

LEGISLATIVE UPDATE



Week of April 25, 2022

State Issues

<p>Key Bills Heard this Week</p>	<p>Today is the deadline for bills to get out of their first policy committee. The following key bills were acted upon this week:</p> <p>AB 2080 (Wood) that grants extensive new authority to the Attorney General over health care consolidation was heard in both Assembly Health Committee and Assembly Judiciary Committee. The bill is opposed by a large coalition of health care entities, including the Alliance. The bill was approved in Assembly Health on a 10-3-1 vote, with Democrats and the Independent all voting aye, Republicans voting no, and with Assemblymember Luz Rivas being absent and not voting. The hearing in Assembly Judiciary saw amendments being taken that will require further review. The bill will be amended to include some form of due process for health care providers whose transaction has been denied. However, the amendments do not remove the opposition.</p> <p>AB 1882 (Rivas) is related to seismic safety and requires hospitals to provide new public reporting related to each building on a hospital campus. Ongoing reporting will be mandated to several local entities, including local offices of emergency services, County Boards of Supervisors, City Council, and labor unions representing workers in the building. The hospital will also be required to post a sign in its lobby about the structural integrity of the buildings. The bill was heard in Assembly Health Committee, and the Committee requested the bill to be amended related to the public signs. The bill is sponsored by the California Labor Federal. The hospital community is opposed unless amended. The bill got out of Committee on a 10-1-4 vote.</p> <p>AB 2338 (Gipson) seeks to codify who can make decisions for patients who are incapacitated. The bill was heard in Assembly Health where it was amended. Notwithstanding those amendments, the Alliance is part of coalition, who still have concerns on the current language, that includes the California Hospital Association, California Medical Association, and Coalition for Compassionate Care of California. We will continue to work with the author on amendments to remove the rigid hierarchy of decisionmakers. The bill was approved on a 11-1-3 vote.</p>
<p>Senate Hearing Set for Kaiser-Medi-Cal Proposed Deal</p>	<p>A special hearing is set for next week in the Senate on the Administration's proposal to contract with Kaiser to serve the Medi-Cal population. It will be a joint hearing between the Senate Health Committee, chaired by Dr. Richard Pan, and the Senate Budget Subcommittee #3 on Health and Human Services, chaired by Senator Susan Eggman on Wednesday, May 4 at 1:30 pm. The Administration has proposed a sole source, statewide contract for Kaiser to provide Medi-Cal services, which is outside of the normal competitive contracting process. In addition, special rules will apply to Kaiser, should the Legislature approve the proposed arrangement, including allowing them to select which patients they will agree to see, including former Kaiser members, foster children and older adults who have both Medi-Cal and Medicare coverage.</p> <p style="text-align: right;"><i>(more)</i></p>

Legislative Summary and Status Report	Attached is the Alliance’s Legislative Summary and Status report on bills of interest to the Catholic health ministry.
Medi-Cal Expansion Soon in Effect	<p>Beginning this Sunday, May 1, California’s new law will go into effect that provides full scope Medi-Cal to adults 50 years of age or older, regardless of immigration status. All other Medi-Cal eligibility rules, including income limits, will still apply. This initiative, called Older Adult Expansion, is modeled after the Young Adult Expansion, which provided full scope Medi-Cal to young adults 19 through 25. The Department of Health Care Services has been working collaboratively with the County Welfare Directors Association of California, county social services agencies, Covered California, consumer advocates, and others to ensure a successful implementation.</p> <p>For more information, you can access slides from a recent DHCS presentation here: https://www.dhcs.ca.gov/services/medi-cal/eligibility/Documents/OAE/OAE-Advocate-Webinar.pdf</p> <p>A Frequently Asked Questions document can be found here: https://www.dhcs.ca.gov/services/medi-cal/eligibility/Documents/OAE/Older-Adult-Expansion-FAQ.pdf</p>
MICRA Deal Struck	<p>Key stakeholders have reached an agreement on proposed legislation to modify California’s Medical Injury Compensation Reform Act of 1975 (more commonly known as MICRA). After decades of debate about the need to ensure health care that is accessible and affordable while balancing appropriate compensation for Californians experiencing health care-related injury or death, this agreement strikes a balance by doing two things:</p> <ul style="list-style-type: none"> ▪ Provides a fair and reasonable increase to limits on non-economic damages (there is no cap on economic damages such as medical costs or lost salaries) for medical malpractice starting January 1, 2023 – with gradual increases thereafter. ▪ Extends the long-term predictability and affordability of state liability protections for those providing medical care in California. <p>The most central provision of the agreement would change the limits on non-economic damages. Current law limits recovery of non-economic damages to \$250,000. The proposal will increase the existing limit to \$350,000 for non-death cases and \$500,000 for wrongful death cases on the effective date of January 1, 2023. This will be followed by incremental increases over 10 years to \$750,000 for non-death cases and \$1,000,000 for wrongful death cases, after which a 2.0% annual inflationary adjustment will apply. Californians Allied for Patient Protection – the main provider coalition working on MICRA issues – states that “Under this agreement, the rights of patients are protected, as are MICRA’s essential guardrails ensuring broad-based health access.”</p> <p>The intent with the agreement is that the supporters of the statewide initiative currently set for the November ballot will withdraw their ballot initiative. California law allows proponents to withdraw a measure from the ballot if there is an agreement before the deadline of June 30. It was announced on Wednesday that the agreement will be amended into AB 35 co-authored by Majority Leader Eloise Reyes and Senator Tom Umberg, Chair of the Senate Judiciary Committee. The hope is the legislation moves and is finalized before the deadline to withdraw the initiative.</p>

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Alliance of Catholic Health Care Legislative Summary and Status 4/29/2022

Access

[AB 4](#) **(Arambula D) Medi-Cal: eligibility.**

Location: 8/27/2021-S. 2 YEAR

Summary: Would, effective January 1, 2022, extend eligibility for full scope Medi-Cal benefits to anyone regardless of age, and who is otherwise eligible for those benefits but for their immigration status, pursuant to an eligibility and enrollment plan. The bill would delete the specified provisions regarding individuals who are under 25 years of age or 65 years of age or older and delaying implementation until the director makes the determination described above. The bill would require the eligibility and enrollment plan to ensure that an individual maintains continuity of care with respect to their primary care provider, as prescribed, would provide that an individual is not limited in their ability to select a different health care provider or Medi-Cal managed care health plan, and would require the department to provide monthly updates to the appropriate policy and fiscal committees of the Legislature on the status of the implementation of these provisions

Position

Support

[AB 32](#) **(Aguiar-Curry D) Telehealth.**

Location: 7/14/2021-S. 2 YEAR

Summary: Current law requires a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2021, to specify that coverage is provided for health care services appropriately delivered through telehealth on the same basis and to the same extent as in-person diagnosis, consultation, or treatment. Current law exempts Medi-Cal managed care plans that contract with the State Department of Health Care Services under the Medi-Cal program from these provisions, and generally exempts county organized health systems that provide services under the Medi-Cal program from Knox-Keene. This bill would delete the above-described references to contracts issued, amended, or renewed on or after January 1, 2021, would require these provisions to apply to the plan or insurer's contracted entity, as specified, and would delete the exemption for Medi-Cal managed care plans.

Position

Support

[AB 1878](#) **(Wood D) California Health Benefit Exchange: affordability assistance.**

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Current law requires the California Health Benefit Exchange, in consultation with stakeholders and the Legislature, to develop options for providing cost-sharing reduction subsidies to reduce cost sharing for low- and middle-income Californians, and requires the Exchange to report the developed options on or before January 1, 2022. Current law requires the options to include, among other things, options for all Covered California enrollees with income up to 400 percent of the federal poverty level to reduce cost sharing, including copays, deductibles, coinsurance, and maximum out-of-pocket costs. This bill would require the Exchange to implement those options for providing health care affordability assistance. The bill would require the affordability assistance to reduce cost sharing, including copays, coinsurance, and maximum out-of-pocket costs, and to eliminate deductibles for all benefits. The bill would specify the actuarial value of cost-sharing assistance based on the income level of an enrollee, and would require the Exchange to adopt standard benefit designs consistent with these specifications.

Position

Support

[AB 2530](#) **(Wood D) California Health Benefit Exchange: financial assistance.**

Location: 4/5/2022-A. APPR.

Calendar: 5/4/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: This bill, upon appropriation by the Legislature, would require the California Health Benefit Exchange (Exchange) to administer a program of financial assistance to help Californians obtain and maintain health benefits through the Exchange if they lose employer-provided health care coverage as a result of a labor dispute. Under the bill, an individual who has lost minimum essential coverage from an employer or joint labor management trust fund as a result of a strike, lockout, or other labor dispute would receive the same premium assistance and cost-sharing reductions as an individual with a household income of 133% of the federal poverty level, and would also not pay a deductible for any covered benefit.

Position

Support

[SB 56](#) (Durazo D) Medi-Cal: eligibility.

Location: 8/27/2021-A. 2 YEAR

Summary: Current law provides that Medi-Cal benefits for individuals who are 65 years of age or older, and who do not have satisfactory immigration statuses or are unable to establish satisfactory immigration statuses, will be prioritized in the Budget Act for the upcoming fiscal year if the Department of Finance projects a positive ending balance in the Special Fund for Economic Uncertainties for the upcoming fiscal year and each of the ensuing 3 fiscal years that exceeds the cost of providing those individuals with full-scope Medi-Cal benefits. This bill would, subject to an appropriation by the Legislature, and effective July 1, 2022, extend eligibility for full-scope Medi-Cal benefits to individuals who are 60 years of age or older, and who are otherwise eligible for those benefits but for their immigration status.

Position

Support

[SB 944](#) (Pan D) California Health Benefit Exchange: affordability assistance.

Location: 4/18/2022-S. APPR. SUSPENSE FILE

Summary: Current law requires the California Health Benefit Exchange, in consultation with stakeholders and the Legislature, to develop options for providing cost-sharing reduction subsidies to reduce cost sharing for low- and middle-income Californians, and requires the Exchange to report the developed options on or before January 1, 2022. Current law requires the options to include, among other things, options for all Covered California enrollees with income up to 400 percent of the federal poverty level to reduce cost sharing, including copays, deductibles, coinsurance, and maximum out-of-pocket costs. This bill would require the Exchange to implement those options for providing health care affordability assistance. The bill would require the affordability assistance to reduce cost-sharing, including copays, coinsurance, and maximum out-of-pocket costs, and to eliminate deductibles for all benefits.

Position

Support

COVID Related

[AB 1105](#) (Rodriguez D) Hospital workers: COVID-19 testing.

Location: 8/27/2021-S. 2 YEAR

Summary: Current law sets forth safety and health requirements for employers and employees. Current law requires a public or private employer of workers in a general acute care hospital, as defined, to supply personal protective equipment, as defined, to employees who provide direct patient care or who provide services that directly support patient care. Current law provides that, except where another penalty is specifically provided, every employer and every officer, management official, or supervisor having direction, management, control, or custody of any employment, place of employment, or of any other employee, who repeatedly violates any standard, order, or special order, or any provision of specified employment safety laws so that such repeated violation creates a real and apparent hazard to employees is guilty of a misdemeanor. This bill would require the employer to supply personal protective equipment to an employee, regardless of whether or not the employee has received a vaccination for COVID-19. This bill would also require a public or private employer of workers in a general acute care hospital to develop and implement a program to offer weekly COVID-19 screening testing for health care personnel, as defined.

Position

Oppose Unless

Amend

[SB 637](#) (Newman D) Health facility reporting: staffing.

Location: 9/10/2021-A. 2 YEAR

Summary: Current law provides for the licensure and regulation of certain health facilities, including general acute care hospitals, by the State Department of Public Health. This bill would require a general acute care hospital to report specified information to the department on a form and schedule determined by the department, and would require the department to publicly post the information on a weekly basis during any health-related state of emergency in California proclaimed by the President of the United States or by the Governor, and on a monthly basis at all other times. The bill would require that the reports contain information on staffing, including, until January 1, 2025, or the end of the declared COVID-19 emergency, whichever comes first, on matters relating to COVID-19 cases.

Position

Oppose Unless

Amend

[SCR 5](#)**(Melendez R) State of emergency: COVID-19: termination.****Location:** 2/10/2021-S. G.O.**Summary:** This measure, in accordance with specified law, would declare that the state of emergency proclaimed by the Governor on March 4, 2020, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation.**Position**

Oppose

End of Life/Palliative Care**[AB 1852](#)****(Patterson R) Health facilities: automated drug delivery systems.****Location:** 4/21/2022-S. RLS.**Summary:** Current law authorizes the use of automated drug delivery systems, as defined, for pharmacy services in nursing, skilled nursing, and intermediate care facilities. This bill would add licensed hospice facilities to the list of facilities authorized to use an automated drug delivery system, and would expressly include an automated unit dose system within the definition of an automated drug delivery system. By expanding the scope of a crime, this bill would impose a state-mandated local program.**Position**

Watch

[AB 1884](#)**(Voepel R) Hospice care: standards.****Location:** 2/18/2022-A. HEALTH**Summary:** Under the California Hospice Licensure Act of 1990, a licensed hospice, at the State Department of Public Health's option, is subject to periodic inspection by a duly authorized representative of the department. The act requires that the reports of each inspection be prepared by the representative who conducted the inspection and be filed with the department. This bill would instead require that a licensed hospice be inspected by a representative every 3 years. The bill would require that results of an inspection be made available to the public to the extent consistent with federal and state privacy laws.**Position**

Watch

[AB 2288](#)**(Choi R) Advance health care directives: mental health treatment.****Location:** 4/28/2022-S. RLS.**Summary:** Current law authorizes a written advance health care directive to include the individual's nomination of a conservator of the person or estate or both, or a guardian of the person or estate or both, for consideration if protective proceedings for the individual's person or estate are thereafter commenced. Current law also authorizes an adult having capacity to execute a power of attorney for health care to authorize an agent to make health care decisions for the principal, and authorizes the power of attorney to include individual health care instructions. Current law authorizes the principal in a power of attorney for health care to grant authority to make decisions relating to the personal care of the principal, including, but not limited to, determining where the principal will live, providing meals, or hiring household employees. Current law defines "health care decision" and "health care" for these purposes to mean any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a patient's physical or mental condition. This bill would clarify that health care decisions under those provisions include mental health mental health conditions. The bill would revise the statutory advance health care directive form to clarify that a person may include instructions relating to mental health conditions.**Position**

Watch

[AB 2338](#)**(Gipson D) Health care decisions: decisionmakers and surrogates.****Location:** 4/28/2022-A. SECOND READING**Calendar:** 5/2/2022 #1 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS**Summary:** Current law authorizes an adult having capacity to give an individual health care instruction and to designate a health care decisionmaker, including an agent designated in a power of attorney or a surrogate effective for a specified period of time, to make health care decisions on the person's behalf. Current law authorizes a patient to disqualify a person, including a family member, from acting as the patient's surrogate. This bill would authorize legally recognized health care decisionmakers, in an order of priority, to make health care decisions on a patient's behalf if the patient lacks the capacity to make a health care decision. If a patient does not have a legally recognized health care decisionmaker, the bill would specify individuals, in an order of priority, who may be chosen as a surrogate if the patient lacks the capacity to make a health care decision.

Position
Oppose Unless
Amend

Health Care Reform

[AB 1130](#) (Wood D) California Health Care Quality and Affordability Act.

Location: 2/14/2022-S. HEALTH

Summary: Current law generally requires the State Department of Public Health to license, inspect, and regulate health facilities, including hospitals. Current law requires health facilities to meet specified cost and disclosure requirements, including maintaining an understandable written policy regarding discount payments and charity. This bill would establish, within Department of Health Care Access and Information (HCAI), the Office of Health Care Affordability to analyze the health care market for cost trends and drivers of spending, develop data-informed policies for lowering health care costs for consumers and purchasers, set and enforce cost targets, and create a state strategy for controlling the cost of health care and ensuring affordability for consumers and purchasers.

Position
Oppose Unless
Amend

Hospital Operations and Finance

[AB 1721](#) (Rodriguez D) California Emergency Services Act: emergency preparedness: mutual aid: seismic retrofitting soft story multifamily housing.

Location: 4/4/2022-A. APPR.

Summary: Would establish the Emergency Medical Services Mutual Aid Program, to be administered by the Office of Emergency Services (OES), to support local government efforts in responding to surges in demand for emergency medical services and provide effective mutual aid during disasters, as defined. The bill would, upon appropriation by the Legislature, require OES to provide noncompetitive grant funding to local governments, special districts, and tribes for the purpose of acquiring emergency medical services, as specified. The bill would also require OES to provide an annual report to the Legislature regarding the program, as specified. The bill would, upon appropriation by the Legislature, require the Controller to transfer \$50,000,000 to the Director of Emergency Services to effectuate these provisions.

Position
Support

[AB 1770](#) (Rodriguez D) Ambulance patient offload time.

Location: 4/4/2022-A. HEALTH

Summary: Current law requires the Emergency Medical Services Authority to develop, using input from stakeholders and after approval by the Commission on Emergency Medical Services, and adopt a statewide standard methodology for the calculation and reporting by a local emergency medical services (EMS) agency of ambulance patient offload time (APOT). Current law defines APOT as the interval between the arrival of an ambulance patient at an emergency department and the time that the patient is transferred to an emergency department gurney, bed, chair, or other acceptable location and the emergency department assumes responsibility for care of the patient. Current law requires the authority to report twice per year to the commission the APOT by local EMS agency jurisdiction and by each facility in that jurisdiction. This bill would instead require the authority to report the APOT data to the commission every 6 months.

Position
Watch

[AB 1882](#) (Rivas, Robert D) Hospitals: seismic safety.

Location: 4/26/2022-A. APPR.

Summary: The Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 requires an owner of a general acute care inpatient hospital, no later than January 1, 2030, to either demolish, replace, or change to nonacute care use all hospital buildings not in substantial compliance with the regulations and standards developed pursuant to the act, or seismically retrofit all acute care inpatient hospital buildings so that they are in substantial compliance with those regulations and standards. Current law requires, within 60 days following the department's approval of a report relating to a general acute care hospital owner's plan to comply with those regulations and standards, a general acute hospital building owner to take specified actions, including informing the local office of emergency services or the equivalent agency, the Office of Emergency Services, and the department, of each building's

expected earthquake performance. This bill would instead require general acute hospital building owners, commencing July 1, 2023, to take those actions annually until each of the hospital buildings owned by that owner are compliant with those regulations and standards.

Position

Oppose Unless
Amend

[AB 2080](#) (Wood D) Health Care Consolidation and Contracting Fairness Act of 2022.

Location: 4/28/2022-A. APPR.

Calendar: 5/2/2022 #26 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary: Current law provides for the regulation of health insurers by the Department of Insurance. Current law regulates contracts between health care service plans or health insurers and health care providers or health facilities, including requirements for reimbursement and the cost-sharing amount collected from an enrollee or insured. This bill, the Health Care Consolidation and Contracting Fairness Act of 2022, would prohibit a contract issued, amended, or renewed on or after January 1, 2023, between a health care service plan or health insurer and a health care provider or health facility from containing terms that, among other things, restrict the plan or insurer from steering an enrollee or insured to another provider or facility or require the plan or insurer to contract with other affiliated providers or facilities. The bill would authorize the appropriate regulating department to refer a plan's or insurer's contract to the Attorney General, and would authorize the Attorney General or state entity charged with reviewing health care market competition to review a health care practitioner's entrance into a contract that contains specified terms.

Position

Oppose

[AB 2092](#) (Weber, Akilah D) Acute hospital care at home.

Location: 3/17/2022-A. HEALTH

Summary: The federal Centers for Medicare and Medicaid Services (CMS) provides for a waiver program authorizing a hospital to establish an Acute Hospital Care at Home (AHCaH) program, as specified, if the hospital meets certain conditions, including receiving approval from CMS after submitting a waiver request. This bill would authorize a general acute care hospital to provide AHCaH services if the hospital (1) meets the requirements established by CMS for AHCaH services, as specified, (2) has received approval from CMS to operate an AHCaH program, and (3) has notified the department of the establishment of an AHCaH program, including certain information about the program. The bill would define AHCaH services as services provided by a general acute care hospital to qualified patients in their homes by using methods that include telehealth, remote monitoring, and regular in-person visits by nurses and other medical staff.

Position

Support

[AB 2724](#) (Arambula D) Medi-Cal: alternate health care service plan.

Location: 4/19/2022-A. APPR.

Summary: Would authorize the State Department of Health Care Services to enter into one or more comprehensive risk contracts with an alternate health care service plan (AHCSP), as defined, to serve as a primary Medi-Cal managed care plan for specified eligible beneficiaries in geographic regions designated by the department. The bill would prohibit the AHCSP from denying enrollment to any of those eligible beneficiaries, unless the department or the Department of Managed Health Care has ordered the AHCSP to cease enrollment in a service area. The bill would require the contract with the AHCSP to include the same standards and requirements, except with respect to enrollment, as for other Medi-Cal managed care plans, as specified. The bill would require the Health Care Options Program, which is an entity overseen by the department for Medi-Cal managed care education and enrollment, to disenroll any member of an AHCSP if the member meets any one of the reasons for disenrollment enumerated in specified regulations.

Position

Watch

[SB 371](#) (Caballero D) Health information technology.

Location: 7/14/2021-A. 2 YEAR

Summary: Would require any federal funds the California Health and Human Services Agency receives for health information technology and exchange to be deposited in the California Health Information Technology and Exchange Fund. The bill would authorize CHHSA to use the fund to provide grants to health care providers to implement or expand health information technology and to contract for direct data exchange technical assistance for safety net providers. The bill would require a health information organization to be connected to the California Trusted Exchange Network and to a qualified national network. The bill would also require a health care provider, health system, health care service plan, or health insurer that engages in health information exchange to comply with specified federal standards.

Position

Watch

[SB 923](#) (Wiener D) Gender-affirming care.

Location: 4/6/2022-S. APPR.

Summary: Would require a Medi-Cal managed care plan, a PACE organization, a health care service plan, or a health insurer, as specified, to require its staff and contracted providers to complete evidence-based cultural competency training for the purpose of providing trans-inclusive health care, as defined, for individuals who identify as transgender, gender nonconforming, or intersex (TGI). The bill would specify the required components of the training and would make use of any training curricula subject to approval by the respective departments. The bill would require an individual to complete a refresher course if a complaint has been filed, and a decision has been made in favor of the complainant, against that individual for not providing trans-inclusive health care, or on a more frequent basis if deemed necessary.

Position

Watch

[SB 958](#) (Limón D) Medication and Patient Safety Act of 2022.

Location: 4/18/2022-S. APPR.

Calendar: 5/2/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Would prohibit a health care service plan or health insurer, or its designee, from requiring a vendor to dispense an infused or injected medication directly to a patient with the intent that the patient will transport the medication to a health care provider for administration. The bill would authorize a plan or insurer, or its designee, to arrange for an infused or injected medication to be administered in an enrollee's or insured's home when the treating health care provider and patient determine home administration is in the best interest of the patient. The bill would prohibit a plan or insurer, or its designee, from requiring an infused or injected medication to be supplied by a vendor specified by the plan or insurer, or its designee, as a condition of coverage, unless specified criteria are met.

Position

Support

[SB 988](#) (Hueso D) Compassionate Access to Medical Cannabis Act or Ryan's Law.

Location: 4/19/2022-S. THIRD READING

Calendar: 5/2/2022 #58 SENATE SENATE BILLS -THIRD READING FILE

Summary: The Compassionate Access to Medical Cannabis Act or Ryan's Law requires specified types of health care facilities to allow a terminally ill patient's use of medicinal cannabis within the health care facility, subject to certain restrictions. Current law requires a patient to provide the health care facility with a copy of their medical marijuana card or written documentation that the use of medicinal cannabis is recommended by a physician. Current law requires a health care facility to reasonably restrict the manner in which a patient stores and uses medicinal cannabis to ensure the safety of other patients, guests, and employees of the health care facility, compliance with other state laws, and the safe operations of the health care facility. Existing law requires that health care facilities permitting patient use of medical cannabis comply with other drug and medication requirements, as specified, and makes those facilities subject to enforcement actions by the State Department of Public Health. This bill would repeal the requirement that health care facilities permitting patient use of medical cannabis comply with other drug and medication requirements, as specified, and the requirement that those facilities be subject to enforcement actions by the State Department of Public Health.

Position

Watch

[SB 1339](#) (Pan D) Hospitals.

Location: 4/21/2022-S. APPR.

Calendar: 5/2/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Would require the Department of Health Care Access and Information to provide the Legislature with a report containing specified information that would provide, among other things, the Legislature with an assessment of projected costs to retrofit each hospital building in order to meet the 2030 seismic requirements.

Position

Support if
Amended

Maternal Health

[AB 2176](#) (Wood D) Live birth registration.

Location: 4/19/2022-S. RLS.

Summary: Current law requires each live birth to be registered with the local registrar of births and deaths for the district in which the birth occurred within 10 days following the date of the event. This bill would instead require each live birth to be registered with the local registrar within 21 days following the date of the event.

Position

Support

[AB 2199](#) (Wicks D) Birthing Justice for California Families Pilot Project.

Location: 3/29/2022-A. APPR.

Summary: Would establish the Birthing Justice for California Families Pilot Project, which would include a 3-year grant program to provide grants to specified entities, including community-based doula groups, to provide full-spectrum doula care to members of communities with high rates of negative birth outcomes who are not eligible for Medi-Cal and incarcerated people. The bill would require the State Department of Public Health to take specified actions with regard to awarding grants, including awarding grants to selected entities on or before January 1, 2024. The bill would require a grant recipient to use grants funds to pay for the costs associated with providing full-spectrum doula care to eligible individuals and establishing, managing, or expanding doula services. The bill would require a grant recipient, in setting the payment rate for a doula being paid with grant funds, to comply with specified parameters, including that the payment rate not be less than the Medi-Cal reimbursement rate for doulas or the median rate paid for doula care in existing local pilot projects providing doula care in California, whichever is higher.

Position

Watch

Mental and Behavioral Health

[AB 2020](#) (Gallagher R) Mental health services: gravely disabled.

Location: 2/24/2022-A. HEALTH

Summary: The Lanterman-Petris-Short Act provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled. Current law also provides for a conservator of the person or estate to be appointed for a person who is gravely disabled. Current law, for the purposes of involuntary commitment and conservatorship, defines "gravely disabled," among other things, as a condition in which a person, as a result of a mental health disorder, is unable to provide for the basic personal needs of food, clothing, or shelter. This bill would, if a county elects to use this meaning and subject to an appropriation of funds for these purposes, expand the definition of "gravely disabled" for these purposes to mean a condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about, or providing for, their own basic personal needs for food, clothing, shelter, or medical care without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm, dangerous worsening of a concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of essential needs that could result in bodily harm.

Position

Watch

[AB 2242](#) (Santiago D) Mental health services.

Location: 4/28/2022-A. APPR.

Summary: Under the Lanterman-Petris-Short Act, if a person, as a result of a mental health disorder, is a danger to others, or to themselves, or is gravely disabled, the person may, upon probable cause, be taken into custody by a peace officer, a member of the attending staff of an evaluation facility, designated members of a mobile crisis team, or another designated professional person, and placed in a facility designated by the county and approved by the State Department of Social Services as a facility for 72-hour treatment and evaluation. The act also authorizes a conservator of the person, of the estate, or of both, to be appointed for a person who is gravely disabled as a result of a mental health disorder. This bill, on or before July 1, 2023, would require the State Department of Health Care Services to convene a stakeholder group of entities, including the County Behavioral Health Directors Association of California and the California Hospital Association, among others, to create a model care coordination plan to be followed when discharging those held under temporary holds or a conservatorship.

Position

Watch

[AB 2275](#) (Wood D) Mental health: involuntary commitment.

Location: 4/19/2022-A. APPR.

Summary: The Lanterman-Petris-Short Act provides for the involuntary commitment and treatment of persons with specified mental disorders for the protection of the persons committed. Under the act, when a person, as a result of a mental health disorder, is a danger to others, or to themselves, or gravely disabled, the person may, upon probable cause, be taken into custody and placed in a facility designated by the county and approved by the State Department of Health Care Services for up to 72 hours for evaluation and treatment. If certain conditions are met after the 72-hour detention, the act authorizes the certification of the person for a 14-day maximum period of intensive treatment and then a 30-day maximum period of intensive treatment after the 14-day period. Current law requires a certification review hearing to be held when a person is certified for a 14-day or 30-day intensive treatment detention, except as specified, and requires it to be within 4 days of the date on which the person is certified. Current law, after the involuntary detention has begun, prohibits the total period of detention, including intervening periods of voluntary treatment, from exceeding the total maximum period during which the person could have been detained, if the person had been detained continuously on an involuntary basis, from the time of initial involuntary detention. This bill would, among other things, specify that the 72-hour period of detention begins at the time when the person is first detained. The bill would, if a facility detaining a person on a 72-hour detention is not a county-designated facility for evaluation and treatment, require the facility staff, or other person designated by the county, to take all possible steps to release the detained person or transfer them to a designated facility within 72 hours of their detention, as specified.

Position

Watch

[SB 929](#)

(Eggman D) Community mental health services: data collection.

Location: 4/18/2022-S. APPR. SUSPENSE FILE

Summary: Current law requires the State Department of Health Care Services to collect and publish annually quantitative information concerning the operation of various provisions relating to community mental health services, including the number of persons admitted for evaluation and treatment for certain periods, transferred to mental health facilities, or for whom certain conservatorships are established, as specified. Current law requires each local mental health director, and each facility providing services to persons under those provisions, to provide the department, upon its request, with any information, records, and reports that the department deems necessary for purposes of the data collection and publication. This bill would additionally require the department to collect and publish annually quantitative information relating to, among other things, the number of persons detained for 72-hour evaluation and treatment, clinical outcomes for individuals placed in each type of hold, services provided in each category, waiting periods, and needs for treatment beds, as specified.

Position

Watch

[SB 965](#)

(Eggman D) Conservatorships: medical record: hearsay rule.

Location: 4/28/2022-S. THIRD READING

Calendar: 5/2/2022 #91 SENATE SENATE BILLS -THIRD READING FILE

Summary: The Lanterman-Petris-Short Act authorizes the appointment of a conservator, in the County of Los Angeles, the County of San Diego, or the City and County of San Francisco, for a person who is incapable of caring for the person's own health and well-being due to a serious mental illness and substance use disorder. Current law establishes the hearsay rule, under which evidence of a statement is generally inadmissible if it was made other than by a witness while testifying at a hearing and is offered to prove the truth of the matter stated. Current law sets forth exceptions to the hearsay rule to permit the admission of specified kinds of evidence. Under this bill, for purposes of an expert witness in any proceeding relating to the appointment or reappointment of a conservator pursuant to the above-described provisions, the statements of specified health practitioners or a licensed clinical social worker included in the medical record would not be hearsay. The bill would authorize the court to grant a reasonable continuance if an expert witness in a proceeding relied on the medical record and the medical record has not been provided to the parties or their counsel upon request within a reasonable time before the proceeding.

Position

Watch

[SB 1019](#)

(Gonzalez D) Medi-Cal managed care plans: mental health benefits.

Location: 4/25/2022-S. APPR. SUSPENSE FILE

Summary: The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Current law requires a Medi-Cal managed care plan to provide mental health benefits covered in the state plan, excluding those benefits provided by county mental health plans under the Specialty Mental Health Services Waiver. This bill would require a Medi-Cal managed care plan to conduct annual outreach and education to its enrollees regarding the mental health benefits that are covered by the plan, and to also develop annual outreach and education to inform primary care physicians regarding those mental health benefits.

Position
Support

[SB 1154](#) (Eggman D) Facilities for mental health or substance use disorder crisis: database.

Location: 4/18/2022-S. APPR. SUSPENSE FILE

Summary: Would require, by January 1, 2024, the State Department of Public Health, in consultation with the State Department of Health Care Services and the State Department of Social Services, and by conferring with specified stakeholders, to develop a real-time, internet-based database to collect, aggregate, and display information about beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and licensed residential alcoholism or drug abuse recovery or treatment facilities in order to facilitate the identification and designation of facilities for the temporary treatment of individuals in mental health or substance use disorder crisis. The bill would require the database to include a minimum of specific information, including the contact information for a facility's designated employee, and have the capacity to, among other things, enable searches to identify beds that are appropriate for the treatment of individuals in a mental health or substance use disorder crisis.

Position
Watch

[SB 1207](#) (Portantino D) Health care coverage: maternal and pandemic-related mental health conditions.

Location: 4/28/2022-S. APPR.

Calendar: 5/9/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Current law requires health care service plans and health insurers to provide specified mental health and substance use disorder coverage, and requires a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2021, that provides hospital, medical, or surgical coverage to provide coverage for medically necessary treatment of mental health and substance use disorders, under the same terms and conditions applied to other medical conditions, as specified. Current law requires health care service plans and health insurers, by July 1, 2019, to develop, consistent with sound clinical principles and processes, a maternal mental health program designed to promote quality and cost-effective outcomes, as specified. This bill would make findings and declarations relating to the effect of the COVID-19 pandemic on mental health in California and the importance of outreach, education, and access to quality mental health treatment. The bill would extend the deadline for establishment of the maternal mental health program to July 1, 2023.

Position
Watch

[SB 1238](#) (Eggman D) Behavioral health services: existing and projected needs.

Location: 4/28/2022-S. APPR.

Calendar: 5/2/2022 #13 SENATE SENATE BILLS - SECOND READING FILE

Summary: The Children and Youth Behavioral Health Initiative Act requires the State Department of Health Care Services to procure and oversee a vendor to establish and maintain a behavioral health services and supports virtual platform that integrates behavioral health screenings, application-based supports, and direct behavioral health services to children and youth 25 years of age and younger, regardless of payer. Current law authorizes the department to award competitive grants to expand the community continuum of behavioral health treatment resources. This bill would require the department, commencing January 1, 2024, and at least every 5 years thereafter, to conduct a review of the current and projected behavioral health care infrastructure and service needs in each region of the state.

Position
Watch

Social Determinants of Health

[AB 1990](#) (Arambula D) Department of Fair Employment and Housing: Californians with disabilities: workgroup.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Existing law sets forth the powers and duties of the Department of Fair Employment and Housing, which include receiving, investigating, conciliating, mediating, and prosecuting complaints alleging unlawful practices or violations of specified civil rights provisions, including those based on a mental or physical disability, as defined. This bill would require the department to convene a workgroup to make recommendations to the Legislature for the development of accessibility and antidiscrimination laws for people with disabilities, as defined. The bill would require membership of the workgroup to include interested parties and stakeholders that reflect the diversity of the state, including, among other groups, individuals who have personal experience with a disability.

Position

Watch

[AB 2325](#) (Rivas, Luz D) Coordinated homelessness response: Office of the Interagency Council on Homelessness.

Location: 4/20/2022-A. APPR.

Summary: Current law requires the Governor to establish the California Interagency Council on Homelessness, formerly known as the Homeless Coordinating and Financing Council, and to appoint specified members of that coordinating council. Current law requires agencies and departments administering state programs created on or after July 1, 2017, to collaborate with the council to adopt guidelines and regulations to incorporate core components of Housing First, as defined. Current law establishes the goals of the council, which include identifying mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California. Current law requires that the coordinating council be under the direction of an executive director, who is under the direction of the Business, Consumer Services, and Housing Agency, and staffed by employees of that agency. This bill would place the California Interagency Council on Homelessness under the jurisdiction of the Office of the Interagency Council on Homelessness, which the bill would establish within the Governor's office, under the control of a director, on or before September 30, 2023.

Position

Support

[AB 2360](#) (Arambula D) Emergency response advisory working group.

Location: 4/26/2022-A. APPR.

Summary: Current law establishes the Office of Health Equity in the State Department of Public Health for the purposes of aligning state resources, decision making, and programs to accomplish certain goals related to, among others, health equity and protecting vulnerable communities. Current law requires the office to perform certain functions in connection to multicultural health. Current law also requires the department to biennially prepare and submit a report to the Legislature on the status of these activities. This bill would, subject to an appropriation of funds, require the Office of Health Equity to convene an advisory working group, consisting of specified stakeholders, to develop tools and protocols for the future allocation of funds to reduce racial disparities in recovery, response, and repair efforts following state and local emergencies.

Position

Support

[AB 2420](#) (Arambula D) Perinatal and infant children health: extreme heat.

Location: 4/19/2022-A. APPR.

Summary: Would, subject to an appropriation of funds by the Legislature in the annual Budget Act or another statute for this purpose, require the Department of Public Health, in consultation with subject matter experts, to review available literature on adverse effects of extreme heat on perinatal health, develop guidance for safe conditions and health considerations for pregnant individuals and infant children, and provide guidance to the Legislature by submitting a report that includes legislative or policy recommendations on best practices for connecting perinatal patients with the appropriate health and well-being information relating to extreme heat.

Position

Watch

[AB 2483](#) (Maienschein D) Housing for individuals experiencing homelessness.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Would require the Department of Housing and Community Development, by December 31, 2023, to award incentives, as specified, to Multifamily Housing Program project applicants that agree to set aside at least 25% of the project's units for individuals that are either experiencing homelessness or eligible to receive specified services, including, among others, those received under the Program of All-Inclusive Care for the Elderly. The bill would also require the department to partner with the State Department of Health Care Services to determine the most effective way to align qualifying services in housing projects funded by the Multifamily Housing Program. The bill would require the department to assess tenant outcomes and engage with an evaluator to identify specified information with respect to projects receiving incentives under these provisions, including the number and demographics, including age, race, or ethnicity, and presubsidy housing status, of people being served.

Position

Watch

[AB 2500](#) (Arambula D) Farm to Hospital Grant Pilot Program.

Location: 4/26/2022-A. APPR.

Summary: Would, upon appropriation and until January 1, 2031, establish the Farm to Hospital Grant Pilot Program, which the Office of Farm to Fork would administer, to award competitive grants to eligible

applicants to provide hospital patients with meals prepared from California-sourced agricultural products and build direct relationships with California farmers and ranchers, as specified. The bill would require the office, in consultation with the State Department of Public Health, to develop grant criteria to evaluate proposals from eligible applicants. The bill would authorize grant recipients to use grant moneys only for specified purposes, and require them to report specified information to the office and State Department of Public Health. The bill would require the office, in consultation with the State Department of Public Health, on or before January 1, 2027, to submit to the Legislature a report on the pilot program.

Position

Support

[AB 2547](#) (Nazarian D) Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Act.

Location: 4/19/2022-A. APPR.

Calendar: 5/4/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary: Would, upon appropriation by the Legislature, require the California Department of Aging, by December 31, 2023, to create and administer the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program. The bill would require the department, in administering the program, to offer competitive grants to nonprofit community-based organizations, continuums of care, and public housing authorities to administer a housing subsidy program for older adults and persons with a disability that are experiencing homelessness or at risk of homelessness, as those terms are as defined. The bill would require the department, in establishing program guidelines, to prioritize communities where renters face high rates of poverty, displacement, gentrification, and homelessness.

Position

Support

[AB 2548](#) (Nazarian D) Healthier Homes - Age in Place Nursing Program.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Current law establishes the California Department of Aging to provide leadership to the area agencies on aging in developing systems of home- and community-based services that maintain individuals in their own homes or the least restrictive homelike environments. Current law permits age restrictions in connection with housing and defines senior citizen housing developments for these purposes as a residential development for senior citizens that has at least 35 dwelling units. This bill would require the department to establish and administer the Healthier Homes - Age in Place Nursing Pilot Program in the Counties of Contra Costa, Fresno, Orange, Riverside, Sacramento, San Diego, Shasta, and Sonoma. The program would provide grant funds to qualified nonprofit organizations that specialize in resident services for the purposes of hiring one full-time registered nurse and one full-time community health worker to work at 3 senior citizen housing developments in each county to provide health education, navigation, coaching, and care to residents.

Position

Support

[AB 2553](#) (Grayson D) Human trafficking Act: California Multidisciplinary Alliance to Stop Trafficking (California MAST).

Location: 4/26/2022-A. APPR.

Summary: Would establish the California Multidisciplinary Alliance to Stop Trafficking Act (California MAST) to review collaborative models between governmental and nongovernmental organizations for protecting victims and survivors of trafficking, among other related duties. The task force would be comprised of specified state officials or their designees and specified individuals who have expertise in human trafficking or providing services to victims of human trafficking, as specified. The bill would require the task force to hold its first meeting no later than July 1, 2023, and would require the task force to meet at least 4 times. The bill would require the task force to report its findings and recommendations to the Office of Emergency Services, the Governor, the Attorney General, and the Legislature by January 1, 2024. The bill would make related findings and declarations.

Position

Watch

[AB 2724](#) (Arambula D) Medi-Cal: alternate health care service plan.

Location: 4/19/2022-A. APPR.

Summary: Would authorize the State Department of Health Care Services to enter into one or more comprehensive risk contracts with an alternate health care service plan (AHCSP), as defined, to serve as a primary Medi-Cal managed care plan for specified eligible beneficiaries in geographic regions designated by the department. The bill would prohibit the AHCSP from denying enrollment to any of those eligible beneficiaries, unless the department or the Department of Managed Health Care has ordered the AHCSP to cease enrollment in a service area. The bill would require the contract with the AHCSP to include the same standards and requirements, except with respect to enrollment, as for

other Medi-Cal managed care plans, as specified. The bill would require the Health Care Options Program, which is an entity overseen by the department for Medi-Cal managed care education and enrollment, to disenroll any member of an AHCSF if the member meets any one of the reasons for disenrollment enumerated in specified regulations.

Position

Watch

[SB 17](#) (Pan D) Office of Racial Equity.

Location: 8/27/2021-A. 2 YEAR

Summary: Would, until January 1, 2029, would establish in state government an Office of Racial Equity, an independent public entity not affiliated with an agency or department, governed by a Racial Equity Advisory and Accountability Council. The bill would authorize the council to hire an executive director to organize, administer, and manage the operations of the office. The bill would task the office with coordinating, analyzing, developing, evaluating, and recommending strategies for advancing racial equity across state agencies, departments, and the office of the Governor. The bill would require the office, in consultation with state agencies, departments, and public stakeholders, as appropriate, to develop a statewide Racial Equity Framework that includes a strategic plan with policy and inclusive practice recommendations, guidelines, goals, and benchmarks to reduce racial inequities, promote racial equity, and address individual, institutional, and structural racism.

Position

Support

[SB 907](#) (Pan D) Electronic benefits transfer systems: farmers' markets.

Location: 4/27/2022-S. APPR.

Calendar: 5/2/2022 #21 SENATE SENATE BILLS - SECOND READING FILE

Summary: Current law establishes a statewide electronic benefits transfer (EBT) system, administered by the State Department of Social Services, for the purpose of providing financial and food assistance benefits, including CalFresh benefits. Current law authorizes, to the extent and manner allowed by federal law and regulation, an interested collective group or association of produce sellers that is United States Department of Agriculture's Food and Nutrition Service authorized and actively participating in produce sales in a farmers' market, flea market, or certified farmers' market to initiate and operate an electronic benefit transfer acceptance system on behalf of its members. This bill would establish the Local, Equitable Access to Food (LEAF) Program and would require, upon an appropriation by the Legislature for these purposes, the Department of Food and Agriculture, with support from the State Department of Social Services, to establish a noncompetitive grant program designed to expand the use of EBT acceptance systems at California certified farmers' markets and tribe-operated farmers' markets on Indian reservations. The bill would, as part of that grant program, require grants to be provided to certified farmers' market operators or farmers' markets operated by tribal governments.

Position

Support

[SB 1145](#) (Laird D) California Global Warming Solutions Act of 2006: greenhouse gas emissions: dashboard.

Location: 4/18/2022-S. APPR. SUSPENSE FILE

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board to create and maintain on its internet website a greenhouse gas emissions dashboard that provides updated publicly available information regarding how the state is progressing toward meeting its statewide climate change goals.

Position

Watch

Workforce

[AB 1751](#) (Daly D) Workers' compensation: COVID-19: critical workers.

Location: 4/27/2022-A. APPR. SUSPENSE FILE

Summary: Current law defines "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. Existing law create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. Current law requires an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. Existing law also make a claim relating to a COVID-19 illness

presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Current law, until January 1, 2023, allows for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill would extend the above-described provisions relating to COVID-19 until January 1, 2025.

Position

Watch

SB 979 (Dodd D) **Health emergencies.**

Location: 4/28/2022-S. APPR.

Calendar: 5/2/2022 #11 SENATE SENATE BILLS - SECOND READING FILE

Summary: Would authorize the State Department of Public Health to waive specified licensing requirements for health facilities during a state of emergency declared by the Governor or a health emergency declared by the State Public Health Officer.

Position

Support

SB 1212 (Caballero D) **Temporary services employers: health care personnel.**

Location: 3/24/2022-S. JUD.

Summary: Would, on and after January 1, 2024, require a temporary services employer billing a hospital for services rendered by health care personnel to include in the request for payment the names of the health care personnel, the health care personnel's hourly rate paid by the temporary services employer, and the direct costs of employing the health care personnel, as specified. This bill would make a violation of this provision subject to a civil penalty of \$5,000 per violation.

Position

Support

Total Measures: 52

Total Tracking Forms: 52