

LEGISLATIVE UPDATE



Week of September 4, 2023

State Issues

Key Bills Moving During Final Days of Session

The Legislative session ends next Thursday, September 14. When the Legislature convened this week, to begin the Floor-only sessions vote on bills, the Senate had 651 Assembly bills on their agenda and the Assembly had 297 Senate bills. The Assembly meets today (Friday), while the Senate followed normal protocol and returned to their Districts Thursday evening. Both houses will reconvene next Monday for the final week of session.

Bills Still in Play. Following are key bills awaiting action:

SB 525 (Durazo): Minimum Wage for health care workers. This bill would set a new minimum wage for a very broad list of health care workers, including contractors. Sponsored by SEIU, the bill as currently in print would set the minimum wage to \$21 in 2024 and \$25 in 2025. It will impact hospitals, dialysis clinics, community clinics, doctors' offices and nearly every other health care provider setting. Each of those affected entities are now in negotiations on the bill – with Speaker Rivas and his staff bringing everyone to the table. The hope is that amendments to the bill will be agreed upon and in print by the Monday (September 11) legislative deadline.

AB 85 (Weber): Social Determinants of Health. The bill would require health plans to cover providers screening for the social determinants of health of patients. It also requires the state to provide reimbursement for SDOH screenings as a covered Medi-Cal benefit; and requires HCAI to convene a working group to create a standardized model for connecting patients to community resources.

SB 339 (Weiner): Access to Medication. The bill would require a health plan and health insurer to cover HIV medications – preexposure prophylaxis (PrEP) and postexposure prophylaxis (PEP) – furnished by a pharmacist, including the pharmacist's services and related testing ordered by the pharmacist, and reimburse pharmacist services provided.

SB 799 (Portantino): Unemployment benefits for striking workers. While this is not a bill that is focused on health care, it is a major priority of the California Labor Federation and Writers Guild of America and was a late in session gut and amend bill. The California Chamber of Commerce has tagged the bill as a job killer bill, citing the proposal's requirement for non-related employers to subsidize striking workers through additional taxes paid to the Unemployment Insurance (UI) fund.

(more)

<p>Key Bills Moving During Final Days of Session <i>(continued)</i></p>	<p>Bills Moving the Governor’s Desk. Several key bills have been voted on this week and are on their way to the Governor. The Governor has until October 14 to sign or veto bills.</p> <p>AB 40 (Rodriguez): Ambulance offload times passed off the Senate Floor with a bipartisan vote, but not until a very robust floor debate where both Democrat and Republican members expressed their concerns with the bill and their disappointment that the amendments suggested in Senate Health were not taken. The bill is sponsored by the powerful California Professional Firefighters Union, which always has a strong pull with members on both sides of the aisle. For those that opposed the bill, the hope is the negative comments from so many of the members will keep at bay any further action on this issue for at least a few years.</p> <p>SB 58 (Weiner): Controlled substances: decriminalization of certain hallucinogenic substances. This bill makes it lawful to possess specified quantities of psilocybin – or hallucinogenics – which has growing medical research for medicinal uses. In recent years, the US Federal Drug Administration (FDA) has designated psilocybin as a “breakthrough therapy” to treat severe depression and is growing in application for the treatment of PTSD. Moving the policy has been attempted several times, including a recent failed ballot initiative, but the science and advocacy from the military community are growing.</p>
<p>MCO Tax Ballot Initiative Filed</p>	<p>The Protect Access to Healthcare Act of 2024 has been filed with the Attorney General. This is the ballot initiative that will make permanent the MCO tax on health plans, providing funding to California’s health care system. The plan is to have the initiative on the November 2024 statewide ballot. Proponents of the initiative include California Medical Association and Planned Parenthood, with support from the California Hospital Association and health plans.</p> <p>The coalition has until March or April to collect nearly 550,000 signatures to qualify for the November ballot, which looks like it will be crowded with many other initiatives. In previous years, all of the tax revenues from the MCO tax were funneled into the state general fund. However, this year funding is being split between the state and providers. While the details are still being reviewed, the ballot initiative sets out a spending plan that is fairly close to the deal included in this year’s budget.</p> <p>You can access the filing here: https://oag.ca.gov/system/files/initiatives/pdfs/23-0024%20%28Medi-Cal%20Funding%29.pdf</p>

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