrorism preparedness and other public health threats: federal funding
SB 406 would establish procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies. The bill would provide that these procedures apply only when local health jurisdictions are designated by a federal or state agency to manage the funds for public health preparedness and responses to bioterrorist attacks and other public health emergencies, pursuant to a specified federally approved plan. The bill would require a local health jurisdiction receiving funds under these provisions to deposit the money in a special Local Public Health Preparedness Trust Fund. This bill would provide that federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act commencing with the 2003-04 fiscal year.
Status: CHAPTERED
- SB 452
Oller
Property tax revenue allocations: county service area: ambulance services
SB 452 would, for the 2003-04 fiscal year and each fiscal year thereafter, modify property tax reduction and transfer provisions by prohibiting the allocation to the county's ERAF of any property tax revenues that are otherwise required by law to be allocated to a county service area, the sole

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function of which is to provide ambulance service. SB 452 would require that the reduction, resulting from this prohibition, in the amounts of ad valorem property tax revenue deposited in the county's Educational Revenue Augmentation Fund, be applied exclusively to reduce the amounts of ad valorem property tax revenue allocated from that fund to school districts and county offices of education. By imposing additional duties upon local tax officials in the apportionment of the allocation reductions required by this bill, this bill would impose a state-mandated local program.
Status: Set, second hearing. Held in committee and under submission. (09/06/2001)

SB 1294
Peace

Health: budget implementation

Existing law authorizes local EMS agencies that do not have a trauma care system plan to submit proposals to the Emergency Medical Services Authority for funding for their preparation of a plan by January 15, 2002. Existing law requires the authority, upon receiving all of the proposals, to establish an appropriate funding level for one-time payments to fund preparation and implementation of initial trauma care system plans. SB 1294 would delete the January 15, 2002, deadline to submit a proposal and, instead, would authorize the submission of a proposal only upon the request of the authority. SB 1294 would make the requirement that the authority establish an appropriate funding level subject to the availability of funds.

Status: From print. May be acted upon on or after February 17. (01/18/2002)

SB 1298
Ortiz

Public health emergencies: state aid: local health administration

Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula. Among other things, the formula provides for a minimum basic allotment to each local health jurisdiction of \$100,000 or \$0.212426630 per capita, whichever is greater, with the balance allotted on a per capita basis. Existing law specifies the purposes for which the allocated funds may be used. SB 1298 would change the formula used to make the basic allotment and would revise the purposes for which the allocated funds may be used.

Status: CHAPTERED

SB 1350
McPherson &
Burton

Emergency services: terrorism

SB 1350 would establish the Emergency Response Training Advisory Committee, with specified membership, to recommend specified training relative to terrorism awareness. The bill would require the authority and the State Fire Marshal, separately, to establish additional training standards that include the criteria for the curriculum content recommended by the committee, involving the responsibilities of first responders to terrorism incidents. The bill would also require the Commission on Peace Officer Standards and Training to establish training standards and develop a specified course of instruction on the responsibilities of first responders to terrorism incidents and would require specified local agency and other peace officers to complete the training. This bill would be implemented only when federal funds are received for the purposes of the bill.

Status: CHAPTERED

SB 1424
Morrow

Office of Emergency Services: audit

Existing law requires the Office of Emergency Services in coordination with all interested state agencies with designated response roles in the state emergency plan and interested local emergency management agencies to jointly establish by regulation a standardized emergency management system for use by all emergency response agencies. Existing law also requires each local agency, in order to be eligible for any funding of response-related costs under disaster assistance programs, to use the emergency management system to coordinate multiple jurisdiction or multiple agency operations. SB 1424 would require the State Auditor to conduct an audit of the emergency operations centers located in each county, operated by the Office of Emergency Services to determine compliance with the standardized emergency management system and would require the audit to include an evaluation of specified criteria. The bill would also require the State Auditor to report his or her findings, together with any recommendations, to the Legislature no later than January 1, 2004.

Status: Hearing canceled at the request of author. (04/23/2002)

SB 1565
Polanco

California Community Colleges: First Responder Training for Terrorism Preparedness

SB 1565 would require, upon the availability of sufficient nonstate funds, the Board of Governors of the California Community Colleges to consult with the Office of Emergency Services regarding the state's basic standardized terrorism awareness curriculum for purposes of providing a model to be available for use by the California Community Colleges for training of first responder personnel, as defined. The bill would require the model curriculum to be designed for use by the California Community Colleges to increase the capacity of the state to protect the public in the event of an attack or threat of attack by one or more terrorists or criminals that utilize chemicals, pathogens, toxins, or radiological agents. Under existing law, the California Postsecondary Education Commission is the statewide postsecondary education planning and coordinating agency and adviser to the Legislature and the Governor. The commission's duties include the duty to review proposals by the public postsecondary education segments for new programs and facilities. This bill would require that any facilities and programs developed pursuant to the bill be subject to review by the commission.

Status: Held in Com. on Appr. And under submission (05/23/2002)

SB 1629
Soto

Emergency services: training

This bill would authorize, to the extent permitted by federal law and upon appropriation, the Director of Finance to transfer to the Emergency Medical Services Authority any moneys in the Federal Trust Fund if the money is made available by the United States for expenditure by the state for purposes consistent with the implementation of the bill. This bill would provide for the allocation of funds to the California Fire Fighter Joint Apprenticeship Program to offset the cost of paramedic training course development, to enter into certain reimbursement contracts with eligible state and local agencies that may contract with educational institutions for the delivery of paramedic training, and to allocate grants to state and local agencies to defray the cost of providing paramedic training for fire service personnel.

Status: CHAPTERED

SB 1695
Escutia

Drug overdose deaths

This bill would authorize counties to establish training and certification programs to permit an emergency medical technician-I, as specified, to administer naloxone hydrochloride, the antidote to heroin overdose, by means other than intravenous injection if he or she has completed training and passed a test, as specified. The bill would require the Emergency Medical Services Authority to develop guidelines relating to the county certification programs. These provisions would be operative until a specified date.

Status: CHAPTERED

Family Health Services

- AB 32
Richman,
Senator
Figueroa, &
Chan
- Health care coverage: Cal-Health Program*
AB 32 would create the Cal-Health Program, which would provide coordination of the Healthy Families and Medi-Cal programs by the board and the department. AB 32 would authorize providers, contingent upon specified financial conditions, to screen and temporarily enroll individuals in Medi-Cal and the Healthy Families Program at the time the person is provided with medical care, and would require reimbursement of the provider to the same extent as if the individual were fully enrolled in the program in which he or she is temporarily enrolled. AB 32 would require licensed hospitals, clinics, and other health facilities to inform individuals about Cal-Health, and in the case of urgent or emergency services, the bill would require that individuals be informed about the program and given an opportunity to apply after services have been rendered. AB 32 would enact other related provisions, including a requirement that the department and board report to the Legislature prior to March 1, 2002, their recommendations to make Cal-Health procedures the same, to the extent permitted by federal law, as those in the Medi-Cal and Healthy Families programs. AB 32 would expand eligibility under the Medi-Cal program to adults with family incomes at or below 250% of the federal poverty level, contingent upon specified funding provisions, and would require the state to apply to the federal government for waivers to allow federal funds to be used in that regard. The bill, in order to further this eligibility, would, among other things, exempt specified resources for Medi-Cal eligibility. By expanding eligibility for the Medi-Cal program, which is currently determined by counties, the bill would impose a state-mandated local program by expanding the scope of those duties. This bill would require the board, by January 1, 2003, to submit written recommendations to the Legislature identifying the benefits and suggesting the design of a standard uniform benefit package that would provide an affordable alternative to health benefit coverages currently available in the private market.
Status: In committee: Held under submission. (09/06/2001)
- AB 130
Cardenas
- Public social services: the Family Planning Access Care and Treatment Program*
AB 130 would rename the State-Only Family Planning Program, which provides comprehensive clinical family planning services to low-income men and women, the Family Planning Access Care and Treatment Program, also to be known as the Family PACT Program, and would expand the program to include the provision of specified preventive health services to low-income women under 65 years of age. The bill would also provide that the implementation of these specified preventive health services are contingent upon the extent to which funding is provided in the annual Budget Act or another statute. AB 130 would require the review of grievances or complaints by providers and hearings conducted by the State Department of Health Services regarding a person's eligibility or receipt of services under the program to be consistent with the Medi-Cal program. AB 130 would also require the department to develop a plan to identify and merge existing screening programs into a comprehensive preventive health screening program for uninsured individuals whose incomes do not exceed 200% of the federal poverty level.
Status: Referred to Com. on H. & H.S. (06/12/2001)
- AB 688
Campbell
- Developmental disabilities*
AB 688 would require the State Department of Developmental Services, in conjunction with the Association of Regional Center Agencies and other stakeholders knowledgeable about childhood disabilities, no later than January 1, 2003, to develop proposed uniform functionally based evaluation protocols and guidelines for determining eligibility for regional center services for persons with disorders not explicitly listed in the act that require treatments similar to the disabilities that are named in the act including familial dysautonomia. This bill would require the department to publish and make the proposed protocols available to the public and the Legislature and for the department, no later than July 1, 2002, to also implement a training program for regional center staff regarding the protocols.
Status: In committee: Set, second hearing. Hearing canceled at the request of author. (08/05/2002)
- AB 896
Aroner
- Developmental services: resources*
AB 896 would revise the framework for the provision of services to persons with developmental disabilities, including revising the financing and budgeting processes of California's developmental services system. This bill would establish the state community augmentation and resource enhancement

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account, or CARE account, containing specified funds attributable to costs saved by moving individuals from developmental centers to community-based care, or deflecting individuals from admission to developmental centers, to be distributed to the regional centers for the purpose of enhancing the services and programs provided by the regional centers. The bill would require each regional center to establish an account for its CARE funds, and would specify the funding sources and intended uses for CARE accounts. This bill would also establish the Lanterman Trust Fund in the State Treasury, in order that funds generated from the sale or lease of existing state facilities for the treatment of the developmentally disabled may be redirected to provide housing and other specified services and supports to members of the developmentally disabled community upon appropriation by the Legislature.

Status: passed by Senate H. & H.S. Com. (7-1) Referred to Com. On Appr. (08/21/2002)

AB 1096
Wright

Pupil health: eye examinations

AB 1096 would establish a 3-year pilot program to be implemented commencing with the 2002-03 school year in elementary and high schools selected by the State Department of Education from schools that scored in the bottom 20% in the statewide achievement test and would limit the number of participating schools to a maximum of 10 elementary and high schools. AB 1096 would authorize program funds to be expended to provide comprehensive eye examinations for poor readers identified by the school, to test the value of remedial vision training and to use existing standardized testing to establish a pre and post test of visual efficiency and of reading progress after vision training and would prescribe related matters. AB 1096 would require the State Department of Education to submit a final report and recommendations to the Education and Budget Committees of both houses of the Legislature by May 1, 2005 and would appropriate \$500,000 from the General Fund to the State Department of Education for purposes of implementing the pilot project. To the extent that the funds appropriated by this bill are allocated to a school district or a community college district, those funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Status: Senate inactive file. (10/22/2001)

AB 1140
Thomson

Nursing: work force planning

Existing law, the Nursing Practice Act, provides for the licensure and regulation by the Board of Registered Nursing of the practice of registered nurses. Under existing law, all moneys received pursuant to the provisions of this act are deposited into the Board of Registered Nursing Fund which is continuously appropriated. AB 1140 would require the board to obtain work force data from its licensees for purposes of work force planning and produce reports on the issue at least biennially. The bill would authorize the board to expend the sum of \$145,000 from the Board of Registered Nursing Fund for this purpose.

Status: CHAPTERED

AB 1154
Speier

Breast and cervical cancer

AB 1154 would require the Department of Health Services to implement program enhancements, as specified, for the California Breast and Cervical Cancer Control Program in one or more phases over a 3-year period beginning no later than January 1, 2005. This bill would require that the implementation phasing be based on the findings of a study, as prescribed, conducted by the Implementation and Planning Task Force, which would be established by this bill and composed of 15 members appointed by the director, as specified. This bill would require the task force, working under the auspices of the department, to complete a study and implementation plan, and submit the implementation plan to the department no later than June 1, 2003. This bill would require that the study address findings, proposed guidelines, and associated recommended legislation, and that the study be submitted to the Legislature no later than January 1, 2004. This bill would require existing state, local, and private foundation resources to be utilized for accomplishing the study. AB 1154 would change the name of the Breast Cancer Fund to the Breast and Cervical Cancer Fund, and would change the name of the Breast Cancer Control Account to the Breast and Cervical Cancer Control Account.

Status: In Sen. H. & H.S. Com. Hearing canceled at the request of author. (06/27/2002)

AB 1425
Thomson

Persons with disabilities: community living support services

AB 1425 would permit counties to contract with agencies or individuals to assist persons with

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disabilities in securing their own homes, including supportive housing, as described, and to provide persons with disabilities with the supports needed to live in their own homes. This bill would permit individuals with disabilities to contract for the provision of community living support services in the individual's private home as part of their independent living plan, and would exempt any living arrangement or supportive housing for individuals with disabilities who are receiving these community living support services from the application of the act.

Status: CHAPTERED

AB 1485
Jackson

Family planning: information materials

Existing law provides that within any county where 10% or more of the population, as determined by the Population Research Unit of the Department of Finance, speaks any one language other than English as its native language, every local health department is required to make copies of circulars and pamphlets relating to family planning that are made available to the public also available in the other language. AB 1485 would also require every local health department to make copies of other written material relating to family planning that are made available to the public also available in the other language.

Status: In committee: Set, first hearing. Hearing canceled at the request of author. (07/03/2001)

AB 1860
Migden

Sexual assault victim: pregnancy counseling: emergency contraception

AB 1860 would provide that where indicated by the history of contact, a female victim of sexual assault shall receive counseling regarding the risk of pregnancy and the options for postcoital contraception, and emergency contraception shall be dispensed upon the request of the victim.

Status: CHAPTERED

AB 1905
Longville

Type 2 diabetes mellitus: pupil screening

AB 1905 would establish a 3-year pilot program whereby the State Department of Education would be required to select one school district each from Contra Costa County, Merced County, and San Bernadino County to participate in the program and would require those participating school districts, in conjunction with scoliosis screening, to screen pupils for the risk of developing type 2 diabetes mellitus. AB 1905 would specify individuals who may perform and supervise the screenings, and would prescribe procedures for the screening process. AB 1905 would provide for parent or guardian notification of any pupil suspected of being at elevated risk of developing type 2 diabetes mellitus.

Status: VETOED

AB 2135
Ashburn

Healthy Families program

Existing law authorizes the payment of application assistance fees to designated individuals or organizations for their assistance in completing applications for participation in the Healthy Families Program. AB 2135 would make that provision inoperative on July 1, 2003 and would repeal it on January 1, 2004. Existing law provides that if an applicant's income documentation cannot be provided, as defined in regulations promulgated by the board, the applicant's signed statement as to the value or amount of income shall be deemed to constitute verification. AB 2135 would delete that provision. Existing law requires the Managed Risk Medical Insurance Board to monitor applications to the program to determine whether employers and employees have dropped employer-sponsored dependent coverage in order to participate in the program. Existing law also requires the board to use due diligence in the creation of participation standards for the program that minimize the incentive for employers or applicants to drop or reduce dependent health coverage. Existing law makes it an unfair labor practice contrary to public policy for any employer to take certain actions relating to an employee's health coverage. AB 2135 would, for purposes of these provisions, include within the definition of employer every public or private institution of higher education that offers dependent medical coverage to all, or any, of its students.

Status: Failed passage in Com. on HEALTH. (04/09/2002)

AB 2143
Matthews

Health: cancer programs

Existing law provides for various cancer screening and detection programs that are administered by the State Department of Health Services, including the Breast and Cervical Cancer Treatment Program. In implementing this program, the department is authorized to contract with public and private entities, or utilize existing health care service provider enrollment and payment mechanisms, including the Medi-

Cal program's fiscal intermediary. However, existing law requires that the Medi-Cal program's fiscal intermediary only be utilized if services provided under the program are specifically identified and reimbursed in a manner that does not claim federal financial reimbursement. AB 2143 would grant similar authority to contract to the department in implementing other designated cancer screening and detection programs.

Status: CHAPTERED

- AB 2738
Chan *Working group: pupil health screening*
AB 2738 would require the Superintendent of Public Instruction to convene a working group to examine how the current system of school entry health screening/assessments can better fulfill the legislative intent of the program. The bill would require a review of the current certificate form used under the program and recommendations on the health assessments administered in the before-school entry physical examinations, as provided. The working group would be required to report its findings and recommendations to the Legislature, the Governor, the Superintendent of Public Instruction, and the Secretary of Health and Welfare on or before January 31, 2004.
Status: Held under submission in the Com. on Appr. (05/22/2002)
- AB 2739
Chan *Health care coverage: multilingual information and services*
AB 2739 would require managed care plans contracting with the State Department of Health Services for the provision of services under the Medi-Cal program, and health care plans contracting with the Managed Risk Medical Insurance Board for the provision of services under the Healthy Families Program, as well as the department and the board, to take prescribed actions with respect to the implementation of plans to provide culturally and linguistically appropriate services to recipients of services under these programs.
Status: VETOED
- AB 2741
Chan *Children's services*
This bill would create the Children's School Readiness and Health Council in the California Health and Human Services Agency, with the responsibility to, among other things, promote policy development in regard to, and coordinate programs that address, children's school readiness and health.
Status: VETOED
- AB 2857
Chan *Healthy Start Support Services for Children Act*
Existing law, the Healthy Start Support Services for Children Act (the act), requires the Superintendent of Public Instruction to award grants to local educational agencies or consortia to fund programs in qualifying schools that provide designated support services to eligible pupils and their families. The act authorizes the issuance of both planning grants and 5-year operational grants to local educational agencies or consortia that provide support services, as defined, to pupils and their families. The act also authorizes the issuance of county or regional planning and coordinating grants to a specified number of local educational agencies or consortia each year for the purposes of increasing the local planning and coordinating efforts among school districts, county offices of education, county governments, community organizations, and nonprofit organizations, as specified. This bill would authorize a school district, county office of education, or consortium that received a planning grant, but is unable to apply for an implementation grant in the 2002-03 fiscal year due to the state budget constraints, to apply for an additional planning grant if funds become available after July 1, 2003.
Status: Held under submission in Asm. Com. on APPR. (05/29/2002)
- AB 2881
Chan *Pupil health screening: pilot programs*
AB 2881 would require the State Department of Education to establish a pilot project for the purpose of facilitating and improving the early identification and referral of pupils in kindergarten and any of grades 1 to 12, inclusive, who have health problems that may negatively impact their ability to achieve their academic potential. The bill would require the department to determine the application and selection procedures to be used in the pilot program, and would require the department to select 3 counties that are representative of the geographic and demographic diversity of the state to participate in the pilot program. The bill would limit implementation of the pilot program to the extent of an appropriation in the annual Budget Act or other measure that makes funds available for the pilot program. The

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provisions establishing the pilot program would be repealed on January 1, 2007.

Status: Held under submission in Com. on Appr. (05/22/2002)

- SB 59
Escutia
Healthy Families Program
Existing federal law establishes the State Children's Health Insurance Program, which provides funds to the states to expand the provision of health assistance to uninsured, low-income children. In California, this program is known as the Healthy Families Program and is administered by the Managed Risk Medical Insurance Board. This bill would require the board to report to the Legislature on or before July 30, 2004, if federal funding is obtained, regarding its recommendations with respect to various initiatives regarding the State Children's Health Insurance Program. The bill would also include a statement of legislative findings and declarations.
Status: CHAPTERED
- SB 224
Speier
Breast and cervical cancer: treatment services
Existing law establishes the Breast Cancer Control Program that provides early breast cancer detection services for uninsured and underinsured women. SB 224 would enact the California Breast and Cervical Cancer Treatment Program administered by the State Department of Health Services, consisting of the provision of specified treatment services to persons meeting certain eligibility criteria. SB 224 would require the State Department of Health Services to submit a state plan amendment to the federal Health Care Financing Administration adopting the optional categorically needy eligibility group described in the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000 thereby providing breast and cervical cancer treatment under the Medi-Cal program, subject to federal financial participation. By increasing counties' responsibilities for Medi-Cal eligibility determination, this bill would impose a state-mandated local program.
Status: Set, first hearing. Hearing canceled at the request of author. (08/22/2001)
- SB 283
Speier
Healthy Families Program
Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to eligible children based upon applications submitted by applicants to the program. Existing law authorizes the board to establish a list of designated eligible individuals or categories of individuals and organizations that may be compensated for assisting an applicant in completing a program application. This bill would, until January 1, 2006, authorize a plan participating in the program, after completing a state-sponsored or approved training course to provide application assistance directly to an applicant who is acting on behalf of an eligible person, subject to specified conditions.
Status: CHAPTERED
- SB 391
McPherson
Education: health delivery services: consulting nurse
SB 391 would require each county office of education, to the extent that sufficient funds are available from the appropriation made by the bill, to employ a credentialed school nurse as a consultant to provide leadership and a coordination of mandated and appropriate health services to pupils, and would prescribe the duties of that position. SB 391 would establish the Tobacco Settlement Fund in the State Treasury into which the state share of all funds received in the tobacco litigation Master Settlement Agreement of 1998 would be required to be deposited. SB 391 would appropriate \$4,000,000 from the Tobacco Settlement Fund to the State Mandates Claims Fund to reimburse local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act.
Status: Set, final hearing. Held in committee and under submission. (08/22/2002)
- SB 402
Ortiz
Health Care: Medi-Cal
This bill would provide that upon implementation of the federal State Child Health Insurance Program waiver for the Healthy Families Program, women who are receiving pregnancy-related and postpartum services under the Medi-Cal program shall be eligible for the full scope of Medi-Cal benefits without a share of cost. This bill would specify that those aliens whose eligibility for Medi-Cal benefits is limited to medically necessary pregnancy-related services shall be eligible for the full scope of Medi-Cal benefits without a share of cost during pregnancy and for a 60-day period beginning on the last day of

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pregnancy.

Status: In Asm. Health Com. Hearing postponed by committee. (07/01/2002)

SB 785

Healthy Families Program

Ortiz

Existing law creates the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health care services to children less than 19 years of age who meet certain criteria, including having a gross household income equal to or less than 200% of the federal poverty level. Existing law requires program applicants to pay a family contribution for coverage. Existing law also requires the board to expand eligibility under the program to parents of uninsured children eligible under the program to the extent that federal financial participation is obtained. Existing law continuously appropriates money from the Healthy Families Fund for purposes of the implementation of the Healthy Families Program. This bill would expand the definition of applicant, would impose a maximum contribution amount for these subscribers, and would allow the board to pay reenrollment fees to designated individuals and organizations if a subscriber was reenrolled in the program based on their assistance in helping the subscriber complete the annual eligibility review packet. This bill would only become operative if it and AB 430 are both enacted and become effective on or before January 1, 2002.

Status: Set, first hearing. Hearing canceled at the request of author. (08/22/2001)

SB 1063

Developmental services: contracts

Chesbro

This bill would require any contract between the State Department of Developmental Services and regional centers, entered into on and after January 1, 2002, to require that all employment contracts entered into with regional center staff or contractors shall be available to the public for review, upon request, except with respect to the social security number of the contracting party. The bill would also make various technical changes.

Status: Set, first hearing. Hearing canceled at the request of author. (07/10/2001)

SB 1096

Children with disabilities

Ortiz

SB 1096 would require the Secretary of the California Health and Human Services Agency to contract for an independent study to determine various factors relating to providing health care for children with disabilities, to the extent funds are appropriated or otherwise provided for that purpose.

Status: Set, second hearing. Held in committee and under submission. (08/22/2002)

SB 1260

Health information: children

Escutia

SB 1260 would require the Children's Environmental Health Center within the Environmental Protection Agency to collect information on how to prepare for a biological or chemical terrorist attack and steps to ensure that children get the health care they need in the event of such an attack. The bill would also require the center to disseminate the collected information to health providers, hospitals, hospital pediatric units, and schools. The bill would limit its implementation to available federal or private funding. This bill would require the center to make joint applications with the State Department of Health Services for federal and private funds to implement the activities specified in the bill, and would provide for the allocation of federal funds received by the department for the purposes of this bill.

Status: Set, second hearing. Held in Assembly Appr. Com. And under submission. (08/22/2002)

SB 1411

Health care coverage: maternity services

Speier

Existing law prohibits a health care service plan and a disability insurer from imposing certain restrictions with respect to maternity benefits provided, respectively, under its plan contract or policy. SB 1411 would, effective July 1, 2003, prohibit a health care service plan and a disability insurer from imposing a copayment or deductible for health care or health insurance for specified maternity services that exceeds the most common amount of the copayment or deductible imposed for analogous services provided for other medical conditions.

Status: CHAPTERED

SB 1545

Child abuse and neglect: mandated reporters

Bowen

Existing law relating to the reporting of child abuse and neglect authorizes certain persons within county health departments to receive copies of specified reports made by health practitioners of a positive

toxicology screen of a mother at the time of delivery of an infant. SB 1545 would delete an obsolete reference in that provision.

Status: To Com. on RLS. (02/28/2002)

SB 1632
Perata

Pupils: sun protection

This bill would, in addition, require every schoolsite to allow students to apply sunscreen while outdoors during the school day.

Status: CHAPTERED

SB 1745
Polanco

Domestic violence reporting

SB 1745 would make a nonsubstantive, technical correction to existing law authorizing persons within county health departments to receive copies of the reports made by specified health practitioners pursuant to provisions of law requiring reports of maternal substance abuse and assessments made by specified health professionals regarding maternal substance abuse. Further, this bill would state the Legislature's findings and declarations with respect to the relationship between domestic violence and the abuse and neglect of children and would require child protective services agencies to develop protocols in collaboration with other groups, as specified, as to how law enforcement and child welfare agencies will cooperate in their response to a domestic violence related incident in a home in which a child resides.

Status: CHAPTERED

SB 1971
Polanco

Healthy Families Program: single page application form

SB 1971 would require the State Department of Health Services, in conjunction with the Managed Risk Medical Insurance Board, to convene a task force of interested parties to develop and make recommendations for a single page application form that an applicant could use to apply for coverage under the Healthy Families Program and Medi-Cal to the extent federal financial participation is available.

Status: Set, second hearing. Held in Asm. Appr. Com. And under submission. (08/22/2002)

Public Health Administration

- AB 1140
Thomson *Nursing: workforce planning*
This bill requires the Board of Registered Nursing to collect, analyze, and report on workforce data from its licensees for future workforce planning. The information - which will include job satisfaction, future work intentions, hours of work, time spent in direct patient care, type of employer, reason for leaving or reentering nursing - will be helpful in recommending steps the state might take to increase job satisfaction and recruit more students into the profession.
Status: CHAPTERED
- AB 1421
Thomson *Mental Health: involuntary treatment*
This bill permits counties to provide court-ordered assisted outpatient treatment for a 180-day period to people with serious mental illnesses. Each county voluntarily operating this program must provide teams of highly trained mental health professionals with staff-to-client ratios of not more than 1 to 10.
Status: CHAPTERED
- AB 1522
Thomson &
Frommer *Health care coverage*
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. AB 1522 would declare legislative intent to ensure that enrollees of health plans receive continuity of care.
Status: Joint Rules 29.5 and 30, and Senate Rule 29.9 suspended (09/12/2001)
- AB 1762
Vargas *Pharmacies: prescription benefits: Medicare beneficiaries*
Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services, including prescription benefits. Under existing law, the department pays participating pharmacists a discounted price for drugs on the Medi-Cal drug formulary. Existing law separately regulates the operation of pharmacies. Existing law requires, as a condition of Medi-Cal eligibility, that pharmacies charge Medicare beneficiaries a price not to exceed the Medi-Cal reimbursement rate for prescription medicines, and an amount to cover electronic transmission charges by Medicare beneficiaries, upon showing their Medicare card and prescription. This bill would indefinitely extend these provisions.
Status: From printer. May be heard in committee February 8. (01/09/2002)
- AB 1787
Reyes *Hospitals: study regarding consolidation*
AB 1787 would require the State Department of Health Services to contract for a study to determine the feasibility of consolidating specified health care districts in the state and, based on the results of this study, examine the feasibility of consolidating rural hospitals in the state in order to expand services in rural areas. This bill would require the department to submit the results of the study and feasibility examination to the Legislature no later than July 1, 2003.
Status: Passed on Asm. floor (71-2). To Senate Com. on H. & H.S. (05/23/2002)
- AB 1916
Matthews *Sales and use taxes: exemptions: medicines: lancets and blood glucose strips used in the treatment of diabetes*
The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax, including an exemption for specified products, used in the treatment of diabetes, that are furnished by a registered pharmacist as directed by a physician. AB 1916 would UNTIL January 1, 2008, expand this exemption to also include lancets and blood glucose strips furnished for the treatment of diabetes and would remove the requirement that the exempt products, as expanded by this bill, be furnished by a registered pharmacist. Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes. Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions. AB 1916 would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill. This bill would take effect immediately as a tax levy, but its operative date would depend on its

effective date.

Status: VETOED

- AB 1929
Runner *Certificate of stillbirth*
AB 1929 would require a certificate of fetal death to contain information relating to whether the fetal death was a stillbirth, if that information is available. The bill would also require specified clinics and health facilities to provide a certificate of birth resulting in stillbirth, upon the request of either parent of the stillborn child.
Status: In committee: Set, first hearing. Hearing canceled at the request of author. (05/14/2002)
- AB 1959
Corbett *CalWORKs eligibility: work activities*
Existing law requires certain CalWORKs recipients to participate in welfare-to-work activities, and provides that, with certain exceptions, a parent or caretaker relative may only receive aid under the CalWORKs program for a cumulative period of 18 months after the individual signs, or refuses to sign, without good cause, a welfare-to-work plan. This bill would, notwithstanding this limitation, provide that a recipient who signs a welfare-to-work plan and who is continuously enrolled in a training program for registered nurses that has been approved by the Board of Registered Nursing, shall be eligible to receive aid under the CalWORKs program for a cumulative period of not more than 48 months after the individual signs a welfare-to-work plan, in certain counties to the extent that each county elects to provide aid pursuant to these provisions, unless the county certifies that specified conditions for participating in community service activities under the program apply. This bill would provide that individuals who fail or refuse to comply with the requirements of the welfare-to-work plan without good cause may be subject to specified sanctions.
Status: VETOED
- AB 2077
Koretz *Nursing: education resources*
Existing law requires the office of the Chancellor of the California Community Colleges to award grants to community college districts for the purpose of developing curricula and pilot programs that provide training to licensed nurses. AB 2077 would establish the Community College Nursing Education Fund to be administered by the chancellor on behalf of the board of governors, to make additional allocations per nursing student, as defined, to eligible community college districts, as defined, that are beyond the FTES allocation for students that are not nursing students. AB 2077 would make an appropriation from the General Fund of \$125,000 for the 2002-03 fiscal year to be distributed based on an eligible district's average daily attendance of nursing students. To the extent the funds appropriated by this bill are allocated to a community college district, as defined by existing law for purposes of Section 8 of Article XVI of the California Constitution, those funds may be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.
Status: In Sen Education Com. Set, first hearing. Held without recommendation. (08/07/2002)
- AB 2178
Goldberg *Health care*
Existing law regulates plans and insurers that provide coverage to small employers and defines the term "small employer" for those purposes. AB 2178 would provide that an employer subject to a local living wage law or other legislation enacted by a local government that regulates the minimum hourly compensation of employees shall be a small employer for purposes of obtaining coverage under the small employer provisions. The bill would require an employer, effective January 1, 2003, who elects to provide health care coverage to employees subject to a local living wage law to obtain that coverage under the small employer provisions only for covered employees. The bill would repeal these provisions on January 1, 2007.
Status: CHAPTERED
- AB 2270
Dickerson *Dental fillings: mercury*
This bill, on and after January 1, 2007, would prohibit a dentist from providing a patient with a dental filling that contains mercury. The bill would require a dentist to make a specified disclosure to a patient prior to that date when providing a dental filling containing mercury. The bill would make findings and declarations of the Legislature with regard to a dental amalgam containing mercury. A violation of these provisions would constitute unprofessional conduct.
Status: Re-referred to Com. on Health (04/10/2002)

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- AB 2314
Thomson *Nursing Education*
This bill would require, by September 1, 2005, the Chancellor of the California Community Colleges to encourage community college districts, and the Chancellor of the California State University to require campuses of the California State University, to standardize all nursing program prerequisites on a statewide basis. The bill would require the Chancellor of the California Community Colleges and the Chancellor of the California State University implement the recommendations of the Intersegmental Major Preparation Articulated Curricular (IMPAC) project not later than September 1, 2004.
Status: CHAPTERED
- AB 2364
Negrete
McLeod *Medi-Cal: study*
This bill would require the Legislature to commission a study on how the administration of the Medi-Cal program might be simplified, with a focus on creating efficiency in the system, and reducing costs to the program, health care service plans, and health care providers. This bill would require that the study be conducted without the use of state funds and that the results be given to the office of the Legislative Analyst and to the appropriate health policy committees of the Legislature on or before January 1, 2004.
Status: CHAPTERED
- AB 2385
Bill
Campbell *Healing arts*
Existing law, the Medical Practice Act, regulates the practice of medicine in this state and authorizes the Medical Board of California to take disciplinary action against a licensee. AB 2385 would require the board to keep, for a period of 7 years or until the statute of limitations for filing an accusation against a licensee has expired, whichever period is shorter, a copy of a complaint it receives concerning the unprofessional conduct of a licensee if the board finds after an investigation that there is insufficient evidence to proceed with disciplinary action.
Status: CHAPTERED
- AB 2448
Dickerson *Health care*
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. The act defines a "small employer" as, among other things, a person or certain entities that engage in business or service and employ at least 2, but not more than 50, eligible employees. AB 2448 would instead specify that the definition includes those persons or entities that employ at least 2, but not more than 200, eligible employees. Existing law, the Health Insurance Plan of California, establishes a comprehensive scheme for providing health insurance coverage to employees of small employer groups and the dependents of those employees. Existing law defines the term "small employer" for those purposes to include a person and specified entities that are actively engaged in business and that employ on at least 50% of their working days during the preceding calendar quarter, or preceding calendar year, 2, but not more than 50, eligible employees. AB 2448 would provide that a person or entity that employs up to 200 employees under those conditions is a small employer for purposes of eligibility for the Health Insurance Plan of California. AB 2448 would make related changes.
Status: In Com. on HEALTH. Hearing postponed by committee. (04/16/2002)
- AB 2468
Ashburn *State Supplementary Program for the Aged, Blind, and Disabled benefits*
Existing law provides for the State Supplementary Program (SSP) for the Aged, Blind, and Disabled, under which qualified aged, blind, and disabled persons receive cash benefits. Existing law provides that an annual cost-of-living adjustment will be made to the maximum SSP benefit levels, in accordance with a specified formula. AB 2468 would specify that, notwithstanding this formula, for the 2003 calendar year, the cost-of-living adjustment shall be twice the amount that it would be if computed pursuant to existing law. Since funds are continuously appropriated to pay for the cost of these benefits, by increasing the benefit levels under the program the bill would constitute an appropriation.
Status: Referred to Com. on HUM. S. (03/07/2002)
- AB 2658
Aanestad *Health care districts*
Existing law provides for local health care districts which govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts. AB 2658 would declare the intent of the Legislature to enact legislation to provide assistance and relief to rural hospitals operated by health care districts.

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Status: Re-referred to Com. on L. Gov. (04/09/2002)

- AB 2763
Pescetti *Health care: hyperbaric oxygen therapy*
Existing law provides for the regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of disability insurers by the Insurance Commissioner. AB 2763 would state the Legislature's intent that health care service plans and disability insurers provide, or reimburse the cost of providing, hyperbaric oxygen therapy to children suffering brain injuries.
Status: In Com. on Health: Set, first hearing. Held under submission. (05/07/2002)
- AB 2831
Simitian *Health records: delivery of laboratory test results by Internet posting*
Existing law permits test results to be delivered in electronic form if requested by the patient and if deemed appropriate by the health care professional who requested the test, subject to specified requirements regarding, among other things, consent of the patient. Under existing law, certain clinical laboratory test results are prohibited from being conveyed to a patient by Internet posting or other electronic means, including test results related to routinely processed tissues. This bill would instead provide that clinical laboratory test results related to routinely processed tissues may not be conveyed to the patient by Internet posting or other electronic means if they reveal a malignancy. This bill would also provide that the requirements described above do not prohibit direct communication by Internet posting or other electronic means to convey clinical laboratory test results by a treating health care professional, as specified.
Status: CHAPTERED
- SB 103
Speier *Health coverage*
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health. SB 103 would declare legislative intent with respect to continuity of care by health plans.
Status: Senate appoints Conference Committee: Senators Speier, Ortiz, and Haynes. Joint Rules 29.5 and 30 and Senate Rule 29.9 suspended. (09/12/2001)
- SB 247
Speier *Birth and death certificates: certified copies: access*
This bill would provide that the State Registrar, local registrar, or county recorder may provide a certified copy of a birth or death record to an authorized person, as defined, who submits a statement sworn under penalty of perjury that the requester is an authorized person. If a requester does not meet the requirements of an authorized person, this bill would require the State Registrar, local registrar, or county recorder to issue the certified copy of a birth or death record with a legend stating "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY." This bill would provide that these provisions would become operative on July 1, 2003. This bill would, commencing July 1, 2003, require that each certified copy of a birth or death record contain specified information and be printed on sensitized security paper with specified features. This bill would also require the State Registrar, local registrars, county recorders, and county clerks to take precautions to ensure that the security paper is maintained under secure conditions.
Status: CHAPTERED
- SB 616
Chesbro *Laboratories: public health laboratory scientists: training*
Existing law requires that a city or county provide to the local health department the services of a public health laboratory to perform specified duties to protect the community and the public health. Existing law requires that the laboratory and its personnel be approved by the State Department of Health Services and comply with requirements of federal law. SB 616 would declare the intent of the Legislature to enact legislation that would create the Public Health Laboratory Training Program.
Status: In Assembly. Read first time. Held at Desk (01/30/2002)
- SB 859
Ortiz *California Disease Management Act of 2001*
SB 859 would declare the policy of the state to provide and encourage the provision of disease management programs, and would require the State Department of Health Services to implement the policy by developing a strategy and guidelines for providing Medi-Cal participants with disease management services that improve patient outcomes and reduce health care costs. SB 859 would require the department to convene a task force to develop a list of diseases eligible for disease management programs, and a strategy and guidelines for implementation. It would urge the task force, depending upon the findings of the task force, to develop a

timeframe for provision of these programs and services. It would, however, condition the provision of these services and programs upon the receipt of federal waivers. SB 859 would also require the department to electronically post on its Internet Web page a notice that it has initiated work on disease management. SB 859 would require the task force to report its findings, recommendations, guidelines, and strategies to the Governor, the Secretary of Health and Human Services, and the Legislature on or before January 1, 2003.
Status: Joint Rule 61(a) (10) & (11) suspended (08/30/2001)

SB 1278 *Pharmacies: prescription benefits: Medicare beneficiaries*
Speier Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services, including prescription benefits. Under existing law, the department pays participating pharmacists a discounted price for drugs on the Medi-Cal drug formulary. Existing law, the Pharmacy Law, separately regulates the operation of pharmacies and makes the violation of its provisions a crime. Existing law requires until January 1, 2003, as a condition of Medi-Cal eligibility, that pharmacies charge Medicare beneficiaries a price not to exceed the Medi-Cal reimbursement rate for prescription medicines, and an amount to cover electronic transmission charges by Medicare beneficiaries, upon showing their Medicare card and prescription. SB 1278 would indefinitely extend these provisions and would specify that they do not apply to a prescription covered by insurance. SB 1278 would require the department to conduct an outreach program to inform Medicare beneficiaries of this program and require participating pharmacists to prominently display a sign pertaining to its provisions. SB 1278 would authorize the department to establish a system that allows a Medicare beneficiary access to programs operated by drug manufacturers providing a larger discount amount on prescription drugs. The bill would also authorize the department to collect prospective rebates from drug manufacturers, which would be deposited into the fund.
Status: CHAPTERED

SB 1298 *Public Health emergencies: state aid: local health administration*
Ortiz Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula. This bill would revise the purposes for which the allocated funds may be used.
Status: CHAPTERED

SB 1394 *Statewide health planning and development: hospitals: charity care policies and reporting requirements*
Ortiz SB 1394 would require each general acute care hospital, acute psychiatric hospital, and special hospital to develop a charity care policy specifying the financial criteria and procedure used by the hospital to determine whether a patient is eligible for charity care, as defined. It would require each hospital to perform various functions in this regard, including notifying patients of the hospital's charity care policy, and determining the availability of private or public health insurance coverage for each patient. SB 1394 would specify billing and collection procedures to be followed by hospitals, and would require each hospital to report to the Office of Statewide Health Planning and Development the amount of charity care provided, in conjunction with the filing of other specified reports under existing law. SB1394 would require the office to develop a uniform charity care application to be used by all hospitals and would require the office to issue an annual report, beginning on March 1, 2004, regarding the state of charity care in California, with specified contents. SB 1394 would authorize the director of the office to levy administrative penalties for violations of the charity care provisions established by the bill and would provide that the activities of the office pursuant to the bill shall be funded with fees collected pursuant to a specified provision of existing law. SB 1394 would also authorize civil actions for violations of these provisions for any person damaged by the violation, and would specify recoverable damages. Existing law requires every organization that operates, conducts, owns, or maintains a health facility to make and file with the office specified reports containing various patient and financial data and provides that any health facility that fails to file a required report with the office shall be liable for specified civil penalties. SB 1394 would apply the above reporting requirements to every organization affiliated with a health facility, as defined, and would provide for administrative rather than civil penalties, to be assessed by order of the director, for violation of the reporting requirements.
Status: Placed on inactive file on request of Senator Ortiz. (05/28/2002)

SB 1414 *Health care coverage*
Speier SB 1414 would integrate the Medi-Cal children and families program, the Healthy Families Program, and the

Access for Infants and Mothers Program to establish the Healthy California Program for the purpose of providing health care and health coverage to all citizens and legal immigrants without access to affordable, employer-based coverage. The bill would require the Managed Risk Medical Insurance Board to administer the program. The bill would authorize the board to contract with health care service plans, disability insurers, and managed care organizations to provide health coverage for the program. The bill would require the board and the department to apply for appropriate federal waivers to enable the state to obtain matching federal funds for the program. The bill would provide that the program would not be implemented unless federal funding is obtained. This bill contains a number of other related provisions.

Status: Set, first hearing. Held in Com on Appr. And under submission. (05/23/2002)

SB 1609
Soto

Licensed health care professionals: blood-borne infectious disease.

The County Employees Retirement Law of 1937 provides that, for purposes of qualification for disability retirement benefits, the development of a blood-borne infectious disease, as defined, by specified safety members, probation officers, firefighters, and members in active law enforcement shall be presumed, as specified, to arise out of, and in the course of, employment. This bill would make that presumption applicable to licensed health care professionals, as defined who have a documented incident involving a sharp object, as defined, with exposure to human blood or bodily fluids contaminated with blood, as specified. Under existing law, a person injured in the course of employment is generally entitled to receive workers' compensation on account of that injury. Existing law provides that, in the case of certain state and local firefighting and law enforcement personnel, the term "injury" includes a blood-borne infectious disease, as defined, that develops or manifests itself during a period while in the service of the governmental entity, and establishes a disputable presumption in this regard. This bill would make that definition of "injury" and that disputable presumption applicable to licensed health care professionals, as defined.

Status: VETOED

SB 1668
Chesbro

Rural Health Care Equity Program

Existing law establishes the Rural Health Care Equity Program pursuant to which specified annuitants who live in rural areas receive, subject to the availability of funds, reimbursement for some or all of their deductibles, as defined, up to \$500 per fiscal year if they are not Medicare participants or reimbursement for Medicare Part B premiums, up to \$75 per month, if they are Medicare participants. SB 1668 would increase the maximum amount of that reimbursement for those annuitants who are not Medicare participants to \$1,000 per fiscal year and would increase the reimbursement for those annuitants who are Medicare participants to include the amount by which their preferred provider plan premiums exceed a weighted average for board-approved health maintenance organization premiums.

Status: Held in Com. on Appr. And under submission (05/23/2002)

SB 1699
Soto

Health care programs: denial of continued enrollment, suspension, and withholding of payment

Existing law provides that a Medi-Cal provider may be denied continued enrollment in, suspension from, or have payments withheld in connection with, the Medi-Cal program, if certain actions relating to fraud, abuse, or misrepresentation have been found to have taken place. SB 1699 would require the Director of Health Services to review the evidence supporting the denial of continued enrollment, suspension, or withholding of payments in cases where there is evidence of fraud, abuse, or willful misrepresentation on the part of a provider for any health care program administered by the department, including the Medi-Cal program. SB 1699 would authorize the Director to deny continued enrollment, suspend, or withhold payments to, an applicant or provider with respect to other health care programs administered by the department if the Director finds that certain conditions relating to fraud, abuse, and willful misrepresentation exist. The bill would also authorize the Director to deny the application of an applicant or provider to participate in any health care program administered by the department when certain conditions relating to fraud, abuse, or willful misrepresentation exist or when utilization controls have been imposed on an applicant or provider.

Status: CHAPTERED

SB 1881
Scott

Health care coverage: emergency services and care

Existing law provides for licensing and regulation of various health care professionals and hospitals. SB 1881 would prohibit a health care professional or a hospital from billing or attempt to collect payment from a patient for emergency services and care unless the patient's health care service plan or insurer denies coverage for the emergency services and care. SB 1881 would make a patient responsible for all applicable copayments

and deductibles.

Status: Hearing canceled at the request of author (05/01/2002)

- SB 1917
Chesbro *Medicare+Choice*
Existing federal law establishes the Medicare+Choice Program that allows beneficiaries under the Medicare program to obtain health care coverage from a variety of private health insurance options, including a health maintenance organization, a provider-sponsored organization, or a preferred provider organization. Under existing law, the Secretary of the United States Department of Health and Human Services is required to make monthly payments to each Medicare+Choice organization for its covered individuals in a payment area, which is generally a county or equivalent geographic area specified by the secretary. Existing law authorizes the Governor to make a written request to the secretary to make a geographic adjustment to a payment area. SB 1917 would require the Governor to make a written request under this provision before January 1, 2003, for a geographic adjustment in the Medicare+Choice payment area to increase the payment rate in all rural areas of the state.
Status: To Asm. Com. on Health. Hearing postponed by committee. (06/25/2002)
- SB 1945
Kuehl *Discrimination*
Under existing provisions of the California Fair Employment and Housing Act, a person filing a complaint for an unlawful practice with the Department of Fair Employment and Housing is required to file the complaint within one year, except that the period for filing may be extended as prescribed, under specified circumstances. Existing law provides that all persons within the jurisdiction of this state have the right to be free from any violence or intimidation by threat of violence, committed against their persons or property because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute, or because another person perceives them to have one or more of those characteristics. A complaint for a violation of this provision may be filed with the Department of Fair Employment and Housing. SB 1945 would extend the time for filing a complaint with the department for an alleged violation of this prohibition, for a period of time, not to exceed an additional one year from the date the person allegedly aggrieved by an alleged violation is unaware of the identity of each person liable for the alleged violation.
Status: CHAPTERED
- SB 2008
Speier *Nursing: Assumption Program of Loans for Nursing Education*
SB 2008 would establish, until January 1, 2010, an Assumption Program of Loans for Nursing Education, under the administration of the Student Aid Commission, with provisions similar to APLE. Under the Assumption Program of Loans for Nursing Education, an applicant enrolled in a participating institution of postsecondary education, or an applicant who agrees to participate in an associate degree program, a baccalaureate degree program, or an entry-level master's degree program, or any other prelicensure registered nursing program approved by the Board of Registered Nursing, and who further agrees to provide at least 4 years of full-time or full-time equivalent service as a registered nurse in a general acute care hospital, as defined, a community clinic, free clinic, or a clinic conducted, maintained, or operated by a federally recognized Indian tribe or tribal organization, as defined, or an acute psychiatric hospital, as defined, would be eligible to enter into an agreement for loan assumption. The bill would provide that up to \$11,000 in loan assumption benefits could be provided under its provisions. The bill would further provide that, under the program, the commission could enter into up to 250 agreements for the assumption of student loans. The bill would require the commission to report to the Legislature annually, commencing with the 2005-06 fiscal year, regarding the program.
Status: VETOED
- SB 2047
Machado *Health services: chronic disease*
Under existing law, the State Department of Health Services is responsible for the administration and oversight of various disease education and prevention programs. In order to coordinate disease prevention programs and to develop long-term priorities and strategies for the State of California, this bill would establish the Chronic Disease Prevention Council in the State Department of Health Services. The bill would provide that the council consists of 10 members, with certain knowledge and expertise, and would specify the responsibilities of the council. The bill would require the council to report to the Governor and the Legislature on or before December 31, 2004. The bill would specify that it shall be implemented to the extent that the

department is able to support the council's efforts through existing General Fund dollars or from funding from private or federal sources.

Status: VETOED

SB 2075
Romero

Health professions development: nursing education grants

This bill would require the Office of Statewide Health Planning and Development to establish and administer a nursing education grant program to provide one time stipends of up to \$400 to eligible nursing students, as defined, to defray the costs of essential items of clothing and equipment that nursing students must regularly purchase in order to attend nursing school. This bill would appropriate \$250,000 from the General Fund to the Office of Statewide Health Planning and Development for purposes of the grant program.

Status: Set, second hearing. Hearing canceled at the request of author. (04/16/2002)

Housing

- AB 628
Oropeza *Senior housing*
AB 628 would require until January 1, 2006, the Department of Housing and Community Development, in conjunction with the California Department of Aging, to establish, no later than July 1, 2003, a demonstration project in each of 3 counties to be selected by the department to provide counseling and referral assistance to Section 8 qualified seniors, and also to provide counseling to landlords who provide housing under the Section 8 program. AB 728 would also prescribe criteria for selecting community-based agencies to implement the demonstration projects, and would prescribe various services to be provided to both eligible seniors and landlords. This bill would also require qualifying community-based agencies to contribute 25% toward the total cost of the project. AB 728 would also require the department to examine the feasibility of providing counseling and assistance grants to community-based agencies statewide to assist those who have Section 8 vouchers in locating safe, affordable housing that allows them to remain in the community of their choice. This bill would require the department, in consultation with the California Department of Aging, to seek federal funding to support this program and would also require the Department of Housing and Community Development to report to the Legislature before January 1, 2004. AB 628 would also appropriate from the General Fund to the department the sum of \$500,000 for the purposes of this bill.
Status: In committee. Set, second hearing. Held under submission (08/22/2002)
- AB 748
Chavez *Housing: homeless veterans*
AB 748 would appropriate create the Cal-Vet Financial Assessment Task Force to conduct a detailed audit and analysis of the effectiveness and efficiency of the veterans' farm and home purchase program and whether the program should be continued, modified or terminated. The bill would require the task force to report to the Governor and the Legislature on, among other things, the fiscal status of the fund and program, and recommendations on how moneys in the program might be used to provide housing for homeless veterans and meet the needs of other veteran populations.
Status: VETOED
- AB 1008
Lowenthal *Housing Assistance*
Existing law establishes the Code Enforcement Incentive Program pursuant to which the Department of Housing and Community Development, upon appropriation by the Legislature, is required to make funds available as matching grants to cities, counties, and cities and counties through December 31, 2003, to increase staffing dedicated to local building code enforcement efforts. This bill would also authorize these grant funds to be used for capital expenditures, as defined, and require grants to be made to grantees that operate local building code enforcement programs for more than 3 years.
Status: CHAPTERED
- AB 1170
Firebaugh *Housing: downpayment assistance*
AB 1170 would create the Building Equity and Growth in Neighborhoods (*BEGIN*) Program and BEGIN Fund. Monies in the fund would be made available, upon appropriation, to the Department of Housing and Community Development for grants to cities, counties, and cities and counties for assistance in the form of 2nd mortgage loans for down-payment purposes to qualifying new home buyers in those cities, counties, and cities and counties that have taken prescribed actions to remove barriers to affordable housing. AB 1170 would specify that its provisions would become operative only if the Housing and Emergency Shelter Trust Fund Act of 2002 is enacted by the voters.
Status: CHAPTERED
- AB 1244
Wiggins *Affordable housing: condominiums*
The Community Redevelopment Law requires redevelopment agencies to use not less than 20% of taxes allocated to the agency for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at an affordable housing cost to persons and families of low or moderate income and very low income households unless a specified finding is made annually by resolution. AB 1244 would declare the intent of the Legislature to examine methods to increase the supply of housing affordable to all income groups, promote fairness in the distribution of housing, and plan adequately for housing sites that integrate the need for housing with the needs of other

land uses. The Planning and Zoning Law requires the housing element of the general plan of a city or county, among other things, to identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and to make adequate provision for the existing and projected needs of all economic segments of the community. AB 1244 would also require the housing element of a general plan to identify adequate sites for condominiums, thereby creating a state-mandated local program by imposing new duties on local agencies.

Status: Withdrawn from committee. Re-referred to Com. on H. & C.D. (09/12/2001)

AB 1284
Lowenthal

Housing Opportunity districts

This bill would enact the Housing Development Incentive Act of 2002 to promote, encourage, and facilitate adequate housing development and transit oriented public improvements to provide affordable housing and job access to California's growing workforce. The bill would authorize a city, county, or city and county that has adopted, among other things, a transit village plan to create a housing opportunity district, subject to approval by the department, except that the department may approve only 12 districts. It would require the property tax revenues resulting from increases in assessed value due to affordable housing construction to be paid to the district, except as specified. The bill would also authorize a housing opportunity district to issue bonds and enter into other forms of indebtedness for the purpose of constructing affordable housing and transit oriented public improvements within a district or the adjacent area.

Status: In Senate Local Government Com. Set, second hearing. Held under submission. (08/22/2002)

AB 1829
Pacheco

Local planning: housing elements

AB 1829 would require the Department of Housing and Community Development, when evaluating whether a housing element is consistent with state law, to count congregate housing for seniors that is identified within the housing element of a city or county for purposes of determining whether the city or county meets its share of the regional housing needs.

Status: In Committee: Hearing for testimony only. (04/10/2002)

AB 1866
Wright

Housing: density bonuses

AB 1866 would authorize the Department of Housing and Community Development to allow a city or county to identify sites for 2nd units based upon relevant factors including the number of 2nd units developed in the prior housing element planning period. Existing law authorizes a local agency to provide by ordinance for the creation of 2nd units on parcels zoned for a primary single-family and multifamily residence, as prescribed. This bill would require, when a local agency receives its first application on or after July 1, 2003, that the ordinance provide for ministerial approval without discretionary review of applications for 2nd units that meet the requirements of the ordinance, notwithstanding other laws that regulate the issuance of variances or special use permits. Existing law also requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with incentives or concessions for the production of lower income housing units within the development if the developer meets specified requirements. This bill would revise those provisions to refer to an applicant who proposes a housing development and would recast them to, among other things, revise criteria for making written findings that a concession or incentive is not required, add criteria for continued affordability of housing in a condominium project, authorize an applicant to request a meeting on its proposal for a specific density bonus, incentive, or concession or for the waiver or reduction of development standards, and exempt developments meeting certain affordability criteria from specified laws.

Status: CHAPTERED

AB 1891
Diaz

Housing trust funds

AB 1891 would require the Department of Housing and Community Development to establish a program to make matching grants to local agencies that have housing trust funds, to provide financing for affordable housing to be occupied primarily by low-and very low income persons and families. AB 1891 would become operative only if the Housing Bond Act of 2002, as proposed by Senate Bill 1227, is enacted by the voters, and would provide that specified amounts appropriated pursuant to that act would

be used for purposes of this bill.

Status: CHAPTERED

- AB 2043 *Farmworker housing*
Salinas The existing Joe Serna, Jr. Farmworker Housing Grant Program requires the Department of Housing and Community Development to make grants from the Joe Serna, Jr. Farmworker Housing Grant Fund, for specified purposes, and authorizes grants and loans to be made from the fund for other purposes. One of the purposes for which grants and loans may be made is to directly rent or lease housing for short-term occupancy by migrant farmworker households. AB 2043 would limit the authorization for the making of grants and loans for this purpose only to instances where the department determines that there are extraordinary or emergency circumstances.
Status: CHAPTERED
- AB 2175 *General plan: human services.*
Daucher Existing law requires each city or county to adopt a general plan containing various elements. Existing law requires the Department of Housing and Community Development's Office of Planning and Research to develop and adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans. This bill would require those guidelines to include guidelines for addressing human services matters within the context of a general plan, as specified.
Status: VETOED
- AB 2339 *Landlord and tenant*
Migden This bill defines a security deposit to include any charges at the beginning of tenancy, other than tenant/application screening fees. The bill requires the landlord to let a prospective resident know they have a right to be present at the initial inspection of the unit at the inception of a tenancy. This bill further requires that a tenant be allowed to clean and make repairs before the landlord may make deductions from the security deposit for those purposes.
Status: CHAPTERED
- AB 2896 *Local planning: housing elements*
Simitian The Planning and Zoning Law requires a city or county to adopt a general plan for land use development that includes, among other things, a housing element. It also requires the Department of Housing and Community Development to determine the regional share of the statewide housing need, and each council of governments to determine the existing and projected housing need for its region. AB 2896 would define "residential unit" for purposes of these housing element requirements and would declare the intent of the Legislature to enact legislation that would require the department, when evaluating whether a housing element is consistent with state law, to count congregate housing for seniors that is identified within the housing element of a city or county for purposes of determining whether the city or county meets its share of the regional housing needs.
Status: Re-referred to Com. on L. GOV. (05/13/2002)
- AB 2972 *Discrimination: homeless youth*
Aroner AB 2972 would provide that the establishment and operation of housing for homeless youth pursuant to any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state, shall not be considered unlawful discrimination on the basis of age.
Status: CHAPTERED
- SB 372 *Preservation interim loan programs*
Dunn This bill creates two pilot programs that preserve low-income housing that is at risk of conversion to market rate housing. A total of \$50 million would be available for these programs. Under one program, the California Housing and Finance Agency would make two-year loans at 3 percent interest to allow nonprofit organizations to purchase housing when it becomes available, allowing the non-profit the time to arrange more permanent financing during the two years that the loan is outstanding. Under the second program, HCD would select a nonprofit organization from a competitive field to acquire and manage a portfolio of "at risk" housing developments. In this program HCD would make a five-year loan at 3

percent interest.

Status: CHAPTERED

- SB 423
Torlakson *Working Housing Reward Program*
This bill authorizes HCD to provide up to \$100 million in the form of grants to local governments to reward the issuance of building permits for new affordable housing as follows: (a) \$65 million would reward cities and counties for low-income housing permitted after January 1, 2004; (b) \$25 million would retroactively reward communities for increasing average annual building permits in calendar year 2001, as originally anticipated from the Jobs-Housing Balance Incentive Grant Program; and (c) \$10 million would reward local governments that qualified for grants if it increased its average annual building permits, but also achieved results in low-income housing.
Status: CHAPTERED
- SB 1227
Burton *Housing and Emergency Shelter Trust Fund Act of 2002*
SB 1227 would enact the Housing and Emergency Shelter Trust Fund Act of 2002, which, if adopted, would authorize, for purposes of financing various existing housing and code enforcement programs, and additional specified programs subject to the enactment of enabling legislation, the issuance of bonds in the amount of \$2,100,000,000 pursuant to the State General Obligation Bond Law. SB 1227 would provide for submission of the bond act to the voters at the November 5, 2002, statewide general election in accordance with specified law. SB 1227 would enact additional provisions for the distribution of designated portions of the proceeds of the bond act and the administration of the programs pursuant to which those funds would be distributed. Those provisions would become operative only if the bond act is adopted by the voters. SB 1227 would also delete obsolete provisions. This bill would declare that it is to take effect immediately as an urgency statute.
Status: CHAPTERED
- SB 1528
Vincent *Shopping carts*
Existing law authorizes a city, county, or city and county to impound certain shopping carts, subject to the requirement that the cart not be retrieved within 3 business days from the date the owner receives actual notice from the city, county, or city and county, of the shopping cart's discovery and location. However, existing law authorizes the impoundment of a shopping cart without complying with the 3-day advance notice period if certain conditions are met, including the release of the cart at no charge if the cart is reclaimed within three business days following the date of actual notice. SB 1528 would instead require that a cart be reclaimed within two business days following the date of actual notice and would provide that the shopping cart be subject to applicable fees or fines commencing on the third business day following the date of actual notice.
Status: placed on Senate Inactive File on request of Senator Bowen. (06/24/2002)
- SB 1634
Figueroa *Housing: jobs*
Existing law requires a city or county to include a housing element in its general plan, and, for that purpose, prescribes criteria for determining the share of a city or county of the regional housing needs, including a requirement that the distribution of regional housing needs take into account, among other things, market demand for housing and employment opportunities. SB 1634 would require the distribution of regional housing needs to incorporate measures to improve the balance of employment and housing within each region's employment center, taking into account existing and projected employment instead of employment opportunities. By imposing new duties on local agencies, the bill would create a state-mandated local program.
Status: Hearing postponed by Com. on H. & C.D. (04/15/2002)
- SB 1721
Soto *Land use: farmworker housing*
SB 1721 would prohibit a local agency from using design review criteria to disapprove or render infeasible a project that serves farmworkers and is funded by the Joe Serna, Jr. Farmworker Housing Grant Program in specified circumstances.
Status: CHAPTERED

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- SB 1751
Burton *Homeless individuals: reporting of deaths*
SB 1751 would require each county, beginning March 1, 2004, and annually thereafter, to submit a report to the State Department of Health Services on the number of homeless individuals who died during the previous calendar year. This bill would require the department to submit an annual report to the Legislature, the Governor, and the Legislative Analyst on information received from the counties. This bill would also require the department to provide access to the information contained in the report, free of charge, to the public on its Web site. This bill would define a homeless person as any person who lacks a fixed, regular and adequate nighttime residence or any person who has a primary nighttime residence that meets specified conditions.
Status: VETOED
- SB 1761
Margett *Housing availability*
Existing law requires local agencies to make any of specified findings before disapproving or conditionally approving, in a manner that renders the project infeasible, certain housing development projects for very low, low- or moderate-income households, as that term is defined. Existing law contains specified Legislative findings related to this requirement. SB 1761 would revise these findings.
Status: To Com. on RLS (03/07/2002)

Safety

- AB 1947
Washington *Public assistance: eligibility: Substance Abuse and Crime Prevention Act of 2000*
This bill would provide that a convicted drug felon shall be eligible for aid under the Food Stamp Program, if he or she is enrolled in a drug treatment program in accordance with the Substance Abuse and Crime Prevention Act of 2000 and, upon completion of the drug treatment program, he or she shall be eligible for food stamps during the period of submission and consideration of a petition for dismissal of the charges. By changing eligibility standards under the Food Stamp Program, this bill would increase the responsibilities of counties in the administration of the program, thereby resulting in a state-mandated local program.
Status: VETOED
- AB 2046
Corbett *School Safety Advisory Council*
AB 2046 would, until January 1, 2004, create a School Safety Advisory Council, with a specified membership, in the State Department of Education. AB 2046 would require the council to assemble and consider issues of school safety, and report its findings and recommendations to the State Department of Education and the Legislature.
Status: Held under submission in Com. on Appr. (05/22/2002)
- AB 2198
Lowenthal *Schools: violent crimes*
AB 2198 would authorize a principal, or his or her designee to notify each pupil's parent or legal guardian in writing of the general nature of a violent crime, as defined, that occurs on the school site of an elementary or secondary school of which he or she is the principal.
Status: CHAPTERED
- AB 2201
Corbett *School safety: emergency manager*
Existing law contains various provisions regarding school safety in public schools. Existing law requires the Office of Emergency Services by regulations to establish a standardized emergency management system for use by all emergency response agencies. AB 2201 would require school districts to appoint an emergency manager to develop and manage emergency response plans that coordinate with the standardized emergency management system, as specified, thereby imposing a state-mandated local program
Status: Held under submission in Com. on Apr. (05/22/2002)
- AB 2324
Diaz *Before and After School Learning and Safe Neighborhoods Partnerships Program*
Existing law, the Before and After School Learning and Safe Neighborhoods Partnerships Program requires every after school component of a program to operate a minimum of 3 hours a day and at least until 6 p.m. on every regular school day. Under the program, every after school component of the program is required to establish a policy regarding reasonable early daily release of pupils. AB 2324 would authorize an exception to the early daily release policy, as provided.
Status: CHAPTERED
- AB 2462
Bates *Victims of crime: domestic violence: children*
Existing law provides for the indemnification by the California Victim Compensation and Government Claims Board of victims of specified types of crimes, for certain expenses for which the victim has not been and will not be reimbursed from any other source. "Victim" is defined for these purposes to mean a person who sustains injury or death as a direct result of a crime. "Injury" is defined for these purposes to include physical and emotional injury, or both, subject to certain conditions, and until January 1, 2004, a child who has been the witness of a crime or crimes of domestic violence may be presumed by the board to have sustained physical injury for these purposes. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the board for these purposes. AB 2462 would additionally, provide, on a permanent basis, that a child who resides in a home where a crime or crimes of domestic violence have occurred may be presumed by the board to have sustained physical injury, regardless of whether the child has witnessed the crime. By expanding the pool of persons eligible for

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payments from a continuously appropriated fund, this bill would make an appropriation.

Status: CHAPTERED

AB 2484
Jackson

School violence prevention

Existing law establishes the Carl Washington School Safety and Violence Prevention Act, which requires the Superintendent of Public Instruction to provide funds to school districts serving pupils in any of grades 8 to 12, inclusive, for the purpose for promoting school safety and reducing schoolsite violence. AB 2484 would, in addition, require school districts to provide instruction and materials on the prevention of school terrorism through recognition and reporting, thereby creating a state-mandated local program.

Status: CHAPTERED

AB 2622
Liu

Family violence reporting

Existing law requires each law enforcement agency to record all domestic violence-related calls for assistance; this information is reported annually to the Governor and the Legislature. Existing law also requires the Attorney General to report information pertaining to the sexual abuse of children to the Legislature annually. AB 2622 would state legislative intent to improve the collection of family violence data, including domestic violence, elder abuse, child abuse, and any other forms of family violence.

Status: From printer. May be heard in committee March 26 (02/24/2002)

AB 2625
Zettel

Schools: violent crimes

AB 2625 would require that every school district notify the parents or legal guardian of each pupil of violent or serious crimes that occur as specified, within 48 hours of its occurrence, thereby constituting a state-mandated local program.

Status: In Com. on ED. Hearing canceled at the request of author. (04/24/2002)

AB 2668
Zettel

Pupil curricula: brain and spinal cord injury prevention

AB 2668 requires the California Healthy Kids Resource Center, in consultation with the State Department of Education, and contingent upon receipt of funds for this purpose, to review, acquire, and circulate brain and spinal cord injury prevention curricula, as specified, for use, on a voluntary basis, by school districts maintaining kindergarten and any of grades 1 to 12, inclusive. The bill also requires the California Healthy Kids Resource Center to notify school districts regarding the availability of the approved curricula. The bill requires funding for these purposes to be provided by nonstate sources.

Status: CHAPTERED

AB 2708
Mountjoy

School safety plan

Existing law requires each school to adopt a comprehensive school safety plan by March 1, 2000, and to review and update its plan by March 1, every year thereafter. AB 2708 would specify that a new school campus that begins offering classes to pupils after March 1, 2001, must comply with these requirements.

Status: CHAPTERED

AB 2735
Chan

Elder and Dependent Adult Abuse

This bill aids in prosecution of elder abuse cases and protects abuse victims by permitting the district attorney, the public guardian, and the probate court to receive confidential information, relevant to an incident of elder or dependent adult abuse. This information can then be used in their investigation of the crime.

Status: CHAPTERED

AB 2899
Migden

Criminal procedure: homeless courts

AB 2899 would create the Homeless Court Pilot Project to operate in 3 superior courts selected by the Judicial Council, for the adjudication of infractions and misdemeanors. The bill would define the term "homeless" and require the Judicial Council to develop and promulgate procedures and guidelines for homeless courts. The bill would impose a state-mandated local program by

requiring various duties of local prosecutors and public defenders, in the affected superior courts. AB 2899 would require the Judicial Council to issue an interim report by January 1, 2005, and a final evaluation by January 1, 2006, for the Legislature and the Governor. The pilot project would be repealed on January 1, 2007, unless that date is extended or deleted by a later enacted statute.

Status: VETOED

AB 2902
Koretz

Unsafe handguns: testing

AB 2902 would authorize the Attorney General to annually retest up to 5% of the handguns listed on the roster to ensure compliance with other provisions of law. This bill would make operation of these changes contingent upon an appropriation for those purposes from the Dealers' Record of Sale Special Account. This bill would make other technical and conforming changes.

Status: VETOED

SB 21
Escutia

Lead-safe schools

SB 21 would authorize state modernization funding for the identification, assessment, or abatement of lead. The bill would require any application for modernization funding after January 1, 2004, to certify that it has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant standards. The bill would authorize the use of school district deferred maintenance funds for the inspection, identification, sampling, analysis, control, and management, and removal of lead-containing material.

Status: CHAPTERED

SB 1555
Torlakson

Pedestrian and bicycle safety

SB 1555 would make various findings and declarations concerning pedestrian and bicyclist safety. This bill would create the Pedestrian and Bicyclist Mobility and Safety Fund which would be administered for 5 years by the State and Local Injury Control Section of the State Department of Health Services. The bill would require moneys in the fund to be expended exclusively for the operation or funding of certain programs relating to pedestrian and bicyclist safety and mobility through a competitive grant program. The bill would provide that no General Fund moneys would be transferred to the fund. This bill would require any person with 2 or more points on his or her driving record to pay a \$5 penalty assessment as a condition of license renewal. The bill would require the assessment amounts to be deposited into the Pedestrian and Bicyclist Mobility and Safety Fund which, upon appropriation by the Legislature, would be allocated by the Controller to the State Department of Health Services for the purposes specified in the bill.

Status: VETOED

SB 1689
Margett

Criminal law: prohibited weapons

Existing law prohibits the manufacture, importation, sale, giving, lending, and possession of specified weapons and related items, including metal knuckles. Violation of these provisions is a crime. SB 1689 would prohibit the manufacture, importation, sale, giving, and lending of hard plastic knuckles.

Status: CHAPTERED

SB 1924
O'Connell

Vehicles

Existing law requires a person under 18 years of age to wear a properly fitted and fastened bicycle helmet while operating a bicycle or riding upon a bicycle as a passenger upon the streets or any other public bicycle path. This bill would also require that persons under 18 years of age wear a helmet while operating a nonmotorized scooter or skateboard, while wearing in-line or roller skates, or while riding upon a nonmotorized scooter or skateboard as a passenger.

Status: CHAPTERED