



BLANNING & BAKER

Associates, Inc.

**CSR Legislative Report
1/26/2018**

Support

AB 315

(Wood D) Pharmacy benefit management.

Current Text: Amended: 7/11/2017 [html](#) [pdf](#)

Introduced: 2/6/2017

Last Amend: 7/11/2017

Status: 9/7/2017-Ordered to inactive file at the request of Senator Hernandez.

Location: 9/7/2017-S. INACTIVE FILE

Summary: Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacists and pharmacies by the California State Board of Pharmacy. A violation of the Pharmacy Law is a crime. Existing law also imposes requirements on audits of pharmacy services provided to beneficiaries of a health benefit plan, as specified. This bill would require pharmacy benefit managers, as defined, to be registered with the Department of Managed Health Care, as prescribed. The bill would require the department to develop applications for the registration, and would specify certain information to be provided in those applications. The bill would authorize the department to charge a fee for registration, as specified. The bill would authorize the director of the department to suspend the registration of a pharmacy benefit manager under specified circumstances. This bill contains other related provisions.

Memo:

Support letter sent to Author -- 6/19/17

Support letter sent to Sen. Health -- 6/19/17

Support letter sent to Sen. APPR -- 8/28/17

AB 587

(Chiu D) State government: pharmaceuticals: procurement: collaborative.

Current Text: Amended: 7/12/2017 [html](#) [pdf](#)

Introduced: 2/14/2017

Last Amend: 7/12/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 7/12/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-S. 2 YEAR

Summary: Existing law requires specified state agencies to participate in a prescription drug bulk purchasing program, authorizes the Department of General Services to enter into exclusive or nonexclusive contracts on a bid or negotiated basis with manufacturers and suppliers of single-source or multisource drugs and to obtain from those manufacturers and suppliers discounts, rebates, or refunds based on quantities purchased insofar as permissible under federal law, and authorizes the department to appoint and contract with a pharmaceutical benefits manager, as specified. Existing law authorizes the Department of General Services to explore additional strategies for managing prescription drug costs and investigate and implement those strategies in consultation with other specified state agencies. This bill would revise these provisions and instead require the department to convene the California Pharmaceutical Collaborative cochaired by the Deputy Director of the Procurement Division of the department and the Assistant Secretary of California Health and Human Services to address the rising cost of pharmaceuticals. The bill would require the Department of Corrections and Rehabilitation, the Department of Veterans Affairs, the California Health and Human Services Agency, the Department of Finance, the Government Operations Agency, and the Labor and Workforce Development Agency, among other entities, to each appoint a representative to the collaborative and to participate as members. The bill would also require the Speaker of the Assembly and the President pro Tempore of the Senate each to appoint one member to the collaborative. This bill contains other related provisions.

Memo:

Support letter sent to Author -- 4/18/17

Support letter sent to Asm. Health -- 4/18/17

Support letter sent to Asm. APPR -- 5/19/17

Support letter sent to Sen. Health -- 6/22/17

[SB 62](#)

(Jackson D) Affordable Senior Housing Act of 2017.

Current Text: Amended: 7/19/2017 [html](#) [pdf](#)

Introduced: 12/22/2016

Last Amend: 7/19/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-A. 2 YEAR

Summary: Existing law establishes the Department of Housing and Community Development and sets forth its powers and duties. This bill would enact the Affordable Senior Housing Act of 2017, which would establish the Affordable Senior Housing Program within the jurisdiction of the department. The bill would declare that the purpose of this program is to guide and serve as a catalyst for the development of affordable senior housing and supportive care campuses within this state and would require the director of the department to undertake various actions in implementing this program, including establishing and implementing a process for identifying and convening public and private stakeholders, assisting program participants in identifying suitable locations and potential sources of public and private funding for the development of affordable senior housing, obtaining state and local permits, providing guidance on regulatory compliance, and providing information on tax credits and other incentives. The bill would require the director to annually report to the Legislature specified information about the program. The bill would require the department to convene public and private stakeholders that are interested in developing and financing mixed use affordable senior housing and supportive care campuses in order to discuss and identify specified issues. In this regard, the bill would require the director to report to the Legislature by January 1, 2019, on the information learned from the stakeholders. The bill would make the program operative upon the completion of that stakeholder report. The bill would also make various findings and declarations with regard to its provisions.

Memo:

Support letter sent to Author -- 4/17/17

Support letter sent to Sen. T&H -- 4/17/17

Support letter sent to Sen. BP&ED -- 4/20/17

Support letter sent to Sen. APPR -- 4/28/17

Support letter sent to Asm. JED&E -- 6/22/17

Support letter sent to Asm. H&CD -- 7/5/17

Support letter sent to Asm. APPR -- 8/28/17

Oppose

[SCA 8](#)

(Moorlach R) Public employee retirement benefits.

Current Text: Introduced: 2/15/2017 [html](#) [pdf](#)

Introduced: 2/15/2017

Status: 6/20/2017-June 26 set for first hearing canceled at the request of author.

Location: 2/23/2017-S. P.E. & R.

Summary: Existing statutory law establishes various public agency retirement systems, including, among others, the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, and these systems provide defined pension benefits to public employees based on age, service credit, and amount of final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Under their respective independent constitutional authority, charter cities and counties and the University of California may and have established retirement systems. The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires the retirement systems to which it applies to modify their provisions to conform with its requirements. PEPRA excepts from its provisions retirement systems established by charter cities and counties and the University of California. PEPRA requires the retirement systems that it regulates and that offer defined benefit plans to provide specified defined benefit formulas and prescribes requirements regarding employer and employee contributions to defined benefit pension plans. This measure would permit a government employer to reduce retirement benefits that are based on work not yet performed by an employee regardless of the date that the employee was first hired, notwithstanding other provisions of the California Constitution or any other law. The measure would prohibit it from being interpreted to permit the reduction of retirement benefits that a public employee has earned based on work that has been performed, as specified. The measure would define government employer and retirement benefits for the purposes of its provisions.

[SCA 10](#)

(Moorlach R) Public employee retirement benefits.

Current Text: Introduced: 2/17/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Status: 6/20/2017-June 26 set for first hearing canceled at the request of author.

Location: 3/2/2017-S. P.E. & R.

Summary: Existing statutory law establishes various public agency retirement systems, including, among others, the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System II, and various county retirement systems pursuant to the County Employees Retirement Law of 1937, and these systems provide defined pension benefits to public employees based on age, service credit, and amount of final compensation. The California Constitution permits a city or county to adopt a charter for purposes of its governance that supersedes general laws of the state in regard to specified subjects, including compensation of city or county employees. The California Constitution establishes the University of California as a public trust with full powers of organization and government, subject only to specified limitations. Under their respective independent constitutional authority, charter cities and counties and the University of California may and have established retirement systems. The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires the retirement systems to which it applies to modify their provisions to conform with its requirements. PEPRA excepts from its provisions the retirement systems established by charter cities and counties and the University of California. PEPRA requires the retirement systems that it regulates and that offer defined benefit plans to provide specified defined benefit formulas, and prescribes requirements regarding employer and employee contributions to defined benefit pension plans. This measure would prohibit a government employer from providing public employees any retirement benefit increase until that increase is approved by a 2/3 vote of the electorate of the applicable jurisdiction and that vote is certified. The measure would define retirement benefit to mean any postemployment benefit and would define benefit increase as any change that increases the value of an employee's retirement benefit. The measure would define a government employer to include, among others, the state and any of its subdivisions, cities, counties, school districts, special districts, the Regents of the University of California, and the California State University.

Watch

[AB 29](#)

(Nazarian D) Pharmacy benefit managers.

Current Text: Amended: 5/11/2017 [html](#) [pdf](#)

Introduced: 12/5/2016

Last Amend: 5/11/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/24/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Existing law requires a pharmacy benefit manager that reimburses a contracting pharmacy for a drug on a maximum allowable cost basis to provide the contracting pharmacy with specified information regarding the data used to determine the maximum allowable cost of a drug. This bill would require, except as provided, a pharmacy benefit manager to disclose certain information to a purchaser, including, among other things, the aggregate amount of rebates, retrospective utilization discounts, and other income that the pharmacy benefit manager would receive from a pharmaceutical manufacturer or labeler in connection with drug benefits related to the purchaser. The bill would excuse a pharmacy benefit manager from making these disclosures unless the purchaser agrees to keep any proprietary information disclosed to it pursuant to these provisions confidential, as specified. This bill contains other related provisions and other existing laws.

[AB 47](#)

(Ting D) Budget Act of 2016.

Current Text: Introduced: 12/5/2016 [html](#) [pdf](#)

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Com. on BUDGET.

Location: 1/19/2017-A. BUDGET

Summary: This bill would express the intent of the Legislature to enact legislation that would amend the Budget Act of 2016.

[AB 86](#)

(Calderon D) Government innovation fellows program.

Current Text: Amended: 6/20/2017 [html](#) [pdf](#)

Introduced: 1/5/2017

Last Amend: 6/20/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 7/10/2017)(May be acted upon Jan 2018)

Location: 9/1/2017-S. 2 YEAR

Summary: Existing law establishes within the Governor's office the Government Operations Agency, which consists of several state agencies, including the Department of General Services and the Department of Technology, and is governed by the Secretary of Government Operations. This bill would require the Government Operations Agency to establish and administer the government innovation fellows program to identify opportunities to apply advanced skillsets and innovative practices in

effective ways to improve the delivery of state governmental services through the selection and assignment of fellows within state agencies. The bill would require, prior to the selection and assignment of a fellow, and with existing resources, the Government Operations Agency to consult with state agencies, private entities, or other nongovernmental sources to obtain resources and administrative support for the program, including necessary equipment, and other related costs necessary for a fellow to complete an assigned project. The bill would make, among other things, selection and assignment of fellows contingent upon the receipt of sufficient funds, as determined by the agency, from private or other nongovernmental sources. The bill would require fellows to serve for a term not to exceed 2 years and would prohibit fellows selected for the program from obtaining civil service status and supplanting the work of civil service employees of the state. The bill would authorize the Government Operations Agency to enter into a personal services contract to provide compensation to the fellow if specified conditions are met.

[AB 96](#)

(Ting D) Budget Act of 2017.

Current Text: Amended: 5/31/2017 [html](#) [pdf](#)

Introduced: 1/10/2017

Last Amend: 5/31/2017

Status: 6/2/2017-Re-referred to Com. on BUDGET.

Location: 1/19/2017-A. BUDGET

Summary: This bill would make appropriations for the support of state government for the 2017-18 fiscal year. This bill contains other related provisions.

[AB 157](#)

(Wood D) Small group market: single risk pool: index rate.

Current Text: Introduced: 1/12/2017 [html](#) [pdf](#)

Introduced: 1/12/2017

Status: 9/13/2017-Ordered to inactive file at the request of Senator Hernandez.

Location: 9/13/2017-S. INACTIVE FILE

Summary: Existing federal law, the federal Patient Protection and Affordable Care Act, creates various premium stabilization programs, such as the transitional reinsurance program and the risk adjustment program, to stabilize premiums in the individual market inside and outside of the Exchanges. Under the transitional reinsurance program, contributions are collected from contributing entities to fund reinsurance payments to issuers of nongrandfathered reinsurance-eligible individual and small group market plans and the administrative costs of operating the reinsurance program for the 2014, 2015, and 2016 benefit years. This bill would delete the reference to the federal transitional reinsurance program in these provisions. This bill contains other existing laws.

[AB 161](#)

(Levine D) Department of Finance: infrastructure investment.

Current Text: Introduced: 1/13/2017 [html](#) [pdf](#)

Introduced: 1/13/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 6/27/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-S. 2 YEAR

Summary: Existing law creates the Department of Finance and provides that the department has general powers of supervision over all matters concerning the financial and business policies of the state. This bill would authorize the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return on investment for an investment made in that infrastructure project by the Public Employees' Retirement System. The bill would create the Reinvesting in California Special Fund as a continuously appropriated fund and would require the moneys in the fund to be used to pay the rate of return on investment. The bill would require the rate of return on investment to be subject to the availability of moneys in the fund. The bill would also state the intent of the Legislature to identify special funds to be transferred into the fund for the purposes of these provisions. By creating a new continuously appropriated fund, this bill would make an appropriation. This bill contains other existing laws.

[AB 183](#)

(Lackey R) Bill of Rights for State Excluded Employees.

Current Text: Amended: 5/25/2017 [html](#) [pdf](#)

Introduced: 1/19/2017

Last Amend: 5/25/2017

Status: 9/7/2017-Ordered to inactive file at the request of Assembly Member Lackey.

Location: 9/7/2017-A. INACTIVE FILE

Summary: The existing Bill of Rights for State Excluded Employees (bill of rights) prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees, among other specified employees. This bill would amend the bill of rights to require the management of each state entity, as specified, on or before January 1, 2019, to develop policies for their supervisory employees regarding shift assignments, vacations, and overtime, and to meet with the supervisory employee organizations that represent the excluded

employees. The bill would not apply to the Department of the California Highway Patrol.

[AB 502](#)

(Waldron R) Crime victim compensation: elder or dependent adult financial abuse.

Current Text: Amended: 3/16/2017 [html](#) [pdf](#)

Introduced: 2/13/2017

Last Amend: 3/16/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017) (May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Existing law provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation Board from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. Existing law sets forth eligibility requirements and specified limits on the amount of compensation the board may award, and requires applications for compensation to be verified under penalty of perjury. This bill would create the San Diego County Elder or Dependent Adult Financial Abuse Crime Victim Compensation Pilot Program and would authorize the board, upon appropriation by the Legislature before January 1, 2020, to provide victims of elder or dependent adult financial abuse compensation to reimburse costs for financial counseling, mental health counseling, or supportive services, as specified, if the crime occurred in the County of San Diego. The bill would limit compensation pursuant to this authorization to \$3,000 per person and an aggregate total of \$1,000,000. The bill would exclude a derivative victim from eligibility for compensation if the only crime the victim suffered was elder or dependent adult financial abuse. The bill would authorize the pilot program to operate until January 1, 2021. The bill would require the board to report specified information related to the pilot program to the Legislature and Governor on or before July 1, 2021. By expanding the scope of the crime of perjury, this bill would impose a state-mandated local program. The bill would repeal these provisions on January 1, 2022. This bill contains other related provisions and other existing laws.

[AB 526](#)

(Cooper D) County employees' retirement: districts: retirement system governance.

Current Text: Amended: 5/18/2017 [html](#) [pdf](#)

Introduced: 2/13/2017

Last Amend: 5/18/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a)(11). (Last location was P.E. & R. on 5/18/2017)(May be acted upon Jan 2018)

Location: 7/21/2017-S. 2 YEAR

Summary: (1)The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to their employees. CERL defines a district for these purposes, includes specified county retirement systems within that definition, and permits a district to participate in CERL retirement systems. CERL generally provides that the personnel of a county retirement system are county employees, subject to county civil service provisions and salary ordinances, but also authorizes the boards of retirement in specified counties to adopt provisions providing for the appointment of personnel who are to be employees of the retirement system, as well as other administrative provisions that reflect the independence of the retirement system from the county. This bill would define the Sacramento County retirement system as a district under CERL. The bill would authorize the board to adopt, by resolution, specified administrative provisions that would classify various personnel of the retirement system as employees of the retirement system and not employees of the county. The bill would require the retirement system to notify, and to meet and discuss with, participating employers in the retirement system, the employees of the system, and specified employee organizations, regarding the retirement system's intent to exercise this authority at least 60 days before considering a resolution to make these provisions applicable. The bill would grant an employee organization representing people who work for the retirement system, and an unrepresented person who works for the retirement system, the right to elect to be employees of the retirement system, which would be irrevocable, except as specified, and the status of the affected employee positions would remain changed for successor employees. In regard to county employees who would become retirement system employees, the bill would prescribe requirements in connection with their compensation and employment benefits and status. These provisions would include maintaining their county retirement benefits that would otherwise be reduced under PEPRA, keeping their employment classifications, providing for the transfer of leave balances accrued as county employees to the retirement system, as specified, and affording employees the opportunity to continue participation in group health and dental plans, among other things. The bill would prescribe requirements regarding labor negotiations and the continuity of labor agreements. The bill would grant the retirement system the authority to adopt the regulations and enter into the agreements necessary to implement them. The bill would require counties to cooperate and act in a timely manner to establish and implement agreements in this regard. The bill would make technical and conforming changes. This bill contains other related provisions and other existing laws.

[AB 550](#)

(Reyes D) State Long-Term Care Ombudsman Program: funding.

Current Text: Amended: 1/22/2018 [html](#) [pdf](#)

Introduced: 2/14/2017

Last Amend: 1/22/2018

Status: 1/23/2018-Read second time. Ordered to third reading.

Location: 1/23/2018-A. THIRD READING

Calendar: 1/29/2018 #31 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: Existing law, as part of the Mello-Granlund Older Californians Act, establishes the Office of the State Long-Term Care Ombudsman, under the direction of the State Long-Term Care Ombudsman, in the California Department of Aging. Existing law provides for the Long-Term Care Ombudsman Program under which funds are allocated to local ombudsman programs to assist elderly persons in long-term health care facilities and residential care facilities by, among other things, investigating and seeking to resolve complaints against these facilities. Existing law requires the department to allocate federal and state funds for local ombudsman programs according to a specified distribution, but prohibits the department from allocating less than \$35,000 per fiscal year, except in areas with fewer than 10 facilities and fewer than 500 beds. This bill would increase the base allocation for local ombudsman programs to \$100,000 per fiscal year in any year in which funds are made available for allocation, as specified.

AB 595

(Wood D) Health care service plans: mergers and acquisitions.

Current Text: Amended: 1/22/2018 [html](#) [pdf](#)

Introduced: 2/14/2017

Last Amend: 1/22/2018

Status: 1/23/2018-Read second time. Ordered to third reading.

Location: 1/23/2018-A. THIRD READING

Calendar: 1/29/2018 #32 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: 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 and makes a willful violation of the act a crime. Existing law requires every nonprofit health care service plan applying to restructure, as defined, or convert its activities to secure the approval of the Director of the Department of Managed Health Care. Under existing law, a health care service plan is required to notify the director of any material modifications of its plan or operations, as specified. This bill would require a health care service plan that intends to merge or consolidate with, or enter into an agreement resulting in its purchase, acquisition, or control by, any entity, as defined, including another health care service plan or a licensed health insurer, to give notice to, and secure prior approval from, the Director of the Department of Managed Health Care. The bill would require the health care service plan to meet specified requirements and to provide information necessary for the director to make the determination to approve, conditionally approve, or disapprove the transaction or agreement, as specified. The bill also would authorize the department, prior to approval, conditional approval, or denial of the proposed agreement or transaction, to hold a public hearing on the proposal and make specified findings. The bill would require the director to prepare an independent health care impact statement if the director determines that a material amount of the health care service plan's assets are subject to merger, consolidation, acquisition, purchase, or control, as specified. The bill would authorize the director to give conditional approval for a transaction or agreement as described in the bill, under specified circumstances. The bill would deem any material modification filed by a health care service plan that is a transaction or agreement as described in the bill to be subject to specified fees and costs related to the approval, conditional approval, or disapproval process. Because a willful violation of the bill's provisions applicable to a health care service plan would be a crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 614

(Limón D) Area agency on aging: Alzheimer's disease and dementia: training and services.

Current Text: Amended: 7/17/2017 [html](#) [pdf](#)

Introduced: 2/14/2017

Last Amend: 7/17/2017

Status: 9/1/2017-In committee: Held under submission.

Location: 8/21/2017-S. APPR. SUSPENSE FILE

Summary: Existing law establishes the California Department of Aging in the California Health and Human Services Agency. Existing law requires the department to designate various private nonprofit or public agencies as area agencies on aging to work for the interests of older Californians within a planning and service area and provide a broad array of social and nutritional services. Existing law requires the department to provide leadership to those agencies in developing systems of home- and community-based services that maintain individuals in their own homes or least restrictive homelike environments and requires those agencies to function as the community link at the local level for the development of those services. Existing law requires each area agency on aging to maintain a professional staff that is supplemented by volunteers, governed by a board of directors or elected officials, and whose activities are reviewed by an advisory council consisting primarily of older individuals from the community. This bill would require, until July 1, 2023, each area agency on aging to develop an evidence-based or evidence-informed core training program for staff relating to Alzheimer's disease and dementia, and any additional training based on local needs. The bill would also require each agency to maintain an Alzheimer's and dementia specialist to provide information, assistance,

referrals, and options counseling to families. If an agency lacks the capacity to maintain a specialist, the bill would authorize the agency to contract with a qualified local entity to provide these services, as specified. The bill would specify that it would be implemented only to the extent that funds are appropriated by the Legislature for its purposes, including funding to augment the administrative operations of the department that are necessary to implement these provisions. This bill contains other existing laws.

[AB 806](#)

(Kalra D) Personal income taxes: credit: family caregiver.

Current Text: Amended: 5/15/2017 [html](#) [pdf](#)

Introduced: 2/15/2017

Last Amend: 5/15/2017

Status: 5/26/2017-In committee: Held under submission.

Location: 5/24/2017-A. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill, for each taxable year beginning and or after January 1, 2018, and before January 1, 2023, would allow a credit against those taxes in an amount equal to 50% of the amount paid or incurred by a family caregiver during the taxable year for eligible expenses, as defined, not to exceed \$1,000. The bill would limit the aggregate amount of these credits to be allocated in each calendar year to \$50,000,000. The bill would require the Franchise Tax Board to allocate and certify these tax credits to taxpayers on a first-come-first-served basis. The bill would make these provisions operative on the effective date of any budget measure specifically appropriating funds to the Franchise Tax Board for its costs to administer these provisions. This bill contains other related provisions.

[AB 859](#)

(Eggman D) Elders and dependent adults: abuse or neglect.

Current Text: Vetoed: 10/2/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 6/15/2017

Status: 1/12/2018-Stricken from file.

Location: 10/2/2017-A. VETOED

Summary: Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, provides for the award of attorney's fees and costs to, and the recovery of damages by, a plaintiff when it is proven by clear and convincing evidence that the defendant is liable for physical abuse or neglect, and the defendant has also been found guilty of recklessness, oppression, fraud, or malice in the commission of that abuse. This bill would instead apply a preponderance of the evidence standard to any claim brought against a residential care facility for the elderly or a skilled nursing facility, except as specified, for remedies sought pursuant to the above provisions, upon circumstances in which spoliation of evidence has been committed by the defendant, as specified. The bill would make conforming changes to a related provision.

[AB 937](#)

(Eggman D) Health care decisions: order of priority.

Current Text: Amended: 5/3/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 5/3/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a)(11). (Last location was HEALTH on 6/1/2017) (May be acted upon Jan 2018)

Location: 7/21/2017-S. 2 YEAR

Summary: The Health Care Decisions Law, among other things, provides for an individual's use of a request regarding resuscitative measures, which is a written document, signed by an individual with capacity or a legally recognized health care decisionmaker for the individual, and the individual's physician, that directs a health care provider regarding resuscitative measures for the individual. The law excludes a health care provider who honors a request regarding resuscitative measures from criminal prosecution, civil liability, discipline for unprofessional conduct, administrative sanction, or any other sanction, as a result of his or her reliance on the request, if specific conditions are met. The law provides, if the orders in an individual's request regarding resuscitative measures directly conflict with his or her individual health care instruction, as defined, that to the extent of the conflict, the most recent order or instruction is effective. This bill would provide that, to the extent of that conflict, the most recent order signed by the individual or instruction made by the individual is effective. The bill would deem a request regarding resuscitative measures signed by specified persons on behalf of the individual to be signed by the individual. The bill would also make technical conforming changes.

[AB 1013](#)

(Low D) Chiropractors.

Current Text: Amended: 1/3/2018 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 1/3/2018

Status: 1/22/2018-Read second time. Ordered to Consent Calendar.

Location: 1/22/2018-A. CONSENT CALENDAR

Calendar: 1/29/2018 #50 ASSEMBLY CONSENT CALENDAR 2ND DAY-ASSEMBLY BILLS

Summary: Existing law, the Chiropractic Act, enacted by initiative, provides for the licensure and regulation of chiropractors by the State Board of Chiropractic Examiners. Under the act, on and after January 1, 2019, each person practicing chiropractic, after a license has been issued, is annually required to pay the board a renewal fee of \$250. Existing law authorizes the Legislature to fix these fees. Existing law directs the deposit of these funds into the State Board of Chiropractic Examiners' Fund, a continuously appropriated fund. This bill, on and after January 1, 2019, would revise the annual renewal fee to be no more than \$250, as determined by the board. The bill would also make additional nonsubstantive changes.

AB 1017

(Santiago D) Collective bargaining agreements: arbitration: litigation.

Current Text: Amended: 7/5/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 7/5/2017

Status: 9/15/2017-Ordered to the Senate. In Senate. Held at Desk.

Location: 9/15/2017-S. DESK

Summary: Existing law, with regard to disputes concerning collective bargaining agreements for private employment, requires a court to award attorney's fees to a prevailing party in an action to compel arbitration of the disputes unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable. Existing law also creates, in this context, a right to attorney's fees for a prevailing party in a court action to compel compliance with the decision or award of an arbitrator or grievance panel regarding the disputes, or for a prevailing appellee in the appeal of the decision of an arbitrator regarding the disputes, unless the other party or appellant, respectively, has raised substantial issues involving complex or significant questions of law. This bill contains other existing laws.

AB 1335

(Kalra D) Long-term health facilities.

Current Text: Amended: 4/27/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 4/27/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was HEALTH on 6/8/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Summary: Existing law provides for the licensure and regulation of long-term health facilities by the State Department of Public Health and establishes an inspection and reporting system to ensure that long-term health care facilities are in compliance with state statutes and regulations pertaining to patient care and a system for the imposition of prompt and effective civil sanctions against long-term health care facilities in violation of the laws and regulations of this state. Existing law defines a class "A" violation as a violation that the department determines presents either (1) imminent danger that death or serious harm to the patients or residents of the long-term health care facility would result therefrom, or (2) substantial probability that death or serious physical harm to patients or residents of the long-term health care facility would result therefrom. Existing law defines a class "AA" violation as a class "A" violation that the department determines to have been the direct proximate cause of death of a patient or resident of the facility. This bill would redefine a class "AA" violation as a class "A" violation that the department determines to have been a substantial factor, as described, in the death of a patient or resident of a long-term health care facility.

AB 1437

(Patterson R) California Residential Care Facilities for the Elderly Act: licensing.

Current Text: Amended: 4/18/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 4/18/2017

Status: 9/11/2017-Ordered to inactive file at the request of Senator Wiener.

Location: 9/11/2017-S. INACTIVE FILE

Summary: (1) The California Residential Care Facilities for the Elderly Act, among other things, requires the State Department of Social Services to investigate the criminal record of certain individuals who provide services to residents. The act requires an individual to obtain a criminal record clearance or exemption from the department before his or her initial presence at a facility. The act authorizes an individual to transfer a current criminal record clearance from one facility to another, under specified circumstances, for purposes of complying with these requirements. This bill would prohibit an individual who is employed at a residential care facility for the elderly operated by a licensee and who possesses a current criminal record clearance from being required to transfer his or her current criminal record clearance to another facility operated by the same licensee. This bill contains other related provisions and other existing laws.

AB 1500

(Maienschein R) Elders Living with Dignity, Empathy, Respect, and Support (ELDERS) Bond Act.

Current Text: Amended: 1/11/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 1/11/2018

Status: 1/18/2018-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 1/10/2018-A. APPR.

Summary: Existing state and federal law provides for various programs to provide services to elderly persons, as specified. Existing law provided for submission to the voters of the Senior Center Bond Act of 1984. This bill would provide for submission to the voters of the Elders Living with Dignity, Empathy, Respect, and Support (ELDERS) Bond Act of 2020. The bill would provide that, if enacted by the people, the state would be authorized to issue and sell general obligation bonds in the aggregate amount of \$200,000,000. The proceeds of these bonds would be placed in a fund, which would be appropriated to the Controller, without regard to fiscal years, for allocation, at the request of the Treasurer. The bill would provide that money in the fund would be allocated to public or private nonprofit agencies or organizations for the purpose of acquiring, renovating, constructing, or purchasing equipment for, specialized day services centers for adults with complex chronic medical, cognitive, or behavioral health conditions, including, but not limited to, Alzheimer's disease or related dementias, funding startup costs of eligible facilities, or program expansion of eligible facilities, as specified. The bill would make legislative findings and declarations relating to California's senior population. This bill contains other related provisions.

[AB 1513](#)

(Kalra D) Registered home care aides: disclosure of contact information.

Current Text: Vetoed: 10/15/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 9/6/2017

Status: 1/12/2018-Stricken from file.

Location: 10/15/2017-A. VETOED

Summary: Existing law establishes the Home Care Services Consumer Protection Act, which provides for the licensure and regulation of home care organizations, as defined, by the State Department of Social Services, and for the registration of home care aides. The act requires the department to establish and maintain a registry of registered home care aides and home care aide applicants on the department's Internet Web site, as provided. The act prohibits the registry on the Internet Web site from providing any additional, individually identifiable information about a registered home care aide or home care aide applicant. Existing law authorizes the department to maintain additional information for registered home care aides or home care aide applicants, as necessary for the administration of the act, but prohibits the department from making that information publicly available on the registry. A violation of the act is a misdemeanor, punishable by a fine not to exceed \$1,000, by imprisonment in a county jail for a period not to exceed 180 days, or by both that fine and imprisonment. This bill would require, beginning September 1, 2018, an electronic copy of a registered home care aide's name, telephone number, and cellular telephone number, if available, on file with the department to be made available, upon request, to a labor organization, as specified. The bill would prohibit a labor organization from using or disclosing this information, as specified. The bill would also require the department to establish a simple opt-out procedure by which a registered home care aide may request that his or her contact information on file with the department not be disclosed in response to a request by a labor organization. The bill would require the department to provide a written notice with information about the opt-out procedure to registered home care aides, as specified. Because a violation of the Home Care Services Consumer Protection Act is punishable as a misdemeanor and this bill would expand requirements under the act, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1584](#)

(Gonzalez Fletcher D) Criminal law: DNA collection: minors.

Current Text: Amended: 1/3/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 1/3/2018

Status: 1/18/2018-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 1/18/2018-S. DESK

Summary: Existing law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (the DNA Act), prescribes the circumstances under which DNA may be collected from a qualifying person for inclusion in the statewide DNA database, as specified. Unless required under the DNA Act or pursuant to a court order or search warrant, this bill would prohibit a law enforcement entity from collecting a buccal swab sample or any other biological sample from a minor without first obtaining written consent of the minor and the minor's parent or legal guardian.

[AB 1597](#)

(Nazarian D) Public employee retirement systems: prohibited investments: Turkey.

Current Text: Amended: 6/22/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 6/22/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was P.E. & R. on

6/14/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Summary: The California Constitution grants the retirement board of a public employee retirement system plenary authority and fiduciary responsibility for investment of moneys and administration of the retirement fund and system. The California Constitution qualifies this grant of powers by reserving to the Legislature the authority to prohibit investments if it is in the public interest and the prohibition satisfies standards of fiduciary care and loyalty required of a retirement board. Existing law prohibits the boards of administration of the Public Employees' Retirement System and State Teachers' Retirement System from making investments in certain countries and in thermal coal companies, as specified, subject to the boards' plenary authority and fiduciary responsibility for investment of moneys and administration of the systems. This bill would prohibit the boards of administration of the Public Employees' Retirement System and State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in Turkey that is issued by the government of Turkey or that is owned, controlled, or managed by the government of Turkey. The bill would require the boards to liquidate existing investments in Turkey in these types of investment vehicles within 6 months of the passage of a federal law imposing sanctions on Turkey. The bill would require these boards, within one year of the passage of a federal law imposing sanctions on Turkey, to make a specified report to the Legislature and the Governor regarding these actions. The bill would provide that its provisions do not require a board to take any action that the board determines in good faith is inconsistent with its constitutional fiduciary responsibilities to the retirement system. The bill would indemnify from the General Fund and hold harmless the present, former, and future board members, officers, and employees of, and investment managers under contract with, the boards, in connection with actions relating to these investments.

[AB 1912](#)

(Rodriguez D) Public employees' retirement.

Current Text: Introduced: 1/23/2018 [html](#) [pdf](#)

Introduced: 1/23/2018

Status: 1/24/2018-From printer. May be heard in committee February 23.

Location: 1/23/2018-A. PRINT

Summary: The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS), which provides pension and other benefits to members of PERS. Under PERL, certain public employers and employees are required to contribute moneys to PERS. Existing law prohibits the state, school employers, and contracting agencies, as defined, from refusing to pay the employers' contribution as required by PERL. This bill would make nonsubstantive changes to that provision.

[AB 1914](#)

(Flora R) Presence at community care facility: conviction of crimes.

Current Text: Introduced: 1/23/2018 [html](#) [pdf](#)

Introduced: 1/23/2018

Status: 1/24/2018-From printer. May be heard in committee February 23.

Location: 1/23/2018-A. PRINT

Summary: The California Community Care Facilities Act, among other things, prohibits the State Department of Social Services from authorizing individuals who have been convicted of certain crimes from working or otherwise being present at a community care facility, as defined. The act requires the department to perform criminal background investigations of individuals as part of its licensing and regulatory oversight of these facilities. This bill would enumerate additional crimes that prohibit the department from authorizing an individual from working or otherwise being present at a community care facility, including, among other crimes, the willful and unlawful use of personal identifying information, as specified.

[AB 1934](#)

(Jones-Sawyer D) Dependent persons: offenses.

Current Text: Introduced: 1/24/2018 [html](#) [pdf](#)

Introduced: 1/24/2018

Status: 1/25/2018-From printer. May be heard in committee February 24.

Location: 1/24/2018-A. PRINT

Summary: Existing law makes it a crime for a person who is a caretaker, as defined, to commit certain sexual acts upon a dependent person. Existing law also makes it a crime for a caretaker to commit those acts upon a dependent person by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury. Existing law defines "dependent person" for those offenses as, in part, a person who has a physical or mental impairment that substantially restricts his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have significantly diminished because of age. This bill would specify that a person is a "dependent person" under the definition described above irrespective of whether the person lives independently. This bill contains other related provisions and other existing laws.

[SB 72](#)

(Mitchell D) Budget Act of 2017.

Current Text: Amended: 5/26/2017 [html](#) [pdf](#)

Introduced: 1/10/2017

Last Amend: 5/26/2017

Status: 5/26/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on B. & F.R.

Location: 1/11/2017-S. BUDGET & F.R.

Summary:

[SB 76](#)

(Nielsen R) Excluded employees: arbitration.

Current Text: Amended: 6/29/2017 [html](#) [pdf](#)

Introduced: 1/10/2017

Last Amend: 6/29/2017

Status: 9/11/2017-Ordered to inactive file on request of Assembly Member Calderon.

Location: 9/11/2017-A. INACTIVE FILE

Summary: The Bill of Rights for State Excluded Employees permits, among other things, excluded employee organizations to represent their excluded members in their employment relations, including grievances, with the state. That law defines excluded employees as all managerial employees, confidential employees, supervisory employees, as well as specified employees of the Department of Personnel Administration, the Department of Finance, the Controller's office, the Legislative Counsel Bureau, the Bureau of State Audits, the Public Employment Relations Board, the Department of Industrial Relations, and the State Athletic Commission. This bill contains other related provisions.

[SB 134](#)

(Hernandez D) Small group market: single risk pool: index rate.

Current Text: Introduced: 1/11/2017 [html](#) [pdf](#)

Introduced: 1/11/2017

Status: 7/13/2017-From consent calendar on motion of Assembly Member Bonta. Ordered to inactive file on request of Assembly Member Bonta.

Location: 7/13/2017-A. INACTIVE FILE

Summary: Existing federal law, the federal Patient Protection and Affordable Care Act, creates various premium stabilization programs, such as the transitional reinsurance program and the risk adjustment program, to stabilize premiums in the individual market inside and outside of the Exchanges. Under the transitional reinsurance program, contributions are collected from contributing entities to fund reinsurance payments to issuers of nongrandfathered reinsurance-eligible individual market plans and the administrative costs of operating the reinsurance program for the 2014, 2015, and 2016 benefit years. This bill would delete the reference to the federal transitional reinsurance program in these provisions. This bill contains other existing laws.

[SB 151](#)

(Nguyen R) Property tax postponement.

Current Text: Introduced: 1/18/2017 [html](#) [pdf](#)

Introduced: 1/18/2017

Status: 5/25/2017-May 25 hearing: Held in committee and under submission.

Location: 5/25/2017-S. APPR. SUSPENSE FILE

Summary: (1) Existing law authorizes the Controller, upon approval of a claim for the postponement of ad valorem property taxes, to directly pay a county tax collector for the property taxes owed by the claimant, as provided. Existing law establishes the Senior Citizens and Disabled Citizens Property Tax Postponement Fund and continuously appropriates moneys in the fund to the Controller for specified purposes, including disbursements relating to the postponement of property taxes pursuant to the Property Tax Postponement Law. Existing law requires the Controller to, on June 30, 2018, and on June 30 each year thereafter, transfer any moneys in the fund in excess of \$15,000,000 to the General Fund. This bill would eliminate the requirement that the Controller transfer any moneys in the fund in excess of \$15,000,000 to the General Fund. By authorizing the expenditure of additional General Fund moneys for the purpose of the property tax postponement program, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

[SB 162](#)

(Allen D) Cannabis: marketing.

Current Text: Amended: 8/21/2017 [html](#) [pdf](#)

Introduced: 1/19/2017

Last Amend: 8/21/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017) (May be acted upon Jan 2018)

Location: 9/1/2017-A. 2 YEAR

Summary: Existing law, the Medicinal and Adult-Use Cannabis Regulation and Safety Act, which includes the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), enacted by the voters at the November 8, 2016, regulates the cultivation, distribution, and use of cannabis for medical purposes and for nonmedical purposes by people 21 years of age and older. Existing law places specified restrictions on the advertising or marketing of cannabis and cannabis products, including prohibiting advertising or

marketing cannabis or cannabis products in a manner intended to encourage persons under 21 years of age to consume cannabis or cannabis products. This bill would specify that advertising or marketing cannabis or cannabis products in a manner intended to encourage persons under 21 years of age to consume cannabis or cannabis products includes all advertising of cannabis or cannabis products through the use of branded merchandise, including, but not limited to, clothing, hats, or other merchandise with the name or logo of the product. This bill contains other related provisions and other existing laws.

[SB 199](#)

(Hernandez D) The California Health Care Cost, Quality, and Equity Atlas.

Current Text: Amended: 3/30/2017 [html](#) [pdf](#)

Introduced: 1/30/2017

Last Amend: 3/30/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 7/19/2017)(May be acted upon Jan 2018)

Location: 9/1/2017-A. 2 YEAR

Summary: Existing law requires the California Health and Human Services Agency to research the options for developing a cost, quality, and equity data atlas. Existing law requires the research to include certain topics, including, among others, identification of key data submitters, a comparative analysis of potential models used in other states, and an assessment of types of governance structures that incorporate representatives of health care stakeholders and experts. Existing law requires the agency to have made the results of the above-described research available to the public no later than March 1, 2017, by submitting a report to the Assembly and Senate Committees on Health. This bill would require the Secretary of California Health and Human Services, in furtherance of the goal of creating the California Health Care Cost, Quality, and Equity Atlas, to convene an advisory committee composed of a broad spectrum of health care stakeholders and experts, as specified. The bill would require the secretary to charge the advisory committee with identifying the type of data, purpose of use, and entities and individuals that are required to report to, or that may have access to, a health care cost, quality, and equity atlas, and with developing a set of recommendations based on specified findings of the March 1, 2017, report.

[SB 200](#)

(Morrell R) Public employees' retirement benefits: final compensation.

Current Text: Introduced: 1/31/2017 [html](#) [pdf](#)

Introduced: 1/31/2017

Status: 2/9/2017-Referred to Com. on RLS. (Set for hearing) (1/23/2018 - Immune to Deadlines according to JR61(f). Deadlines do not apply to bills in a Rules committee.)

Location: 1/31/2017-S. RLS.

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA), on and after January 1, 2013, requires a public retirement system, as defined, to modify its plan or plans to comply with the act and, among other provisions, establishes certain new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan. This bill would make a nonsubstantive change to that provision. This bill contains other existing laws.

[SB 209](#)

(Cannella R) State Department of Health Care Services.

Current Text: Introduced: 2/1/2017 [html](#) [pdf](#)

Introduced: 2/1/2017

Status: 2/9/2017-Referred to Com. on RLS. (Set for hearing) (1/23/2018 - Immune to Deadlines according to JR61(f). Deadlines do not apply to bills in a Rules committee.)

Location: 2/1/2017-S. RLS.

Summary: Existing law establishes the State Department of Health Care Services within the California Health and Human Services Agency. Existing law sets forth the department's powers and duties relating to, among other things, public health, licensing and certification of certain health facilities, and the state Medi-Cal program. This bill would state the intent of the Legislature to enact legislation relating to the powers and duties of the department.

[SB 244](#)

(Lara D) Privacy: agencies: personal information.

Current Text: Amended: 9/8/2017 [html](#) [pdf](#)

Introduced: 2/6/2017

Last Amend: 9/8/2017

Status: 9/14/2017-Ordered to inactive file on request of Assembly Member Calderon.

Location: 9/14/2017-A. INACTIVE FILE

Summary: (1) Existing law regulates various professions and vocations by various boards within the Department of Consumer Affairs. Existing law requires those boards, the State Bar of California, and the Department of Real Estate to require a licensee, at the time of issuance of a license, to provide specified information, including the licensee's federal employer identification number, if the licensee is a partnership, or his or her social security number or individual taxpayer identification number. Existing law provides that the applicant's federal employer identification number, social security number, or

individual taxpayer identification number information is not a public record and is not open to the public for inspection. This bill would revise this provision to provide that information is not open for public inspection, is confidential, and shall not be disclosed, except as specified. The bill would require information submitted by an applicant to be collected, recorded, and used only for the purpose of determining eligibility for a license and administering the licensing program. This bill contains other related provisions and other existing laws.

[SB 255](#)

(Mendoza D) California Partnership for Long-Term Care Program.

Current Text: Amended: 3/20/2017 [html](#) [pdf](#)

Introduced: 2/7/2017

Last Amend: 3/20/2017

Status: 6/5/2017-Referred to Coms. on INS. and AGING & L.T.C.

Location: 6/5/2017-A. INS.

Summary: Existing law establishes the California Partnership for Long-Term Care Program, which is administered by the State Department of Health Care Services. The purpose of the program is to link private long-term care insurance and health care service plan contracts that cover long-term care with the In-Home Supportive Services program and the Medi-Cal program and to provide Medi-Cal program benefits to certain individuals who have income and resources above the eligibility levels for receipt of medical assistance, but who have purchased certified private long-term care insurance policies. Existing law prescribes specified criteria for certification of a long-term care insurance policy under the program. This bill would require a policy, certificate, or rider as described above to instead be called a home care, community-based services, and residential care facility only policy, certificate, or rider. The bill would delete assisted living facility services from the list of required minimum services to be provided, clarify that those required minimum services include care in a residential care facility, and delete the policy definitions. The bill also would make conforming name changes. This bill contains other related provisions and other existing laws.

[SB 416](#)

(Anderson R) Elder abuse: isolation.

Current Text: Amended: 5/2/2017 [html](#) [pdf](#)

Introduced: 2/15/2017

Last Amend: 5/2/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Existing law makes it a crime for a person who knows or reasonably should know that a person is an elder or dependent adult to inflict unjustifiable physical pain or mental suffering on that elder or dependent adult. This bill would specify that mental suffering may be proven by a pattern of isolation, as defined. This bill contains other existing laws.

[SB 437](#)

(Atkins D) Health care coverage: joint senior level working group.

Current Text: Enrollment: 8/31/2017 [html](#) [pdf](#)

Introduced: 2/15/2017

Last Amend: 4/6/2017

Status: 9/5/2017-Action rescinded whereby the bill was read a third time, passed, and ordered to the Senate. Ordered to inactive file on request of Assembly Member Calderon.

Location: 9/5/2017-A. INACTIVE FILE

Summary: Existing law requires the Department of Managed Health Care and the Department of Insurance to maintain a joint senior level working group to ensure clarity for health care consumers about who enforces their patient rights and consistency in the regulations for these departments. Existing law requires the joint working group to review and examine various processes in each department, including the examination of the grievance and consumer complaint processes that include, without limitation, outreach and standard complaints. Existing law requires the joint working group to report its findings to the Insurance Commissioner and the Director of the Department of Managed Health Care for review and approval. This bill would also require the joint working group to review and examine timely access to care and network adequacy as part of its review of the grievance and consumer complaint processes, and to review and examine the state implementation of federal health care reforms, including any changes in federal law, or rules, regulations, or guidance issued under federal law.

[SB 481](#)

(Pan D) Long-term health facilities: informed consent.

Current Text: Amended: 6/29/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 6/29/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 6/29/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: Existing law requires the attending physician of a resident in a skilled nursing facility or intermediate care facility who prescribes or orders a medical intervention of a resident that requires the informed consent of a patient who lacks the capacity to provide that consent, as specified, to inform the skilled nursing facility or intermediate care facility. Existing law requires the facility to conduct an interdisciplinary team review of the prescribed medical intervention prior to the administration of the medical intervention, subject to specified proceedings. Existing law authorizes a medical intervention prior to the facility convening an interdisciplinary team review in the case of an emergency, under specified circumstances. Existing law imposes civil penalties for a violation of these provisions. This bill would, before implementing a medical intervention that requires informed consent for a resident who lacks capacity to make health care decisions and there is no person with legal authority able and willing to make those decisions, require the physician, skilled nursing facility, or intermediate care facility, to promptly notify the resident, orally and in writing, that it has been determined that the resident lacks capacity, and other information, as specified.

[SB 515](#)

(Fuller R) Health care coverage: individual market.

Current Text: Introduced: 2/16/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Status: 3/2/2017-Referred to Com. on RLS. (Set for hearing) (1/23/2018 - Immune to Deadlines according to JR61(f). Deadlines do not apply to bills in a Rules committee.)

Location: 2/16/2017-S. RLS.

Summary: 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 and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan or health insurer, on and after October 1, 2013, to offer, market, and sell all of the plan's or insurer's health benefit plans that are sold in the individual market for policy years on or after January 1, 2014, to all individuals and dependents in each service area in which the plan or insurer provides or arranges for the provision of health care services, as specified, but requires plans and insurers to limit enrollment in individual health benefit plans to specified annual open enrollment and special enrollment periods. This bill would make technical, nonsubstantive changes to these provisions.

[SB 517](#)

(Fuller R) Health care coverage: individual health benefit plans.

Current Text: Introduced: 2/16/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Status: 3/2/2017-Referred to Com. on RLS. (Set for hearing) (1/23/2018 - Immune to Deadlines according to JR61(f). Deadlines do not apply to bills in a Rules committee.)

Location: 2/16/2017-S. RLS.

Summary: 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 and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan or health insurer, on and after October 1, 2013, to offer, market, and sell all of the plan's or insurer's health benefit plans that are sold in the individual market for policy years on or after January 1, 2014, to all individuals and dependents in each service area in which the plan or insurer provides or arranges for the provision of health care services, as specified, but requires plans and insurers to limit enrollment in individual health benefit plans to specified annual open enrollment and special enrollment periods. For purposes of these provisions, existing law defines a "health benefit plan" to mean any individual or group health care service plan contract or health insurance policy, as specified, and excludes specified plan types from this definition. This bill would correct erroneous cross-references and delete an obsolete cross-reference in this definition.

[SB 538](#)

(Monning D) Hospital contracts.

Current Text: Amended: 5/26/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 5/26/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was HEALTH on 6/15/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: 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 and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, acute psychiatric hospitals, and special hospitals, administered by the State Department of Public Health. A violation of these provisions is a crime. Existing law, the Health Care Providers' Bill of Rights, prescribes restrictions on the types of contractual provisions that may be included in agreements between health care service plans and health care providers and agreements between health insurers and health care providers. This bill, the

Health Care Market Fairness Act of 2017, would prohibit contracts between hospitals and contracting agents, health care service plans, or health insurers from containing certain provisions, including, but not limited to, setting payment rates or other terms for nonparticipating affiliates of the hospital, requiring the contracting agent, plan, or insurer to keep the contract's payment rates confidential from any payor, as defined, that is or may become financially responsible for the payment, and requiring the contracting agent, plan, or insurer to submit to arbitration, or any other alternative dispute resolution program, any claims or causes of action that arise under state or federal antitrust laws after those claims or causes of action arise, except as provided. The bill would make any prohibited contract provision void and unenforceable. The bill would define "contracting agent" and "hospital" for those purposes. The bill would enact an identical provision under the health facility licensure and regulation provisions as that provision described above for contracts between hospitals and contracting agents. The bill would provide that its provisions are severable. This bill contains other related provisions and other existing laws.

SB 548

(Atkins D) Public Employment Relations Board: petitions: expedited resolution.

Current Text: Amended: 9/5/2017 [html](#) [pdf](#)

Introduced: 2/16/2017

Last Amend: 9/5/2017

Status: 9/14/2017-Ordered to inactive file on request of Assembly Member Calderon.

Location: 9/14/2017-A. INACTIVE FILE

Summary: Existing law regulates the labor relations of employees and employers of public agencies. Existing law grants specified employees of public agencies the right to form, join, and participate in the activities of employee organizations of their choosing and requires public agency employers, among other things, to meet and confer with representatives of recognized employee organizations and exclusive representatives on terms and conditions of employment. Existing law creates the Public Employment Relations Board and grants it specified powers in connection with public employee labor relations. Existing law described above grants the board the power to hear specified disputes in relation to these provisions and to make determinations regarding them. This bill would authorize the Public Employment Relations Board to grant expedited status for specified matters and generally codify regulations of the board, in this regard, that are currently in effect. This bill contains other related provisions.

SB 560

(Allen D) Public retirement systems: investments: financial climate risk.

Current Text: Amended: 4/17/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 4/17/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: The California Constitution requires members of the retirement board of a public pension or retirement system to discharge their duties with respect to the system solely in the interest of, and for the exclusive purposes of providing benefits to, participants and their beneficiaries, minimizing employer contributions thereto, and defraying reasonable expenses of administering the system. Existing statutory law establishes various public employee retirement systems and provides for the administration of the State Teachers' Retirement System by the Teachers' Retirement Board and for the administration of the Public Employees' Retirement System, among other public employee retirement systems, by the Board of Administration of the Public Employees' Retirement System. This bill would require those boards to consider financial climate risk, as defined, in their management of any funds they administer.

SB 562

(Lara D) The Healthy California Act.

Current Text: Amended: 5/26/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 5/26/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was DESK on 6/1/2017) (May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacted various health care coverage market reforms that took effect January 1, 2014. PPACA required each state, by January 1, 2014, to establish an American Health Benefit Exchange to facilitate the purchase of qualified health benefit plans by qualified individuals and qualified small employers. PPACA defines a "qualified health plan" as a plan that, among other requirements, provides an essential health benefits package. Existing state law creates the California Health Benefit Exchange, also known as Covered California, to facilitate the purchase of qualified health plans by qualified individuals and qualified small employers. This bill, the Healthy California Act, would create the Healthy California program to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state. The bill, among other things, would provide that the program

cover a wide range of medical benefits and other services and would incorporate the health care benefits and standards of other existing federal and state provisions, including, but not limited to, the state's Children's Health Insurance Program (CHIP), Medi-Cal, ancillary health care or social services covered by regional centers for persons with developmental disabilities, Knox-Keene, and the federal Medicare program. The bill would require the board to seek all necessary waivers, approvals, and agreements to allow various existing federal health care payments to be paid to the Healthy California program, which would then assume responsibility for all benefits and services previously paid for with those funds. This bill contains other related provisions and other existing laws.

SB 599

(Portantino D) Public Employees' Medical and Hospital Care Act: Peace Officers Research Association of California Insurance and Benefits Trust.

Current Text: Vetoed: 10/15/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 8/24/2017

Status: 10/15/2017-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 10/15/2017-S. VETOED

Calendar: 1/29/2018 #36 SENATE GOVERNOR'S VETOES

Summary: The Public Employees' Medical and Hospital Care Act, which is administered by the Board of Administration of the Public Employees' Retirement System, governs the funding and provision of postemployment health care benefits for eligible retired public employees and their beneficiaries. Existing law requires the board to approve an employee association health benefit plan previously approved by the board in the 1987-88 contract year or prior, if the plan continues to meet the minimum standards prescribed by the board. Existing law authorizes the California Correctional Peace Officer Association Health Benefits Trust to offer different health benefit plan designs with varying premiums in different areas of the state. This bill would require the board to approve an employee association health benefit plan offered by the California Association of Highway Patrolmen Health Benefits Trust, the Peace Officers Research Association of California Health Benefits Trust, or the California Correctional Peace Officer Association Health Benefits Trust if the plan meets minimum standards prescribed by the board. The bill would authorize the trustees of these organizations to offer one or more health benefit plans approved by the board on a regional basis with a regional premium subject to specified limitations.

SB 646

(Galgiani D) State Civil Service Act: adverse action: notice.

Current Text: Introduced: 2/17/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Status: 9/13/2017-Ordered to inactive file on request of Assembly Member Calderon.

Location: 9/13/2017-A. INACTIVE FILE

Summary: The State Civil Service Act requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. That act provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification. This bill would instead provide that for any adverse action not based on fraud, embezzlement, or falsification of records, if the cause for discipline was discovered on or after January 1, 2018, notice would be required to be served within one year of the discovery of the cause for discipline.

SB 648

(Mendoza D) Health and care facilities: private referral agencies.

Current Text: Amended: 4/27/2017 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 4/27/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Existing law defines a placement agency as a local governmental agency, a general acute care hospital, a conservator, a regional center, or a private entity receiving public funds that is engaged in finding homes or other places for placement of specified persons, including placement in an adult residential facility, residential care facility for persons with chronic life-threatening illness, or residential care facility for the elderly. Existing law requires an employee of a placement agency who knows, or reasonably suspects, that a facility that is not exempt from licensing requirements is operating without a license to report the name and address of the facility to the State Department of Social Services. Failure to report the facility is punishable as a misdemeanor. This bill would expand the definition of placement agencies to include private referral agencies that refer persons for remuneration to an adult residential facility, a residential care facility for persons with chronic life-threatening illness, or a residential care facility for the elderly. Because the bill would expand the requirements imposed on a placement agency to apply to a private referral agency, the violation of which would be a crime, this bill would impose a state-mandated local program. The bill would also require the aforementioned facilities to provide a resident with a disclosure statement before an admission agreement is signed if the services of a private referral agency are used and the facility licensee knows the private referral agency

was used and has a long-term agreement or contract with the private referral agency. The bill would authorize the State Department of Social Services to assess a civil penalty, as specified, if the facility fails to provide the disclosure. This bill contains other related provisions and other existing laws.

[SB 656](#)

(Moorlach R) Judges' Retirement System II: deferred retirement.

Current Text: Amended: 1/23/2018 [html](#) [pdf](#)

Introduced: 2/17/2017

Last Amend: 1/23/2018

Status: 1/23/2018-Read second time and amended. Ordered to third reading.

Location: 1/23/2018-S. THIRD READING

Calendar: 1/29/2018 #51 SENATE THIRD READING FILE - SEN BILLS

Summary: (1) Existing law establishes the Judges' Retirement System II, which the Board of Retirement of the Public Employees' Retirement System administers. Existing law authorizes a judge who is a member of the system and who retires upon attaining both 65 years of age and 20 or more years of service, or upon attaining 70 years of age with a minimum of 5 years of service, to elect from specified retirement benefits including a monthly pension. Existing law requires a judge who leaves judicial office after accruing 5 or more years of service, but who has not reached the applicable age of retirement, to be paid a lump sum equal to monetary credits that accrued while he or she was in office, as specified. Existing law authorizes a judge who, among other things, separates from office after accruing 5 or more years of service and has not reached 65 years of age to continue health care benefits if he or she assumes certain payments. This bill would authorize a judge who has attained 60 years of age with a minimum of 5 years of service, or who has accrued 20 or more years of service, to retire and to elect to receive a monthly pension that would be deferred until the judge reaches retirement age, as specified. The bill would prohibit a judge who elects to retire in this manner from receiving benefits until he or she reaches the applicable retirement age and would prescribe procedures to apply if the judge fails to elect within 30 days of separation. The bill would authorize the board to charge an administrative fee, as specified, to a judge who elects to apply these provisions. This bill contains other related provisions and other existing laws.

Total Measures: 54

Total Tracking Forms: 54