



**BLANNING & BAKER**

Associates, Inc.

**CSR Legislative Report  
9/1/2017**

**Support**

**AB 241**

**(Dababneh D) Personal information: privacy: state and local agency breach.**

**Current Text:** Introduced: 1/30/2017 [Text](#)

**Introduced:** 1/30/2017

**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 requires a person or business conducting business in California and any state or local agency, as defined, that owns or licenses computerized data that includes personal information, as defined, to disclose a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person in the most expedient time possible and without unreasonable delay, as specified. Existing law requires a person or business, if it was the source of the breach, to offer to provide appropriate identity theft prevention and mitigation services at no cost to the person whose information was or may have been breached if the breach exposed or may have exposed the person's social security number, driver's license number, or California identification card number. This bill also would require a state or local agency, if it was the source of the breach, to offer to provide appropriate identity theft prevention and mitigation services at no cost to a person whose information was or may have been breached if the breach exposed or may have exposed the person's social security number, driver's license number, or California identification card number. This bill contains other related provisions.

**Memo:**

Support letter sent to Author-- 4/3/17

Support letter sent to Asm. APPR -- 4/3/17

**AB 315**

**(Wood D) Pharmacy benefit management.**

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

**Introduced:** 2/6/2017

**Last Amend:** 7/11/2017

**Status:** 8/21/2017-In committee: Referred to APPR. suspense file.

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

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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 401**

**(Aquiari-Curry D) Pharmacy: remote dispensing site pharmacy: telepharmacy.**

**Current Text:** Amended: 7/6/2017 [Text](#)

**Introduced:** 2/9/2017

**Last Amend:** 7/6/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass as amended.To SECOND READING.

**Location:** 9/1/2017-S. SECOND READING

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** Existing law, the Pharmacy Law, requires the California State Board of Pharmacy, which is within the Department of Consumer Affairs, to license and regulate the practice of pharmacy, including pharmacists, pharmacy technicians, and pharmacies. This bill would require the board to issue a remote dispensing site pharmacy license to a supervising pharmacy, as defined, of a remote dispensing site pharmacy, as defined, if all the requirements for licensure are met for the purpose of increasing access to dispensing or pharmaceutical care services in the geographic area in which the remote dispensing site pharmacy is located. The bill would require a remote dispensing site pharmacy to use a telepharmacy system, as specified, and would prohibit pharmacy services from being provided at a remote dispensing site pharmacy if the telepharmacy system is unavailable. The bill would require a remote dispensing site pharmacy to be located in a medically underserved area, as defined, unless otherwise approved by the board. The bill would authorize a pharmacy located in this state to serve as a supervising pharmacy to provide telepharmacy services for one remote dispensing site pharmacy. The bill would require a remote dispensing site pharmacy to utilize specified security communications systems and security systems. The bill would prohibit a remote dispensing site pharmacy from being located in any state facility and would prohibit a remote dispensing site pharmacy from being located or operated for the purpose of displacing state employees. The bill would require a remote dispensing site pharmacy that dispenses more than 300 prescriptions per day, calculated each calendar year, to cease being a remote dispensing site pharmacy and authorizes the remote dispensing site pharmacy to become a full-service pharmacy if it meets all the requirements for licensure as a pharmacy. This bill contains other related provisions and other existing laws.

**Memo:**

Support letter sent to Author -- 4/12/17

Support letter sent to Asm. APPR -- 4/12/17

Support letter sent to Sen. BP&ED -- 6/19/17

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

**AB 437**

**(Rodriguez D) At-risk persons: first responders.**

**Current Text:** Amended: 4/26/2017 [Text](#)

**Introduced:** 2/13/2017

**Last Amend:** 4/26/2017

**Status:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2017)(May be acted upon Jan 2018)

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

**Summary:** Existing law requires the Attorney General to establish and maintain the Violent Crime Information Center to assist in the identification and the apprehension of persons responsible for specific violent crimes and for the disappearance and exploitation of persons, particularly children and at-risk adults. This bill would require the Attorney General to establish and maintain within the center a Voluntary Online At-Risk Community Network for purposes of providing information to first responders in order to prevent harmful interactions between first responders and seniors or persons with disabilities, as defined. The bill would prescribe the information that a senior, a person with a disability, a person with a limited conservatorship of a person with a developmental or intellectual disability, as specified, or a parent or legal guardian of a minor child with a disability may voluntarily provide to the Attorney General for inclusion in the network, and prescribe how the network would be developed and communicated to the public, as specified. The bill would prohibit a conservator from submitting information on behalf of a conservatee if the conservatee directs the conservator not to submit information. The bill would require specified first responders to broadcast a "Be on the Lookout" bulletin within its jurisdiction under circumstances upon which a person in the network is missing or needs assistance. By imposing new duties on local entities under various provisions of the bill, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

**Memo:**

Support letter sent to Author -- 5/15/17

Support letter sent to Asm. APPR -- 5/15/17

**AB 519**

**(Levine D) Personal income tax: voluntary contributions: California Senior Citizen Advocacy Fund.**

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

**Introduced:** 2/13/2017

**Last Amend:** 5/15/2017

**Status:** 8/28/2017-Ordered to third reading.

**Location:** 8/28/2017-S. THIRD READING

**Calendar:** 9/1/2017 #208 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:** Existing law authorizes an individual to contribute amounts in excess of his or her personal income tax liability for the support of specified funds. Existing law sets forth general administrative provisions applicable to voluntary contributions, which, among other things, specify when a voluntary contribution is to be placed on the return, provide for the disbursement of contributions following repeal of the fund provisions, and require undesignated funds to be transferred to the General Fund. This bill would allow a taxpayer, for taxable years beginning on or after January 1, 2017, to designate an amount in excess of personal income tax liability to be deposited into the California Senior Citizen Advocacy Fund, which the bill would create. The bill would require moneys transferred to the California Senior Citizen Advocacy Fund, upon appropriation by the Legislature, to be allocated to the Controller and the Franchise Tax Board, and to the California Senior Legislature for the purpose of funding the activities of the California Senior Legislature, as provided. The bill would require the California Senior Legislature's Internet Web site to report specified information, including all events the California Senior Citizen Advocacy Fund supports each year. This bill contains other related provisions.

**Memo:**

Support letter sent to Asm. Floor -- 5/12/17  
Support letter sent to Sen. Gov&Fin -- 6/7/17  
Support letter sent to Sen. APPR -- 7/8/17

[AB 587](#)

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

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

**Introduced:** 2/14/2017

**Last Amend:** 7/12/2017

**Status:** 8/21/2017-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 7/12/2017-S. APPR.

**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

[ACR 94](#)

**(Cooley D) Alzheimer's and Brain Awareness Month and The Longest Day.**

**Current Text:** Introduced: 5/18/2017 [Text](#)

**Introduced:** 5/18/2017

**Status:** 6/28/2017-From committee: Ordered to third reading.

**Location:** 6/28/2017-S. THIRD READING

**Calendar:** 9/1/2017 #104 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:** This measure would recognize the month of June 2017 as Alzheimer's and Brain Awareness Month, would recognize Wednesday, June 21, 2017, as The Longest Day in California, and would urge all Californians to wear purple on this day to help spread global awareness of the Alzheimer's Association's vision of a world without Alzheimer's disease.

**Memo:**

Support letter sent to Author -- 5/24/17  
Support letter sent to Asm. Rules -- 5/24/17

[ACR 98](#)

**(Kalra D) Elder and Vulnerable Adult Abuse Awareness Month.**

**Current Text:** Chaptered: 7/21/2017 [Text](#)

**Introduced:** 5/31/2017

**Status:** 7/17/2017-Chaptered by Secretary of State- Chapter 115, Statues of 2017

**Location:** 7/17/2017-A. CHAPTERED

**Summary:** This measure would proclaim and acknowledge the month of June 2017 as Elder and Vulnerable Adult Abuse Awareness Month.

[AJR 8](#)

**(Kalra D) Public social services: Social Security, Medicare, and Medicaid.**

**Current Text:** Chaptered: 7/5/2017 [Text](#)

**Introduced:** 3/23/2017

**Status:** 6/29/2017-Chaptered by Secretary of State- Chapter 96, Statues of 2017

**Location:** 6/29/2017-A. CHAPTERED

**Summary:** This measure would call on California's Representatives in Congress to vote against cuts to, and proposals to privatize, Social Security, Medicare, and Medicaid, and would call on the President of the United States to veto any legislation to cut or privatize these programs.

**Memo:**

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

Support letter sent to Asm. PER&SS -- 4/24/17

Support letter sent to Asm. Floor-- 5/12/17

Support letter sent to Sen. Human Services -- 6/5/17

[SB 17](#)

**(Hernandez D) Health care: prescription drug costs.**

**Current Text:** Amended: 7/20/2017 [Text](#)

**Introduced:** 12/5/2016

**Last Amend:** 7/20/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass as amended.

**Location:** 9/1/2017-A. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**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 (DMHC) 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 (DOI). Existing law requires health care service plans and health insurers to file specified rate information with DMHC or DOI, as applicable, for health care service plan contracts or health insurance policies in the individual or small group markets and for health care service plan contracts and health insurance policies in the large group market. Existing law requires health care service plans and health insurers to also disclose specified supporting information for the rate information described above. Existing law requires the DMHC and DOI, as applicable, to conduct an annual public meeting regarding large group rates within 3 months of posting that information. This bill would require health care service plans or health insurers that file the above-described rate information to report to DMHC or DOI, on a date no later than the reporting of the rate information, specified cost information regarding covered prescription drugs, including generic drugs, brand name drugs, and specialty drugs, dispensed as provided. DMHC and DOI would be required to compile the reported information into a report for the public and legislators that demonstrates the overall impact of drug costs on health care premiums and publish the reports on their Internet Web sites by January 1 of each year. Except for the report, DMHC and DOI would be required to keep confidential all information provided pursuant to these provisions. The bill would also require health care service plans or health insurers that file the above-described rate information to disclose to DMHC and DOI with the rate information specified information regarding the relation of prescription drug costs to plan or insurer spending and premium charges. The bill would instead require DMHC and DOI to conduct an annual public meeting within 4 months of posting the rate information described above. Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Memo:**

Support letter sent to Author -- 3/13/17

Support letter sent to Sen. Health -- 4/14/17

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

Support letter sent to Asm. Health -- 6/13/17

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

**(Jackson D) Affordable Senior Housing Act of 2017.****Current Text:** Amended: 7/19/2017 [Text](#)**Introduced:** 12/22/2016**Last Amend:** 7/19/2017**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Held in APPR..**Location:** 9/1/2017-A. APPR.**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**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&amp;H -- 4/17/17

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

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

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

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

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

**Oppose****(Allen, Travis R) Public retirement systems: member statements: unfunded liability disclosure.****Current Text:** Introduced: 2/17/2017 [Text](#)**Introduced:** 2/17/2017**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 3/13/2017)(May be acted upon Jan 2018)**Location:** 3/13/2017-A. 2 YEAR

**Summary:** Existing law establishes various public agency retirement systems, including 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, among others, and these systems provide defined benefits to public employees based on age, service credit, and amount of final compensation. Under existing law, benefits provided to members of those systems are generally funded by employer contributions, employee contributions, and investment returns. This bill would require the retirement board of a public retirement system, as defined, to disclose the unfunded liability and healthcare debt of the system on each member statement provided to members of the system.

**(Allen, Travis R) Public Employees' Retirement System: board.****Current Text:** Introduced: 2/17/2017 [Text](#)**Introduced:** 2/17/2017**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 3/13/2017)(May be acted upon Jan 2018)**Location:** 4/28/2017-A. 2 YEAR

**Summary:** The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations. Existing law creates the Board of Administration of PERS for the purpose of governing the system and prescribes the composition of the board. Existing law requires that one member of the board be a member of the public chosen jointly by the Speaker of the Assembly and the Senate Committee on Rules. Existing law further requires that an official of a life insurer be appointed to the board by the Governor. This bill would

revise the composition of the board. The bill would add to the board 2 persons, appointed at the pleasure of the Governor, who represent the public, have financial expertise, and are not interested in the system, as specified. The bill would replace the official of a life insurer, whom the Governor is currently authorized to appoint, with a gubernatorial appointee who has expertise in health insurance and is not interested in the system. The bill also would require the board member representing the public, appointed by the Speaker of the Assembly and Senate Committee on Rules, to have financial expertise and not be interested in the system. This bill contains other related provisions and other existing laws.

## [ACA 15](#)

### **(Brough R) Public employee retirement benefits.**

**Current Text:** Introduced: 5/9/2017 [Text](#)

**Introduced:** 5/9/2017

**Status:** 5/10/2017-From printer. May be heard in committee June 9.

**Location:** 5/9/2017-A. PRINT

**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 enact the Protecting Schools and Keeping Pension Promises Act of 2018. The measure would prohibit a government employer from enhancing employee pension benefits, as defined, without approval by the voters of the jurisdiction, and would prohibit a government employer from enrolling a new government employee, as defined, in a defined benefit pension plan without approval by the voters of the jurisdiction. The measure also would prohibit a government employer from paying more than 1/2 of the total cost of retirement benefits, as defined, for new government employees without approval by the voters of the jurisdiction. The measure would prohibit retirement boards from imposing charges or other financial conditions on a government employer that proposes to close a defined benefit pension plan to new members unless the voters or the sponsoring government employer approve those charges or conditions. The measure would require challenges to the legality of actions taken by a government employer or a retirement board to comply with its provisions to be brought in state or federal courts. The measure would prohibit its provisions from being interpreted to modify or limit disability benefits provided for government employees or death benefits for families of government employees, even if provided as part of a retirement benefits system, or from requiring voter approval of disability or death benefits. The measure would prescribe various requirements and prohibitions regarding its interpretation and the effect of any other competing measures, among other things.

## [SB 32](#)

### **(Moorlach R) California Public Employees' Pension Reform Act of 2018.**

**Current Text:** Amended: 3/2/2017 [Text](#)

**Introduced:** 12/5/2016

**Last Amend:** 3/2/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/8/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-S. 2 YEAR

**Summary:** (1)The Public Employees' Retirement Law creates the Public Employees' Retirement System (PERS), and the Teachers' Retirement Law creates the State Teachers' Retirement System (STRS), for the provision of service, disability, and other benefits to members. Existing law vests the Teachers' Retirement Board, which administers STRS, and the Board of Administration of PERS with fiduciary responsibility over the assets of their respective retirement systems and requires the boards to, among other things, employ public accountants who are not in public employment to audit the financial statements of the systems, as specified. This bill would create the Citizens' Pension Oversight Committee to serve in an advisory role to the Teachers' Retirement Board and the Board of Administration of PERS. The bill would require the committee, on or before January 1, 2019, and annually thereafter, to review the actual pension costs and obligations of PERS and STRS and report on these costs and obligations to the public and would require reports of audits of STRS and PERS conducted by the public accountants described above to be filed with the committee for this purpose. (2)Under the Public Employees' Retirement Law, benefits provided by PERS are funded by employer and employee contributions and investment returns. Existing law requires the Board of Administration of

PERS to set and adjust employer contribution rates in relation to the system's actuarial liability and provides for the deposit of employer contributions into the Public Employees' Retirement Fund, a continuously appropriated fund. Existing law authorizes the board to adopt a funding period of 30 years to amortize unfunded accrued actuarial obligations for current and prior service for the purpose of determining employer contribution rates for contracting agencies and school employers and to adopt an amortization period of 40 years for any unfunded actuarial liability for the benefits applicable to all state miscellaneous members and all state peace officer/firefighter members. This bill would require the board to determine what the level of the unfunded liability of PERS was in 1980 and would further require the board to reduce the unfunded liability of PERS to that level, to be achieved by 2030, with the goal of fully funding PERS. The bill, in any year in which the unfunded actuarial liability of PERS is greater than zero, would require the board to increase the employer contribution rate otherwise provided by law for the state, contracting agencies, and school employers by 10 percent. By increasing deposits into a continuously appropriated fund, the bill would make an appropriation.(3)Existing law prescribes different benefit formulas for members of PERS depending on a member's classification and date of entry into the system, among other factors.This bill would require the Board of Administration of PERS, on or before January 1, 2019, to develop and submit to the Legislature for approval a hybrid plan consisting of defined benefit and defined contribution components, as specified, and would require the plan to be applied to members who elect to be subject to the plan or who are first employed by the state, a contracting agency, or a school employer and become members of the system on or after the approval of the plan by the Legislature. The bill would further require the board, on or before January 1, 2019, to review the duties of officers and employees in positions included in the safety member classification pursuant to certain provisions of the Public Employees' Retirement Law and reclassify the positions according to specified criteria. The bill would apply this reclassification to persons who are first employed by the state and become state members of PERS on or after January 1, 2018.(4)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, provides that the pensionable compensation of a new member of the system is the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members, as specified. PEPRA also requires the final compensation used to determine a retirement benefit to be paid to the new member to be the highest average annual pensionable compensation earned by the member during a period of at least 36 consecutive months, or at least 3 consecutive school years if applicable, as specified.This bill would prohibit a public retirement board from deeming certain forms of pay to be pensionable compensation and would make related legislative findings and declarations.This bill would enact the California Public Employees' Pension Reform Act of 2018 (PEPRA 2018). The bill, for an individual who becomes a member of any public retirement system, as defined, for the first time on or after January 1, 2018, and who was not a member of any other public retirement system prior to that date, would require the final compensation used to determine the member's retirement benefits to be the highest annual pensionable compensation earned by the member during a period of at least 60 consecutive months, or at least 5 consecutive school years if applicable, as specified. The bill would also provide that if the member leaves the employment of a public employer participating in a public retirement system for other employment, as specified, and is subsequently reemployed by the public employer at least one year later, the member will be subject to the same benefits, contributions, and other terms and conditions applicable to an individual who becomes a member of the public retirement system for the first time on the date of the member's return, for service rendered on or after that date.(5)Existing law provides for the application of cost of living adjustments to allowances paid to persons retired under, or survivors or beneficiaries of members or persons retired under, various public retirement systems.The bill, as part of PEPRA 2018, would prohibit a public retirement system from making a cost of living adjustment to any allowance payable to, or on behalf of, a person retired under the system, or to any survivor or beneficiary of a member or person retired under the system, for any year beginning on or after January 1, 2018, in which PERS or STRS is not fully funded.

## **SB 601**

### **(Morrell R) Public employee retirement systems: asset valuation: reporting.**

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

**Introduced:** 2/17/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/27/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-S. 2 YEAR

**Summary:** Existing law requires the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to provide annual reports to the Legislature and the Governor with regard to investment returns on assets of the Public Employees' Retirement System and the State Teachers' Retirement System, respectively. As part of these reports, the boards are required to calculate and report on the rate of return on investments based on different assumptions. This bill would require the Board of Administration of the Public Employees' Retirement System to report a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. The bill would require the Teachers' Retirement Board to provide a description of the discount rate the board uses for reporting liabilities calculations, a calculation of liabilities based on a discount rate that is 2% below the long-term rate of return assumed by the board, and a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report.This bill contains other related provisions and other

existing laws.

## [SCA 8](#)

### **(Moorlach R) Public employee retirement benefits.**

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

**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 [Text](#)

**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 20](#)

### **(Kalra D) Public employee retirement systems: divestment: Dakota Access Pipeline.**

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

**Introduced:** 12/5/2016

**Last Amend:** 7/12/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after September 2 pursuant to Assembly Rule



77.

**Location:** 8/31/2017-A. DESK

**Calendar:** 9/1/2017 #19 ASSEMBLY CONCURRENCE IN SENATE AMENDMENTS

**Summary:** The California Constitution authorizes the Legislature to prohibit, by statute, investments of a retirement board if it is in the public interest to do so and if the prohibition satisfies the board's standards of fiduciary care and loyalty. This bill would require the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System to make a specified report, on or before April 1, 2018, to the Legislature and the Governor regarding investments in the Dakota Access Pipeline, as defined. The bill would declare the intent of the Legislature that the boards, on or before April 1, 2018, review and consider factors related to tribal sovereignty and indigenous tribal rights as part of the boards' investment policies related to environmental, social, and governance issues. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the constitution. The bill would make additional related legislative findings and declarations. This bill contains other existing laws.

**AB 22**

**(Bonta D) Secretary of State: storing and recording electronic media.**

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

**Introduced:** 12/5/2016

**Last Amend:** 7/17/2017

**Status:** 7/17/2017-Read second time and amended. Ordered to third reading.

**Location:** 7/17/2017-S. THIRD READING

**Calendar:** 9/1/2017 #128 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:** Existing law requires the Secretary of State to approve and adopt uniform statewide standards for the purpose of storing and recording permanent and nonpermanent documents in electronic media, as specified, and requires those standards to include a requirement that a trusted system, as defined, be utilized. This bill would provide that a cloud computing storage service that provides administrative users with tools or controls to prevent stored records from being overwritten, deleted, or altered until the required retention period for the record has expired shall be considered a trusted system and would require a cloud computing storage service to comply with standards published by the International Organization for Standardization, or other applicable industry recognized standard relating to security techniques and information security management systems.

**AB 29**

**(Nazarian D) Pharmacy benefit managers.**

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

**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 31**

**(Rodriguez D) Whistleblowers: California State Auditor.**

**Current Text:** Amended: 7/18/2017 [Text](#)

**Introduced:** 12/5/2016

**Last Amend:** 7/18/2017

**Status:** 8/21/2017-In committee: Referred to APPR. suspense file.

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

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** Existing law creates the California State Auditor's Office, which is independent of the executive branch and legislative control, to examine and report annually upon the financial statements prepared by the executive branch. Existing law exempts the California State Auditor from specific provisions of existing law relating to oversight by state control agencies, including specific provisions relating to employment, administration, contracting, fiscal matters, and the adoption of regulations. This bill would require the auditor to create an alternative system for submission to an independent investigator of confidential allegations of improper governmental activity engaged or participated in by employees of the office. The bill would require submissions to be delivered to the Employment and

Administrative Mandate Section of the Department of Justice without prior review by the auditor. The bill would require the section to review submissions and, if it determines that a submission constitutes an allegation of improper governmental activity, to transmit the submission to the independent investigator for further action. The bill would define "improper governmental activity" and "independent investigator" for its purposes. The bill would require the independent investigator to conduct investigations in a manner consistent with provisions of the act relating to other state civil service employees. The bill would require the independent investigator, if he or she finds that the facts support a conclusion that an employee engaged or participated in improper governmental activities, to prepare a confidential investigative report and, subject to specific limitations, send a copy of the report and gathered evidence to the auditor and certain other persons within the office. The bill would require the independent investigator, if the auditor elects not to take adverse action, to notify the Joint Legislative Audit Committee (JLAC) of the report and to provide JLAC a copy as prescribed. The bill would authorize the independent investigator to seek consent from the State Personnel Board to file disciplinary charges if the office does not. This bill contains other existing laws.

#### [AB 47](#)

##### **(Ting D) Budget Act of 2016.**

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

**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 52](#)

##### **(Cooper D) Public employees: orientation and informational programs: exclusive representatives.**

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

**Introduced:** 12/5/2016

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 1/19/2017)(May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** (1)Existing law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, as well as provisions commonly referred to as the Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Existing law establishes the Public Employment Relations Board and prescribes its powers and duties, in relation to these acts. These acts grant specified public employees of these entities the right to form, join, and participate in the activities of employee organizations of their choosing and require 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. This bill would require the public employers regulated by the acts described above to provide all employees an orientation. The bill would also require these public employers to permit the exclusive representative, if applicable, to participate. By creating new duties for various local agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

#### [AB 86](#)

##### **(Calderon D) Government innovation fellows program.**

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

**Introduced:** 1/5/2017

**Last Amend:** 6/20/2017

**Status:** 7/10/2017-In committee: Referred to APPR. suspense file.

**Location:** 7/10/2017-S. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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 [Text](#)

**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 156](#)

##### **(Wood D) Individual market: enrollment periods.**

**Current Text:** Amended: 8/31/2017 [Text](#)

**Introduced:** 1/12/2017

**Last Amend:** 8/31/2017

**Status:** 9/1/2017-Action From SECOND READING: Re-referred to RLS..

**Location:** 9/1/2017-S. RLS.

**Calendar:** 9/1/2017 #7 SENATE SEN SECOND READING FILE - ASSEMBLY BILLS

**Summary:** (1) Existing federal law, the Patient Protection and Affordable Care Act (PPACA), effective June 19, 2017, requires an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers to provide for the individual market an annual open enrollment period for policy years beginning on or after January 1, 2018, to begin on November 1 and extend through December 15 of the calendar year preceding the benefit year. Existing federal law establishes special enrollment periods during which a qualified individual may enroll in a qualified health plan when specified triggering events occur, such as when the qualified individual loses minimum essential coverage, as defined. Existing federal regulatory authority authorizes a state to establish additional special enrollment periods to supplement these special enrollment periods provided for under federal law under certain circumstances. Existing law establishes the California Health Benefit Exchange within state government for the purpose of facilitating the purchase of qualified health plans through the Exchange by qualified individuals and qualified small employers. 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 and health insurer, on and after October 1, 2013, to offer, market, and sell all of the plan's or health 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 offered both through and outside of the Exchange to specified open enrollment and special enrollment periods. Existing law requires a plan and health insurer to provide an annual enrollment period for policy years beginning on or after January 1, 2016, from November 1, of the preceding calendar year, to January 31 of the benefit year, inclusive. Existing law requires a plan and health insurer, annually on or before October 1, to issue a notice to a subscriber and policyholder, as applicable, enrolled in any individual health benefit plan offered outside of the Exchange, and requires this notice to inform the subscriber and policyholder of, among other things, the applicable open enrollment period provided through the Exchange. This bill would instead require, with respect to individual health benefit plans offered outside of the Exchange, that the annual open enrollment period for policy years beginning on or after January 1, 2019, extend from October 15 of the preceding calendar year, to January 15 of the benefit year, inclusive. The bill would instead require, with respect to individual health benefit plans offered through the Exchange, that the annual open enrollment period for policy years beginning on or after January 1, 2019, extend from November 1 to December 15 of the preceding calendar year, inclusive. The bill would require a health care service plan and a health insurer, with respect to individual health benefit plans offered through the Exchange, for policy years beginning on or after January 1, 2019, to provide a special enrollment period that will allow individuals to enroll in individual health benefit plans through the Exchange from October 15 to October 31 of the preceding calendar year, inclusive, and from December 16, of the preceding calendar year, to January 15 of the benefit year, inclusive, and would require an application for a health benefit plan submitted during this special enrollment period to be treated the same as an application submitted during the annual open enrollment period. The bill would require a plan and health insurer to also include in the annual notice described above information regarding the applicable special enrollment periods. The bill would make conforming changes. Because a willful violation of that requirement by a health care service plan would be a crime, this bill would impose a state-mandated local program. This bill would delete the reference to the federal transitional reinsurance program in these provisions. This bill contains other existing laws.

#### [AB 157](#)

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

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

**Introduced:** 1/12/2017

**Status:** 7/20/2017-Read second time. Ordered to third reading.

**Location:** 7/20/2017-S. THIRD READING

**Calendar:** 9/1/2017 #148 SENATE SEN THIRD READING FILE - ASM BILLS

**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 [Text](#)

**Introduced:** 1/13/2017

**Status:** 8/21/2017-In committee: Set, second hearing. Hearing canceled at the request of author.

**Location:** 6/27/2017-S. APPR.

**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 [Text](#)

**Introduced:** 1/19/2017

**Last Amend:** 5/25/2017

**Status:** 7/13/2017-Ordered to inactive file at the request of Assembly Member Lackey.

**Location:** 7/13/2017-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 275](#)

**(Wood D) Long-term care facilities: requirements for changes resulting in the inability of the facility to care for its residents.**

**Current Text:** Enrolled: 8/22/2017 [Text](#)

**Introduced:** 2/1/2017

**Last Amend:** 7/6/2017

**Status:** 8/25/2017-Enrolled and presented to the Governor at 3 p.m.

**Location:** 8/25/2017-A. ENROLLED

**Summary:** (1) Existing law imposes various notice and planning requirements upon a long-term health care facility before allowing a change in the status of the license or operation of the facility that results in the inability of the facility to care for its patients or residents, including a requirement for written notification to the affected patients or their guardians at least 30 days prior to the change. Under existing law, these requirements also include taking reasonable steps to medically, socially, and physically assess each affected patient or resident prior to a transfer due to the change, and, when 10 or more residents are likely to be transferred due to a change, the preparation and submission of a proposed relocation plan to the department for approval. A violation of these requirements is a misdemeanor and also may be enforced by the issuance of citations and the imposition of civil penalties. This bill would expand the notice and planning requirements that a long-term health care facility provides before any change in the status of the license or in the operation of the facility that results in its inability to care for its residents. The bill would require a facility to provide 60 days' notice to the affected residents or their guardians and 60-day written notice to the State Long-Term Care Ombudsman. The bill would also require the facility to give written notification to the State Department of Health Care Services and any health plan of an affected resident of the change in the status of the

license or the operation of the facility at least 60 days prior to any change in the status of the license or the operation of the facility. The bill would modify who may perform the required assessments of the affected residents. The bill would authorize the State Department of Public Health to require the facility, as part of the proposed relocation plan required when 10 or more residents are likely to be transferred, to provide additional information, including information on the number of residents affected by the proposed closure and an attestation that each resident will undergo a medical assessment, as specified, before being relocated. By expanding the notice and reporting requirements under these provisions, the bill would expand the definition of a crime, thereby imposing a state-mandated local program. The bill would also make technical, nonsubstantive changes to uniformly use the term "resident" and the State Department of Public Health in these provisions. This bill contains other related provisions and other existing laws.

#### [AB 329](#)

##### **(Cervantes D) Elder Abuse.**

**Current Text:** Amended: 3/29/2017 [Text](#)

**Introduced:** 2/7/2017

**Last Amend:** 3/29/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was AGING & L.T.C. on 3/20/2017)(May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** Existing law makes it a misdemeanor for a person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer or inflict thereon unjustifiable physical pain or mental suffering. This bill would make it a felony for a person to commit those acts against a resident of an unlicensed residential care facility for the elderly while operating that facility. By creating a new crime, this bill would impose a state-mandated local program. This bill contains other existing laws.

#### [AB 502](#)

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

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

**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 506](#)

##### **(Voepel R) Insurance: long-term care insurance.**

**Current Text:** Introduced: 2/13/2017 [Text](#)

**Introduced:** 2/13/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/13/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law provides for the regulation of long-term care insurance, as defined, and requires the Insurance Commissioner to review and approve individual and group policies, certificates, riders, and outlines of coverage. This bill would make technical, nonsubstantive changes to that provision.

#### [AB 512](#)

##### **(Rodriguez D) Public employees' retirement: safety members: industrial disability retirement.**

**Current Text:** Introduced: 2/13/2017 [Text](#)

**Introduced:** 2/13/2017

**Status:** 7/10/2017-In committee: Referred to APPR. suspense file.

**Location:** 7/10/2017-S. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** The Public Employees' Retirement Law, until January 1, 2018, provides a state safety member of the Public Employees' Retirement System who retires for industrial disability a retirement benefit equal to the greatest amount resulting from 3 possible calculations. In this regard, the benefit amount is based on an actuarially reduced service retirement, a service retirement allowance, if the member is qualified, or 50% of his or her final compensation, plus an annuity purchased with his or her accumulated contributions, if any. Existing law establishes the Public Employees' Retirement Fund, which is appropriated continuously for various purposes, including the payment of benefits. This bill would delete the repeal of these provisions, thereby extending them indefinitely. By providing that a continuously appropriated fund may be spent for a new purpose, this bill would make an appropriation. The bill would also make a statement of legislative findings.

## [AB 526](#)

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

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

**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 PEPR, 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:** Introduced: 2/14/2017 [Text](#)

**Introduced:** 2/14/2017

**Status:** 4/26/2017-In committee: Set, first hearing. Referred to APPR. suspense file.

**Location:** 4/26/2017-A. APPR. SUSPENSE FILE

**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. The bill would appropriate \$2,250,000 from the

General Fund to the California Department of Aging for the purpose of increasing base allocation funding for that purpose.

**[AB 590](#)**

**(Medina D) Public employees' retirement: membership election.**

**Current Text:** Chaptered: 7/25/2017 [Text](#)

**Introduced:** 2/14/2017

**Status:** 7/24/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 108, Statutes of 2017.

**Location:** 7/24/2017-A. CHAPTERED

**Summary:** The Public Employees' Retirement Law permits a member of the Public Employees' Retirement System (PERS) who is employed by a school employer, the Board of Governors of the California Community Colleges, or the State Department of Education to elect to have specified service excluded from coverage by the Defined Benefit Program of the State Teachers' Retirement Plan and instead be subject to coverage by PERS, as specified. This bill would limit the application of that option to a member of PERS who was employed by a school employer, the Board of Governors of the California Community Colleges, or the State Department of Education within 120 days before the member's date of hire to perform service that requires membership in the Defined Benefit Program of the State Teachers' Retirement Plan.

**[AB 592](#)**

**(Dahle R) Public employees' retirement: contracting agencies.**

**Current Text:** Introduced: 2/14/2017 [Text](#)

**Introduced:** 2/14/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 2/27/2017)(May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** Existing law authorizes public agencies to contract with the Board of Administration of the Public Employees' Retirement System to have their employees become members of the Public Employees' Retirement System (PERS) and makes an contracting agency that terminates a contract liable to PERS for any deficit in funding for earned benefits, interest, and reasonable and necessary costs of collection. This bill would authorize a contracting agency to request a calculation of the total costs necessary to terminate its contract with PERS.

**[AB 595](#)**

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

**Current Text:** Amended: 4/3/2017 [Text](#)

**Introduced:** 2/14/2017

**Last Amend:** 4/3/2017

**Status:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2017)(May be acted upon Jan 2018)

**Location:** 5/26/2017-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 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 specified entities that intend to merge with, consolidate, acquire, purchase, or control, directly or indirectly, a health care service plan doing business in this state to give notice to, and secure prior approval from, the Director of the Department of Managed Health Care. The bill would require that entity to apply for licensure as a health care service plan. The bill also would require 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 department 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. 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 611](#)**

**(Dababneh D) Mandated reporters of suspected financial abuse of an elder or dependent adult: powers of attorney.**

**Current Text:** Amended: 8/24/2017 [Text](#)

**Introduced:** 2/14/2017

**Last Amend:** 8/24/2017

**Status:** 8/28/2017-Read second time. Ordered to third reading.

**Location:** 8/28/2017-S. THIRD READING

**Calendar:** 9/1/2017 #211 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:** Existing law requires a mandated reporter of suspected financial abuse of an elder or dependent adult, as defined, to report financial abuse in a specified manner. Existing law provides for the creation and effect of powers of attorney. This bill would authorize a mandated reporter of suspected financial abuse of an elder or dependent adult to not honor a power of attorney as to an attorney-in-fact about whom he or she made a report to an adult protective services agency or a local law enforcement agency of any state that the natural person who executed the power of attorney may be an elder or dependent adult subject to financial abuse by that attorney-in-fact.

#### [AB 614](#)

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

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

**Introduced:** 2/14/2017

**Last Amend:** 7/17/2017

**Status:** 8/21/2017-In committee: Referred to APPR. suspense file.

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

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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 651](#)

**(Muratsuchi D) Nonprofit health facilities: sale of assets: Attorney General approval.**

**Current Text:** Amended: 7/18/2017 [Text](#)

**Introduced:** 2/14/2017

**Last Amend:** 7/18/2017

**Status:** 8/21/2017-In committee: Referred to APPR. suspense file.

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

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** Existing law requires a nonprofit corporation, as defined, that operates or controls a health facility, as defined, or operates or controls a facility that provides similar health care to provide written notice to, and obtain the written consent of, the Attorney General prior to selling or otherwise disposing of a material amount of its assets to a for-profit corporation or entity, to a mutual benefit corporation or entity, or to another nonprofit corporation or entity. This bill would require the notice to the Attorney General to include a list of the primary languages spoken at the facility and the threshold languages for Medi-Cal beneficiaries, as determined by the State Department of Health Care Services for the county in which the facility is located. The bill also would authorize the Attorney General to require the components of the written notice be provided in any of those languages. This bill would apply to specified health facilities regardless of whether they are currently operating or providing health care services or have a suspended license. This bill contains other related provisions and other existing laws.

#### [AB 679](#)

**(Cooley D) Public employees’ retirement: investments: security loans.**

**Current Text:** Enrolled: 8/22/2017 [Text](#)

**Introduced:** 2/15/2017

**Last Amend:** 6/8/2017

**Status:** 8/25/2017-Enrolled and presented to the Governor at 3 p.m.

**Location:** 8/25/2017-A. ENROLLED

**Summary:** The Public Employees’ Retirement Law (PERL) creates the Public Employees’ Retirement System (PERS) for the provision of pension benefits to members. PERL grants the Board of Administration of PERS exclusive control of and fiduciary responsibility for the investment of the Public Employees’ Retirement Fund, and authorizes the board to enter into specific types of security loan



agreements, whereby a legal owner (the lender) agrees to lend specific marketable corporate or government securities for no more than one year, and the lender retains the right to collect from the borrower all dividends, interest, premiums, rights, and other distributions. Existing law grants the board the authority to enter into these agreements pursuant to specific provisions covering security loan agreements by state agencies. This bill would delete the above reference to the security loan provisions for state agencies, thereby providing the board with separate authority to enter into security loan agreements. The bill would require a borrower to provide the board with collateral in the form of cash, United States government debt securities, or other specified forms of collateral, and would require that the amount of the collateral be at least 102% of the market value of the loaned securities or an amount consistent with market practice, whichever is greater. The bill would require the board to revalue the collateral to current market value on each business day or as frequently as industry practices require. The bill would prohibit the total market value of the loaned securities collateralized by marketable public equities and marketable international government bonds from exceeding 25% of the assets of the retirement fund.

#### [AB 713](#)

##### **(Chu D) Continuing care retirement facilities: transfers of residents.**

**Current Text:** Amended: 3/23/2017 [Text](#)

**Introduced:** 2/15/2017

**Last Amend:** 3/23/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass.

**Location:** 9/1/2017-S. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** Existing law requires a continuing care retirement facility, as defined, to possess a certificate of authority issued by the State Department of Social Services before it can enter into a continuing care contract, as defined, with a resident. Existing law requires that a continuing care contract be in writing and contain specified information. Existing law authorizes a continuing care retirement community to transfer a resident under certain circumstances. Prior to any transfer under those provisions, existing law requires the continuing care retirement community to satisfy certain requirements, including, but not limited to, involving the resident and the resident's responsible person in the assessment process that forms the basis for the transfer and providing an explanation of the assessment process. If assessment tools are used in making that determination, existing law authorizes the resident or resident's responsible person to request copies of the completed assessment. Existing law authorizes the resident or the resident's responsible person to dispute a transfer decision, and existing law requires a timely review of transfer disputes by the Continuing Care Contracts Branch of the department, as prescribed. Existing law requires any transfer decision of the branch of the department to be in writing. This bill contains other existing laws.

#### [AB 799](#)

##### **(Choi R) Alternate retirement program.**

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

**Introduced:** 2/15/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/15/2017)  
(May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law requires the Department of Human Resources to administer an alternate retirement program for state employees who became state miscellaneous members or state industrial members of the Public Employees' Retirement System between August 11, 2004, and June 30, 2013, inclusive, and who did not make contributions into the system during the 24 months of employment following the date they qualified for membership in the system, as specified. This bill would make a nonsubstantive change to that provision.

#### [AB 806](#)

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

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

**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 825](#)

**(Choi R) State employees' retirement.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law, for the purposes of complying with the federal Omnibus Budget Reconciliation Act of 1990, requires the Department of Human Resources to develop and administer a retirement program in which state employees, as defined, who are not covered by social security or by the Public Employees' Retirement System can defer compensation at 7.5% of wages, as specified. This bill would make nonsubstantive changes to that provision.

[AB 833](#)

**(Allen, Travis R) Public employees' retirement.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law, the California Public Employees' Pension Reform Act of 2013, establishes various limits on retirement benefits generally applicable to a public employee retirement system, except as specified, and among other things, prescribes limits on service after retirement without reinstatement into the applicable retirement system. This bill would make a nonsubstantive change to that provision.

[AB 853](#)

**(Choi R) Continuing care retirement communities.**

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

**Introduced:** 2/16/2017

**Last Amend:** 4/17/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was AGING & L.T.C. on 3/23/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** (1) Existing law requires a continuing care retirement community, as defined, to possess a certificate of authority issued by the State Department of Social Services before it can enter into a continuing care contract, as defined. Existing law provides for different types of continuing care contracts, including, among the others, a repayable contract. A repayable contract is a continuing care contract that includes a promise to repay all or a portion of an entrance fee that is conditioned upon reoccupancy or resale of the unit previously occupied by the resident. This bill would expand the definition of a "repayable contract" to include a promise to repay all or a portion of an entrance fee that is based on the sequential order of termination of all repayable contracts at the facility previously occupied by the resident. This bill contains other related provisions and other existing laws.

[AB 859](#)

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

**Current Text:** Amended: 6/15/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 6/15/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass.

**Location:** 9/1/2017-S. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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 904](#)

**(Gallagher R) Prescription drugs.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), 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 prohibits a nongrandfathered individual or group health care service plan or a health insurer that provides coverage for essential health benefits, as defined, from charging more than \$250 in cost sharing for an individual, 30-day supply of a covered outpatient prescription drug, except as specified. This bill would declare the intent of the Legislature to enact legislation that would address high prescription drug costs.

[AB 937](#)

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

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

**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 940](#)

**(Weber D) Long-term health care facilities: notice.**

**Current Text:** Amended: 7/18/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 7/18/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after September 2 pursuant to Assembly Rule 77.

**Location:** 8/31/2017-A. DESK

**Calendar:** 9/1/2017 #50 ASSEMBLY CONCURRENCE IN SENATE AMENDMENTS

**Summary:** Existing law provides for the licensure and regulation of long-term health care facilities by the State Department of Public Health. Existing law authorizes the department to issue citations for violations of those provisions that are classified according to the nature of the violation. Existing law authorizes a licensee to contest a citation or proposed assessment of a civil penalty under specified provisions. This bill would require a long-term health care facility to notify the local long-term care ombudsman if a resident is notified in writing of a facility-initiated transfer or discharge from the facility, as specified. The bill would provide that a failure to timely provide a copy of that notice would constitute a class B violation for purposes of a department-issued citation.

[AB 941](#)

**(Voepel R) Residential care facilities for the elderly.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor. Existing law establishes specified rights for residents of residential care facilities for the elderly. This bill would make technical, nonsubstantive changes to a provision of the act.

[AB 946](#)

**(Ting D) State public retirement systems: divestiture: border wall construction companies.**

**Current Text:** Amended: 3/28/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 3/28/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E.,R. & S.S. on 3/27/2017)(May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** The California Constitution provides that the Legislature may, by statute, prohibit retirement board investments if it is in the public interest to do so and providing that the prohibition satisfies specified fiduciary standards. This bill would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a border wall construction company, as defined. The bill would require the boards to liquidate investments in a border wall construction company within 12 months of the company contracting or subcontracting to provide work or material for a border wall, as defined. The bill would require the boards, in making a determination to liquidate investments, to constructively engage with a border wall construction company to establish whether the company is transitioning its business model away from activities related to a border wall. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the California Constitution. The bill would make related legislative findings and declarations. This bill would require, on or before January 1, 2019, that these boards file reports with the Legislature and the Governor, containing specified information, including a list of companies of which they have liquidated their investments. The bill would provide that board members and other officers and employees shall be held harmless and be eligible for indemnification in connection with actions taken pursuant to the bill's requirements, as specified. This bill contains other existing laws.

#### [AB 994](#)

##### **(Muratsuchi D) Health care districts: design-build.**

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

**Introduced:** 2/16/2017

**Last Amend:** 3/21/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Ordered to Engrossing and Enrolling.

**Location:** 8/31/2017-A. ENROLLMENT

**Summary:** Existing law authorizes certain health care districts to use the design-build process when contracting for the construction of a building or improvements directly related to construction of a hospital or health facility building in those districts, as specified. Existing law sets forth the procurement process for design-build projects, as specified, and requires specified information submitted by design-build entities to be certified under penalty of perjury. This bill would authorize, until January 1, 2023, the Beach Cities Health District to use the design-build process for the construction of facilities or other buildings in that district, as specified. Because the bill would expand the application of the procurement process to additional design-build entities, the bill would expand the crime of perjury, thereby imposing a state-mandated local program. This bill would make legislative findings and declarations as to the necessity of a special statute for the Beach Cities Health District. This bill contains other related provisions and other existing laws.

#### [AB 995](#)

##### **(Limón D) County employee retirement: retirement board appointees: leave balances.**

**Current Text:** Chaptered: 7/10/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 4/17/2017

**Status:** 7/10/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 48, Statutes of 2017.

**Location:** 7/10/2017-A. CHAPTERED

**Summary:** Existing law, the County Employees Retirement Law of 1937, authorizes counties to establish retirement systems, as specified, in order to provide pension benefits to county, city, and district employees. Existing law defines a district for these purposes and includes the retirement system established in Ventura County within the definition. The law authorizes the board of retirement in Ventura County to appoint specified personnel who, subsequent to their appointments, become employees of the retirement system subject to the terms of employment determined by the board of retirement. This bill would require any leave balance accrued by a county employee prior to his or her appointment as a Ventura County retirement system employee, as described above, to be transferred from the county to the retirement system and would require the county to pay to the retirement system an amount equal to the value of the accrued leave, as specified.

#### [AB 1013](#)

##### **(Low D) Public employment.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law governing state employer-employee relations requires the Governor or his or her representative, as properly designated by law, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations, and to consider fully any presentation that is made by an employee organization on

behalf of its members prior to arriving at a determination of policy or course of action. This bill would make nonsubstantive changes to those provisions.

**[AB 1017](#)**

**([Santiago D](#)) Collective bargaining agreements: arbitration: litigation.**

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

**Introduced:** 2/16/2017

**Last Amend:** 7/5/2017

**Status:** 7/17/2017-In committee: Referred to APPR. suspense file.

**Location:** 7/17/2017-S. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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 1023](#)**

**([Brough R](#)) Ronald Reagan Day: state holiday.**

**Current Text:** Amended: 3/28/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 3/28/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E., R. & S.S. on 3/27/2017)(May be acted upon Jan 2018)

**Location:** 4/28/2017-A. 2 YEAR

**Summary:** Existing law designates specific days as holidays in this state. Existing law entitles state employees, with specified exceptions, to be given time off with pay for specified holidays. This bill would recognize February 6, known as "Ronald Reagan Day," as a state holiday. The bill would authorize any state employee, as defined, consistent with departmental operational needs and collective bargaining agreements, as applicable, to elect to receive "Ronald Reagan Day," as a holiday in lieu of receiving any other specified holidays.

**[AB 1043](#)**

**([Acosta R](#)) Alzheimer's Day Care Resource Center Program.**

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

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** The Mello-Granlund Older Californians Act establishes the Community-Based Services Network, administered by the California Department of Aging, which requires the department to enter into contracts with local area agencies on aging to carry out the requirements of various community-based services programs, including the Alzheimer's Day Care Resource Center Program. The act declares that the purpose of the program is to provide access to specialized day care resource centers for individuals with Alzheimer's disease and other dementia-related disorders and support to their families and caregivers. This bill would make technical, nonsubstantive changes to these provisions.

**[AB 1174](#)**

**([Harper R](#)) Right to work: labor organizations.**

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

**Introduced:** 2/17/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/9/2017) (May be acted upon Jan 2018)

**Location:** 3/9/2017-A. 2 YEAR

**Summary:** Under existing law, it is against public policy for an employer and a prospective employee to enter into an agreement whereby either or both of them promise to join, or not to join, or remain a member of, a labor or an employer organization or to withdraw from an employment relation should one party or the other join or remain a member of a labor or employer organization. Existing law also grants state employees the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of employer-employee relations and provides that once an employee organization is recognized as the exclusive representative of an appropriate bargaining unit, it may enter into an agreement with the state employer to provide for organizational security in the form of maintenance of membership or fair share fee deduction. This bill would, commencing January 1, 2018, prohibit a person from requiring an employee, as a condition of obtaining or continuing employment, to contribute financial support to a labor organization or financially

support a charity or other organization sponsored by, or at the behest of, a labor organization. This bill would permit an employee or potential employee to seek injunctive relief or monetary damages, or both, for violations or threatened violations of these provisions. This bill would exempt specified employers and employees covered by federal law and would exempt circumstances that would be preempted by federal law from these provisions. This bill contains other related provisions and other existing laws.

#### **AB 1200**

##### **(Cervantes D) Aging and Disabilities Resource Connection program.**

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

**Introduced:** 2/17/2017

**Last Amend:** 6/29/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass as amended.To SECOND READING.

**Location:** 9/1/2017-S. SECOND READING

**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**Summary:** Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging and states that the mission of the department is 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 least restrictive homelike environments. This bill would establish the Aging and Disability Resource Connection (ADRC) program, to be administered by the California Department of Aging, to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level. The bill would require the department to establish the Aging and Disability Resource Connection Advisory Committee as the primary adviser in the ongoing development and implementation of the ADRC program. The bill would authorize the department to designate and approve ADRC programs, and, in consultation with the advisory committee, to formulate criteria for the designation and approval of local ADRC programs. The bill would specify the services offered by, and responsibilities of, a program, including requiring a program to submit data on an annual basis to the department, and would authorize the department to develop a data collection tool for that purpose. The bill would require the department and the State Department of Health Care Services to enter into a memorandum of understanding to explore reimbursement for qualified administrative activities performed pursuant to these provisions. This bill contains other existing laws.

#### **AB 1240**

##### **(Fong R) Health care coverage: essential health benefits.**

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

**Introduced:** 2/17/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-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. Among other things, PPACA requires a health benefit plan issuer that offers coverage in the small group or individual market to ensure that the coverage includes the essential health benefits package, as defined. 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 would make a technical, nonsubstantive change to this provision. This bill contains other existing laws.

#### **AB 1243**

##### **(Arambula D) Public Employees' Retirement System: replacement benefits plan.**

**Current Text:** Amended: 6/5/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 6/5/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after September 2 pursuant to Assembly Rule 77.

**Location:** 8/31/2017-A. DESK

**Calendar:** 9/1/2017 #60 ASSEMBLY CONCURRENCE IN SENATE AMENDMENTS

**Summary:** Existing law requires the Board of Administration of the Public Employees' Retirement System to establish a plan of replacement benefits for members and their survivors or beneficiaries whose retirement benefits are limited by specified federal law. Existing law requires an agency participating in this replacement benefit plan to deposit its contributions as the board directs into the Replacement Benefit Custodial Fund, which is continuously appropriated to carry out purposes related to the plan of replacement benefits. This bill would authorize a county superintendent of schools, on an

annual basis or as otherwise directed by the board, for the purpose of paying necessary contributions to the replacement benefit plan, to draw requisitions against the county school service fund and the funds of the respective school districts or other local educational agencies in amounts equal to the total of the contributions required to be paid pursuant to replacement benefit plan provisions. By authorizing the use of new amounts for payment into a continuously appropriated fund, this bill would make an appropriation. This bill contains other existing laws.

#### [AB 1309](#)

##### **(Cooley D) Employment without reinstatement: failure to enroll or report: fee.**

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

**Introduced:** 2/17/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Ordered to Engrossing and Enrolling.

**Location:** 8/31/2017-A. DESK

**Summary:** The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System, which provides defined benefits to its members based on age at retirement, service credit, and final compensation. Existing law permits a retired person to serve without reinstatement from retirement or loss or interruption of benefits provided by the system if certain conditions are met. If a retired person is employed without reinstatement without meeting those conditions, PERL requires the retired person to reimburse the system for any retirement allowance received and requires both the retired person and the employer to make contributions due and, to the extent each is determined to be at fault, contribute toward reimbursement of the system for administrative expenses incurred. Existing law requires fees and other amounts received by the Board of Administration of the Public Employees' Retirement System pursuant to PERL to be credited to the Public Employees' Retirement Fund, a continuously appropriated fund. This bill would authorize the board to assess an employer that fails to enroll, solely for the administrative recordkeeping purposes of the system, a retired member employed without reinstatement within 30 days after the effective date of hire, or that fails to report the pay rate and number of hours worked by the retired member within 30 days of the last day of the pay period in which the retired member worked, a \$200 fee per month, as specified. The bill would prohibit an employer from passing those fees on to an employee. By authorizing increased deposits into a continuously appropriated fund, the bill would make an appropriation.

#### [AB 1325](#)

##### **(Committee on Public Employees, Retirement, and Social Security) State teachers' retirement.**

**Current Text:** Amended: 8/30/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 8/30/2017

**Status:** 8/31/2017-Read second time. Ordered to third reading.

**Location:** 8/31/2017-S. THIRD READING

**Calendar:** 9/1/2017 #252 SENATE SEN THIRD READING FILE - ASM BILLS

**Summary:** Existing law, the Teachers' Retirement Law, establishes the State Teachers' Retirement System (STRS) and creates the Defined Benefit Program of the State Teachers' Retirement Plan, which provides a defined benefit to members of the program, based on final compensation, credited service, and age at retirement, subject to certain variations. STRS is administered by the Teachers' Retirement Board. Existing law creates the Defined Benefit Supplement Program for the purpose of providing supplemental benefits to members of the Defined Benefit Program. Existing law creates the Cash Balance Benefit Program, which is administered by the board, to provide a retirement plan for the benefit of participating employees who provide creditable service for less than 50% of full time. This bill would eliminate the authority to charge a fee and the notice requirements, as described above. This bill contains other related provisions and other existing laws.

#### [AB 1335](#)

##### **(Kalra D) Long-term health facilities.**

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

**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 1339](#)

**(Cunningham R) Public employment: background investigations.**

**Current Text:** Chaptered: 7/21/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 3/29/2017

**Status:** 7/21/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 89, Statutes of 2017.

**Location:** 7/21/2017-A. CHAPTERED

**Summary:** The California Constitution provides for a right to privacy, and existing statutory law provides certain privacy protections for employment records. Existing law requires, an employer to disclose employment information relating to a current or former employee who is an applicant for a peace officer position, and who is not currently employed as a peace officer, upon request of a law enforcement agency, if certain conditions are met. This bill would extend those employer disclosure requirements to information relating to a current or former employee who is an applicant for a position other than as a sworn peace officer with a law enforcement agency.

[AB 1353](#)

**(Waldron R) Health care coverage: prescription drugs: continuity of care.**

**Current Text:** Amended: 3/23/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 3/23/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 3/13/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-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. Existing law makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Insurance Commissioner. Existing law requires a health care service plan contract or a health insurance policy that provides coverage for outpatient prescription drugs to cover medically necessary prescription drugs, including nonformulary drugs determined to be medically necessary, and authorizes a health care service plan or health insurer to utilize formulary, prior authorization, step therapy, or other reasonable medical management practices in the provision of outpatient prescription drug coverage. Existing law requires a health care service plan health insurer that provides coverage for prescription drugs to utilize a specified uniform prior authorization form or electronic authorization process for prescription drugs that require prior authorization by the plan or health insurer, and requires the plan or health insurer to respond to those prior authorization requests within 72 hours for nonurgent requests and 24 hours if exigent circumstances, as defined, exist. Existing law authorizes a request for an exception to a health care service plan's or health insurer's step therapy process for prescription drugs to be submitted in the same manner as a request for prior authorization for prescription drugs, and requires the plan or health insurer to treat, and respond to, those exception requests in the same manner as a request for prior authorization for prescription drugs. Existing law prohibits a health care service plan contract that covers prescription drug benefits from limiting or excluding coverage for a drug for an enrollee if the drug previously had been approved for coverage by the plan for a medical condition of the enrollee and the plan's prescribing provider continues to prescribe the drug for the medical condition, provided that the drug is appropriately prescribed and is considered safe and effective for treating the enrollee's medical condition. This bill would require a health care service plan and health insurer that provides coverage for outpatient prescription drugs to establish an expeditious process, as described, by which enrollees and insureds, enrollees' and insureds' designees, or prescribing providers may request and obtain an exception to any prior authorization process or any other utilization management or medical management practices utilized by the plan or health insurer for medically necessary prescription drugs, and would require a plan or health insurer to grant an exception request under these provisions under specified circumstances to ensure continuity of care for an enrollee or insured who is medically stable and was either previously prescribed the prescription drug within 100 days prior to enrollment or if, within 100 days prior to the exception request, the prescription drug was previously approved for coverage by the plan or insurer for the same medical condition. The bill would require a plan or health insurer to respond to an exception request within 72 hours, or within 24 hours if exigent circumstances exist, following receipt of the exception request. The bill would require a plan or health insurer that denies an exception request to provide the reasons for the denial in a notice provided to the enrollee or insured, as specified. This bill contains other related provisions and other existing laws.

[AB 1366](#)

**(Brough R) California Public Employees' Pension Reform Act of 2013.**

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

**Introduced:** 2/17/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017) (May be acted upon Jan 2018)



**Location:** 5/12/2017-A. 2 YEAR

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

**AB 1437**

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

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

**Introduced:** 2/17/2017

**Last Amend:** 4/18/2017

**Status:** 7/13/2017-From Consent Calendar. Ordered to third reading.

**Location:** 7/13/2017-S. THIRD READING

**Calendar:** 9/1/2017 #124 SENATE SEN THIRD READING FILE - ASM BILLS

**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 1466**

**(Patterson R) Patient records.**

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

**Introduced:** 2/17/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law establishes procedures for providing access to health care records or summaries of those records by patients and by persons having responsibility for decisions respecting the health care of others. Existing law provides for the regulation of those patient records. Existing law specifically requires licensed clinics, health facilities, adult day health care centers, and home health agencies that utilize electronic recordkeeping systems only to comply with additional requirements relating to patient records, except as specified. This bill would make technical, nonsubstantive changes to that provision.

**AB 1487**

**(Rodriguez D) Public Employees' Retirement System: limited term appointments.**

**Current Text:** Enrolled: 8/25/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 6/5/2017

**Status:** 8/30/2017-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 8/30/2017-A. ENROLLED

**Summary:** The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations. PERL vests the Board of Administration of PERS with management and control of the system, and authorizes the board to employ certain managerial staff including an executive officer. PERL authorizes a public agency and a school employer to contract to make their employees members of PERS. PERL establishes the compensation earnable by members of the system, defined as the member's payrate and special compensation, which includes out-of-class pay for state members. Existing law requires fees and other amounts received by the Board of Administration of PERS pursuant to PERL to be credited to the Public Employees' Retirement Fund, a continuously appropriated fund. This bill would prohibit an out-of-class appointment by a contracting agency or school employer from exceeding 960 hours each fiscal year. The bill would define "out-of-class appointment" to mean an appointment to an upgraded position or higher classification by an employer or governing board or body in a vacant position for a limited duration. The bill would require employers to track hours worked in these positions and report them to the system within 30 days after the end of the fiscal year. The bill would specify that compensation for a limited duration position under these circumstances would be pursuant to a collective bargaining agreement or publicly available pay schedule. The bill would require an employer who violates this provision to make payments to the system for treble the amount of money that otherwise would have been paid in the form of employee and employer contributions, as specified, and to provide reimbursement for administrative expenses, as determined by the executive officer. By depositing new moneys in a continuously appropriated fund, this bill would make an appropriation.

**[AB 1500](#)****([Maienschein R](#)) Elders Living with Dignity, Empathy, Respect, and Serenity (ELDERS) Bond Act of 2018.****Current Text:** Introduced: 2/17/2017 [Text](#)**Introduced:** 2/17/2017**Status:** 3/16/2017- Referred to Com. on AGING & L.T.C.**Location:** 3/16/2017-A. AGING & L.T.C.

**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 Serenity (ELDERS) Bond Act of 2018. 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 \$\_\_\_\_. 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 Director of the California Department of Aging. The bill would provide that money in the fund would be allocated to public or private nonprofit agencies for the purposes of acquiring, renovating, or constructing, or purchasing equipment for, specialized day services centers for dementia, funding startup costs of programs, or program expansion of eligible facilities, as specified. This bill contains other related provisions.

**[AB 1513](#)****([Kalra D](#)) Registered home care aides: disclosure of contact information.****Current Text:** Amended: 7/18/2017 [Text](#)**Introduced:** 2/17/2017**Last Amend:** 7/18/2017**Status:** 8/21/2017- In committee: Referred to APPR. suspense file.**Location:** 8/21/2017-S. APPR. SUSPENSE FILE**Calendar:** 9/1/2017 Upon adjournment of Session - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS SUSPENSE, LARA, Chair

**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, mailing address, telephone number, cellular telephone number, and email address 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 this information for any purpose other than employee organizing, representation, and assistance activities. The bill would also require the department to establish an 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, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**[AB 1584](#)****([Gonzalez Fletcher D](#)) Insurance: production agents: license examinations: contracts.****Current Text:** Amended: 3/28/2017 [Text](#)**Introduced:** 2/17/2017**Last Amend:** 3/28/2017**Status:** 5/12/2017- Failed Deadline pursuant to Rule 61(a)(3). (Last location was INS. on 3/27/2017)  
(May be acted upon Jan 2018)**Location:** 5/12/2017-A. 2 YEAR

**Summary:** Existing law requires the Insurance Commissioner to give, at least once each month, in each of the cities in which he or she has an office, qualifying examinations for production agent licenses. Existing law, from January 1, 2018, to January 1, 2024, inclusive, requires that the examination for a license as a life agent, life-only agent, and accident and health agent be provided in English and Spanish. This bill would require a person granted a license, after taking an examination pursuant to the above-described provisions, to provide the consumer with contracts, policies, certificates, riders, and any other required notices written in Spanish if Spanish was principally used in the negotiation of the contract.

[AB 1597](#)

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

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

**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 1666](#)

**(Kiley R) Health care service plans.**

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

**Introduced:** 2/17/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-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. Existing law charges the Department of Managed Health Care with the execution of the laws of this state relating to health care service plans to ensure that health care service plans provide enrollees with access to quality health care services. This bill would make a technical, nonsubstantive change to these provisions.

[SB 28](#)

**(Pan D) State public employment: memoranda of understanding: approval.**

**Current Text:** Chaptered: 3/15/2017 [Text](#)

**Introduced:** 12/5/2016

**Last Amend:** 2/8/2017

**Status:** 3/15/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2017.

**Location:** 3/15/2017-S. CHAPTERED

**Summary:** (1) Existing law provides that a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act. This bill would approve provisions requiring the expenditure of funds in the memoranda of understanding entered into between the state employer and State Bargaining Unit 1, Professional, Administrative, Financial, and Staff Services, State Bargaining Unit 3, Professional Educators and Librarians, State Bargaining Unit 4, Office and Allied, State Bargaining Unit 8, Firefighters, State Bargaining Unit 11, Engineering and Scientific Technicians, State Bargaining Unit 12, Craft and Maintenance, State Bargaining Unit 13, Stationary Engineers, State Bargaining Unit 14, Printing and Allied Trades, State Bargaining Unit 15, Allied services, State Bargaining Unit 17, Registered Nurses, State Bargaining Unit 18, Psychiatric Technicians, State Bargaining Unit 19, Health and Social Services/Professional, State Bargaining Unit 20, Medical and Social Services, and State Bargaining Unit 21, Educational Consultant and Library. This bill contains other related provisions and other existing laws.

[SB 72](#)

**(Mitchell D) Budget Act of 2017.**

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

**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 [Text](#)

**Introduced:** 1/10/2017

**Last Amend:** 6/29/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass.

**Location:** 9/1/2017-A. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**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 133](#)**

**(Hernandez D) Health care coverage: continuity of care.**

**Current Text:** Amended: 8/30/2017 [Text](#)

**Introduced:** 1/11/2017

**Last Amend:** 8/30/2017

**Status:** 8/30/2017-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 8/30/2017-A. APPR.

**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 and a health insurer that provides services at alternative rates of payment, at the request of an enrollee or insured, to provide the completion of services by a terminated provider if the enrollee or insured is undergoing a course of treatment for one of any specified conditions, including a serious chronic condition, as defined, at the time of the contract or policy termination. Existing law also requires a health care service plan to provide for the completion of covered services by a nonparticipating provider to a newly covered enrollee who, at the time his or her coverage became effective, was receiving services from that provider for one of any specified conditions. Existing law prohibits completion of covered services for a serious chronic condition from exceeding 12 months from the contract termination date or 12 months from the effective date of coverage for a newly covered enrollee or insured. Existing law requires a health care service plan to provide a disclosure form regarding the benefits, services, and terms of a plan contract and requires the disclosure form to include a description of how an enrollee can request continuity of care under the provisions described above. This bill would provide that an enrollee or insured who has a condition that will require a heart transplant is not limited by the 12-month period described above and would require the completion of covered services to be provided until the time he or she undergoes the transplant surgery and receives the necessary followup care that is consistent with good professional practice. The bill would require a health care service plan to include notice of the process to obtain continuity of care in its disclosure form and in any evidence of coverage issued after January 1, 2018. The bill would also require a plan to provide a written copy of this information to its contracting providers and provider groups, and a copy to its enrollees upon request. The bill would require a plan and health insurer to include notice of the availability of the right to request completion of covered services as part of, to accompany, or to be sent simultaneously with any termination of coverage notice sent under specified circumstances. This bill contains other related provisions and other existing laws.

**[SB 134](#)**

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

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

**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 [Text](#)

**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 [Text](#)

**Introduced:** 1/19/2017

**Last Amend:** 8/21/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Held in APPR..

**Location:** 9/1/2017-A. APPR.

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**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 [Text](#)

**Introduced:** 1/30/2017

**Last Amend:** 3/30/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Held in APPR..

**Location:** 9/1/2017-A. APPR.

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**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 [Text](#)

**Introduced:** 1/31/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 1/31/2017)  
(May be acted upon Jan 2018)

**Location:** 5/12/2017-S. 2 YEAR

**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 [Text](#)

**Introduced:** 2/1/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/1/2017)(May be acted upon Jan 2018)

**Location:** 5/12/2017-S. 2 YEAR

**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 219](#)

### **(Wiener D) Long-term care facilities: rights of residents.**

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

**Introduced:** 2/1/2017

**Last Amend:** 8/21/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass.

**Location:** 9/1/2017-A. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202

ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**Summary:** Existing law provides for the licensure and regulation by the State Department of Public Health of health facilities, including skilled nursing facilities and intermediate care facilities. A violation of these provisions is a crime. Existing law, the Long-Term Care, Health, Safety, and Security Act of 1973, imposes various requirements on long-term health care facilities, as defined, and prescribes the civil penalties assessed for a violation of those requirements. This bill would enact the Lesbian, Gay, Bisexual, and Transgender Long-Term Care Facility Resident's Bill of Rights. Among other things, the bill would make it unlawful, except as specified, for any long-term care facility to take specified actions wholly or partially on the basis of a person's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus (HIV) status, including, among others, willfully and repeatedly failing to use a resident's preferred name or pronouns after being clearly informed of the preferred name or pronouns, or denying admission to a long-term care facility, transferring or refusing to transfer a resident within a facility or to another facility, or discharging or evicting a resident from a facility. The bill would also provide certain protections to all residents of long-term care facilities during, among other things, physical examinations or treatments, relating to bodily privacy. The bill would define long-term care facility for purposes of these provisions to include skilled nursing facilities, intermediate care facilities, and residential care facilities for the elderly. The bill would also, among other things, require each facility to post a specified notice regarding discrimination alongside its current nondiscrimination policy in all places and on all materials where the nondiscrimination policy is posted. The bill would require a violation of these provisions to be treated as a violation under the Long-Term Care, Health, Safety, and Security Act of 1973, the California Residential Care Facilities for the Elderly Act, or specified provisions providing for the licensure and regulation of health facilities, which may include the imposition of civil penalties. By expanding the definition of existing crimes, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

## [SB 241](#)

### **(Monning D) Medical records: access.**

**Current Text:** Amended: 8/31/2017 [Text](#)

**Introduced:** 2/6/2017

**Last Amend:** 8/31/2017

**Status:** 8/31/2017-Read third time and amended. Ordered to third reading.

**Location:** 8/31/2017-A. THIRD READING

**Calendar:** 9/1/2017 #188 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:** Existing law governs a patient's access to his or her health records. Existing law requires a health care provider to provide a patient or his or her representative with all or any part of the patient's medical records that the patient has a right to inspect, subject to the payment of clerical costs incurred in locating and making the records available, following a written request from the patient. If the patient

or patient's representative presents proof to the provider that the records are needed to support an appeal regarding eligibility for a public benefit program, as defined, the health care provider must provide one copy of the relevant portion of the patient's record at no charge under specified circumstances. Existing law makes a violation of these provisions by specified health care providers an infraction. This bill would change the basis of the fee that a health care provider is authorized to charge from clerical costs to specified costs for labor, supplies, postage, and preparing an explanation or summary of the patient record. The bill would require the health care provider to provide the patient or patient's representative with a copy of the records in a paper or electronic copy, in the form or format requested if the records are readily producible in that form or format. By expanding the scope of a crime, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

#### [SB 244](#)

##### **(Lara D) Privacy: agencies: personal information.**

**Current Text:** Amended: 7/13/2017 [Text](#)

**Introduced:** 2/6/2017

**Last Amend:** 7/13/2017

**Status:** 8/30/2017-August 30 set for first hearing. Placed on APPR. suspense file.

**Location:** 8/30/2017-A. APPR. SUSPENSE FILE

**Summary:** (1)The California Public Records Act requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions. Existing law exempts from disclosure statements of personal worth or personal financial data required by a licensing agency and filed by an applicant with the licensing agency to establish his or her personal qualification for the license, certificate, or permit. This bill would exempt from disclosure personal information regarding an application for public services or programs, as defined, and prohibit that information from being disclosed to any other person, including, but not limited to, any other state or federal agency or official, except as specified. By imposing new duties on local officials with respect to disclosing sensitive personal information, the bill would impose a state-mandated local 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 [Text](#)

**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 294](#)

##### **(Hernandez D) Hospices: palliative care.**

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

**Introduced:** 2/9/2017

**Last Amend:** 5/26/2017

**Status:** 7/17/2017-Action rescinded whereby the bill was read a third time, passed, and ordered to the Senate. Ordered to third reading.

**Location:** 7/17/2017-A. THIRD READING

**Calendar:** 9/1/2017 #136 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:** The California Hospice Licensure Act of 1990 provides for the licensure and regulation by the State Department of Public Health of persons or agencies that provide hospice services, such as palliative care and skilled nursing services, to persons, and the families of persons, who are experiencing the last phases of life due to terminal disease. Existing law defines palliative care to mean patient and family-centered care that optimizes quality of life of a patient with a terminal illness by anticipating, preventing, and treating suffering, and defines skilled nursing services to mean nursing services provided by or under the supervision of a registered nurse, as specified, that pertain to the palliative, supportive services required by patients with a terminal illness. Existing law authorizes licensed hospices to provide, in addition to hospice services authorized under the act, specified preliminary services, including preliminary palliative care consultations, for any person in need of those

services, as determined by the physician and surgeon, if any, in charge of the care of a patient. This bill would, among other things, expand the definition of palliative care to mean patient and family centered care that optimizes quality of life of any patient. The bill would also expand the definition of skilled nursing services to include palliative, supportive services required by patients with a serious illness, and would define serious illness to mean a condition that may result in death, regardless of the estimated length of the individual's remaining period of life. This bill contains other related provisions.

#### [SB 416](#)

##### **(Anderson R) Elder abuse: isolation.**

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

**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 [Text](#)

**Introduced:** 2/15/2017

**Last Amend:** 4/6/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

**Location:** 8/31/2017-S. ENROLLMENT

**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 454](#)

##### **(Moorlach R) Public employees' health benefits.**

**Current Text:** Amended: 4/6/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 4/6/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/2/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-S. 2 YEAR

**Summary:** The Public Employees' Medical and Hospital Care Act (PEMHCA), which is administered by the Board of Administration of the Public Employees' Retirement System, prescribes methods for calculating the state employer contribution for postemployment health care benefits for eligible retired public employees and their families and for the vesting of these benefits. PEMHCA requires the employer contribution for an employee or annuitant who is employed by the state or retired from state service to be adjusted by the Legislature in the annual Budget Act, as specified. PEMHCA prescribes different ways of calculating the employer contributions for employees and annuitants depending on date of hire, years of service, and bargaining unit. This bill, for state employees who are first employed and become members of the retirement system on or after January 1, 2018, would limit the employer contribution for annuitants to 80% of the weighted average of the health benefit plan premiums for an active employee enrolled for self alone, during the benefit year to which the formula is applied, for the 4 health benefit plans with the largest state civil service enrollment, as specified. The bill would similarly limit the employer contribution for an enrolled family member of an annuitant to 80% of the weighted average of the additional premiums required for enrollment of those family members during the benefit year to which the formula is applied and would provide the same limit on employer contributions for annuitants enrolled in Medicare health benefit plans. The bill would provide that if its provisions are in conflict with regard to an employee covered by a memorandum of understanding, the memorandum of understanding would control until it expires. The bill would prescribe the percentage of the employer contribution payable for postemployment health benefits based on the number of completed years of credited state service at retirement, with 50% after 15 credited years of service and 100% after 25 or more years of service, for an employee of the state, the California State University, and the Legislature,



who is employed by the state for the first time and who becomes a state member of the Public Employees' Retirement System on or after January 1, 2018. This bill contains other related provisions and other existing laws.

**[SB 481](#)**

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

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

**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 [Text](#)

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-S. 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 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 [Text](#)

**Introduced:** 2/16/2017

**Status:** 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/16/2017) (May be acted upon Jan 2018)

**Location:** 5/12/2017-S. 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 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 525](#)**

**(Pan D) Public employees' retirement.**

**Current Text:** Enrolled: 8/25/2017 [Text](#)

**Introduced:** 2/16/2017

**Status:** 8/30/2017-Enrolled and presented to the Governor at 3 p.m.

**Location:** 8/30/2017-S. ENROLLED

**Summary:** (1)The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides defined benefits to its members based on age at retirement, service credit, and final compensation. PERL vests the Board of Administration of PERS with management and control of the system. This bill would redefine those terms to specify that the duration of the disability or incapacity must be expected to last at least 12 consecutive months or result in death. The bill also would revise and recast the definition of final compensation for local members. This bill contains other related provisions and other existing laws.

**SB 538**

**(Monning D) Hospital contracts.**

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

**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: 8/21/2017 [Text](#)

**Introduced:** 2/16/2017

**Last Amend:** 8/21/2017

**Status:** 9/1/2017-Action From APPR. SUSPENSE FILE: Do pass as amended.

**Location:** 9/1/2017-A. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**Summary:** Existing law, the Meyers-Milias-Brown Act and the Ralph C. Dills Act, regulates the labor relations of employees and employers of local public agencies and the state, respectively. The acts grant specified employees of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing and require 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. The acts described above grant the board the power to hear specified disputes in relation to their 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 [Text](#)

**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 [Text](#)

**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 571**

**(Pan D) Public employee retirement plans: automatic enrollment and escalation.**

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

**Introduced:** 2/17/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/2/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-S. 2 YEAR

**Summary:** Existing federal law prescribes requirements for different types of tax-qualified retirement plans that permit employees to contribute portions of their pretax wages to individual retirement accounts or that provide for deferred compensation. Existing law authorizes the Department of Human Resources to establish and administer tax-deferred savings plans in accordance with specified provisions of federal law. This bill would authorize a state or local public employer participating in an employee supplemental retirement savings plan, defined to include specified deferred compensation plans and payroll deduction individual retirement account plans, to make a deduction from the wages or compensation of an employee for contributions attributable to automatic enrollment and automatic escalation in the employee retirement plan. The bill would require an employer that provides for automatic enrollment in a supplemental retirement savings plan to provide a default investment option and default investment plan that meets a variety of specified criteria, including providing employees an opportunity to opt out or withdraw. The bill would provide that an employer that provides automatic enrollment or automatic escalation in an employee retirement plan subject to these provisions is not liable for the investment decisions made by the employer on behalf of any participating employee with respect to the default investment of contributions made for that employee to the plan. The bill would prohibit an employer from making deductions from the compensation of represented employees in the absence of a collectively bargained memorandum of understanding or other collective bargaining agreement authorizing those deductions. This bill contains other related provisions.

**SB 599**

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

**Current Text:** Amended: 8/24/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 8/24/2017

**Status:** 8/31/2017-Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

**Location:** 8/31/2017-S. DESK

**Calendar:** 9/1/2017 #57 SENATE SEN UNFINISHED BUSINESS

**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 [Text](#)

**Introduced:** 2/17/2017

**Status:** 6/22/2017-Read second time. Ordered to third reading.

**Location:** 6/22/2017-A. THIRD READING

**Calendar:** 9/1/2017 #111 ASSEMBLY THIRD READING FILE - SENATE BILLS

**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 [Text](#)

**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 671](#)

**(Moorlach R) County employees' retirement: retirement funds: transfers.**

**Current Text:** Chaptered: 7/17/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 5/4/2017

**Status:** 7/17/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 76, Statutes of 2017.

**Location:** 7/17/2017-S. CHAPTERED

**Summary:** 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 county and district employees. CERL requires a county auditor to certify to the retirement board, at the end of each month or pay period, the compensation earnable paid to members of the retirement association and to transfer the applicable percentage of the county's annual contribution to the retirement fund, as specified. CERL authorizes the board of supervisors to authorize the county auditor to make an advance payment of all or part of the county's estimated annual contribution if the payment is made within 30 days after the county's fiscal year begins. Existing law also authorizes a district that is a member of the retirement system in the County of San Bernardino to make advance payments, as described above. This bill would specify that the authority to make advance payments, described above, does not prevent the board of supervisors or governing body of a district from making advance payments for the estimated annual county or district contributions for an additional year or partial year if certain requirements are satisfied. The bill would revise the provisions currently applicable to a district that is a member of the retirement system in the County of San Bernardino to make them applicable to districts that are members of county retirement systems generally. The bill would make a variety of technical and conforming changes.

#### **SB 681**

#### **(Moorlach R) Public employees' retirement: contracting agencies: termination.**

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

**Introduced:** 2/17/2017

**Last Amend:** 4/17/2017

**Status:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 4/19/2017) (May be acted upon Jan 2018)

**Location:** 4/28/2017-S. 2 YEAR

**Summary:** The Public Employees' Retirement Law creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. That law authorizes any public agency to make its employees members of PERS by contracting with the Board of Administration of PERS. Existing law provides for the termination of a contract, including requiring the board to enter, upon request, into a prescribed agreement with the terminating agency relating to the calculation of final compensation for employees and related necessary adjustments in the employer's contribution. This bill would require the Board of Administration of PERS to allow a contracting agency to terminate its contract with the system in a manner that does not result in excessive costs or penalties to the contracting agency, allows the contracting agency to withdraw its net assets paid into the system less payments made to its members and their beneficiaries, and ensures that the contracting agency remains responsible for its unfunded liabilities so that those liabilities are not shifted onto other PERS members or employers. Before a contracting agency would be eligible to terminate its contract, the bill would require a contract to have been in effect for at least 5 years and meet other notice and approval requirements. The bill also would require the agreement between the contracting agency and the board to contain provisions to protect the interests of the system, and would require a contracting agency, before terminating its contract, to determine how termination would affect the health care benefits of its members and also to determine the federal tax ramifications associated with its decision. The bill would contain related legislative findings.

#### **SB 728**

#### **(Newman D) State public employees: sick leave: veterans with service-related disabilities.**

**Current Text:** Amended: 7/6/2017 [Text](#)

**Introduced:** 2/17/2017

**Last Amend:** 7/6/2017

**Status:** 8/23/2017-August 23 set for first hearing. Placed on suspense file.

**Location:** 8/23/2017-A. APPR. SUSPENSE FILE

**Calendar:** 9/1/2017 Upon adjournment of Session - State Capitol, Room 4202  
ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ FLETCHER, Chair

**Summary:** Existing law prescribes the general workweek policy for state employees, subject to specified exceptions, and the terms and conditions for accrual of vacation and sick leave. Existing law generally provides that a state officer or employee who is employed full time accrues one day of credit for sick leave for each calendar month of service. Existing law requires that if these provisions conflict with an adopted memorandum of understanding, the memorandum of understanding controls, as specified. This bill would grant a state officer or employee who serves as a member of the National Guard or federal military reserve force who is called up to active service and as a result sustains a service-connected disability rated at 30% or more by the United States Department of Veterans Affairs an additional credit for sick leave with pay of up to 96 hours for the purpose of undergoing medical treatment, including mental health treatment, for his or her service-connected disability. The bill would require that the sick leave be credited to a qualifying officer or employee on the effective date of the employee's disability rating decision from the United States Department of Veterans Affairs or on the first day that the qualifying employee begins, or returns to, employment after active duty, whichever is later, and remain available for use for the following 12 months of employment. This bill contains other existing laws.

[SCR 32](#)

**(Pan D) State employee merit awards.**

**Current Text:** Chaptered: 8/25/2017 [Text](#)

**Introduced:** 3/6/2017

**Status:** 8/25/2017-Chaptered by Secretary of State- Chapter 121, Statues of 2017

**Location:** 8/25/2017-S. CHAPTERED

**Summary:** This measure would declare that merit award payments in specified amounts, authorized by the Department of Human Resources, are made to specified current or retired state employees whose proposals have resulted in annual savings and net revenue gains to the state.

**Total Measures: 114**

**Total Tracking Forms: 114**