



BLANNING & BAKER

Associates, Inc.

**CSR Legislative Report
7/9/2021**

Support

AB 458

(Kamlager D) Importation of prescription drugs.

Current Text: Amended: 3/23/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amend: 3/23/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 2/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Existing law establishes the California Health and Human Services Agency (CHHSA), which includes departments charged with the administration of health, social, and other human services. Existing law requires CHHSA to enter into partnerships to increase patient access to affordable drugs and to produce or distribute generic prescription drugs and at least one form of insulin, as specified. This bill would create the Affordable Prescription Drug Importation Program in CHHSA, under which the state would be a licensed wholesaler that imports prescription drugs, as specified, for the exclusive purpose of dispensing those drugs to program participants. The bill would require CHHSA to seek federal approval for the importation program on or before June 1, 2022, and would require CHHSA to contract with at least one contracted importer to provide services under the importation program within 6 months of receiving federal approval. The bill would require a contracted importer to, among other things, establish a wholesale prescription drug importation list that identifies the prescription drugs that have the highest potential for cost savings to the state and identify and contract with eligible Canadian suppliers who have agreed to export prescription drugs on that list. This bill contains other related provisions.

Memo:

Support letter sent to Author -- 3/19/21

AB 1130

(Wood D) California Health Care Quality and Affordability Act.

Current Text: Amended: 6/1/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amend: 6/1/2021

Status: 6/16/2021-Referred to Coms. on HEALTH and JUD.

Location: 6/16/2021-S. HEALTH

Summary: Existing law generally requires the State Department of Public Health to license, inspect, and regulate health facilities, including hospitals. Existing law requires health facilities to meet specified cost and disclosure requirements, including maintaining an understandable written policy regarding discount payments and charity. This bill would establish, within OSHPD, the Office of Health Care Affordability to analyze the health care market for cost trends and drivers of spending, develop data-informed policies for lowering health care costs for consumers, set and enforce cost targets, and create a state strategy for controlling the cost of health care and ensuring affordability for consumers and purchasers. The bill would also establish the Health Care Affordability Advisory Board, composed of 11 members and 2 ex officio, nonvoting members, appointed as prescribed, to recommend health care cost targets and to make recommendations to the Director of Statewide Health Planning and Development and the office. This bill contains other related provisions and other existing laws.

SB 278

(Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments.

Current Text: Amended: 3/23/2021 [html](#) [pdf](#)

Introduced: 1/29/2021

Last Amend: 3/23/2021

Status: 7/7/2021-July 7 set for first hearing. Placed on suspense file.

Location: 7/7/2021-A. APPR. SUSPENSE FILE

Summary: (1) Existing law, 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 authorizes a public agency to contract to make its employees members of PERS and prescribes a process for this. PERS is administered by its board of administration, which is responsible for correcting errors and omissions in the administration of the system and the payment of benefits. Existing law

requires the board to correct all actions taken as a result of errors or omissions of the state or a contracting agency, in accordance with certain procedures. This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation. The bill would require that contributions made on the disallowed compensation, for active members, be credited against future contributions on behalf of the state, school employer, or contracting agency that reported the disallowed compensation and would require that the state, school employer, or contracting agency return to the member any contributions paid by the member or on the member's behalf. This bill contains other related provisions and other existing laws.

Memo:

Support letter sent to Author -- 3/2/21
Support letter sent to Sen. LPE&R -- 3/2/21
Support letter sent to Sen. JUD -- 3/17/21
Support letter sent to Sen. APPR -- 5/3/21
Support letter sent to Asm. PE&R -- 6/21/21
Support letter sent to Asm. APPR -- 6/30/21

Oppose

[AB 386](#)

(Cooper D) Public Employees' Retirement Fund: investments: confidentiality.

Current Text: Amended: 6/29/2021 [html](#) [pdf](#)

Introduced: 2/2/2021

Last Amend: 6/29/2021

Status: 6/29/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.

Location: 6/9/2021-S. JUD.

Calendar: 7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

Summary: Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. Existing law excludes from the disclosure requirement certain records regarding alternative investments in which public investment funds invest. This bill would exempt from disclosure under the act specified records regarding an internally managed private loan made directly by the Public Employees' Retirement Fund. Under the bill, these records would include quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. The bill would prescribe specified exceptions to this exemption from disclosure. This bill contains other related provisions and other existing laws.

Memo:

Oppose letter sent to Author -- 5/6/21
Oppose letter sent to Asm. Floor -- 5/13/21
Oppose letter sent to Sen. LPE&R -- 6/11/21
Oppose letter sent to Sen. JUD -- 7/9/21

[AB 1133](#)

(Chen R) State employee hybrid pension system.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2021) (May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Existing law creates the Public Employees' Retirement System (PERS), which offers a defined benefit pension and other benefits to its members based on age at retirement, service credit, and final compensation, subject to certain variations. Existing law generally provides that state employees become members of PERS upon employment. Existing law authorizes the Department of Personnel Administration to create a tax-deferred savings plan, which has been named Savings Plus, that permits state employees to build a retirement savings account using payroll deductions. The bill would state the intent of the Legislature to enact legislation that would create a hybrid retirement benefit, consisting of a defined benefit pension and a defined contribution program, within the Public Employees' Retirement System, that state employees would have the option of electing.

[AB 79](#)

(Committee on Budget) Budget Act of 2020.

Current Text: Amended: 4/8/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amend: 4/8/2021

Status: 5/18/2021-Re-referred to Com. on B. & F.R.

Location: 5/18/2021-S. BUDGET & F.R.

Summary: The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year. This bill would amend the Budget Act of 2020 by amending and adding items of appropriation and making other changes. This bill contains other related provisions.

[AB 97](#)

(Nazarian D) Health care coverage: insulin affordability.

Current Text: Amended: 3/30/2021 [html](#) [pdf](#)

Introduced: 12/8/2020

Last Amend: 3/30/2021

Status: 6/9/2021-Referred to Com. on HEALTH.

Location: 6/9/2021-S. HEALTH

Calendar: 7/14/2021 Upon adjournment of Business, Professions and Economic Development Committee - Senate Chamber SENATE HEALTH, PAN, 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 and makes a willful violation of the act's requirements a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan contract or disability insurance policy issued, amended, delivered, or renewed on or after January 1, 2000, that covers prescription benefits to include coverage for insulin, if it is determined to be medically necessary. This bill would prohibit a health care service plan contract or a health disability insurance policy, as specified, issued, amended, delivered, or renewed on or after January 1, 2022, from imposing a deductible on an insulin prescription drug. 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.

[AB 238](#)

(Voepel R) Vehicles: driver's license renewal fees.

Current Text: Introduced: 1/13/2021 [html](#) [pdf](#)

Introduced: 1/13/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 1/28/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Existing law requires an applicant for the renewal of a driver's license to pay to the Department of Motor Vehicles a fee of \$30 for that renewal. Existing regulations provide for the annual increase of that fee based on the Consumer Price Index. This bill would, until January 1, 2026, waive the renewal fee for applicants who have reached the age of 65 years on the date of application and are seeking a noncommercial license.

[AB 323](#)

(Kalra D) Long-term health facilities.

Current Text: Introduced: 1/26/2021 [html](#) [pdf](#)

Introduced: 1/26/2021

Status: 6/30/2021-From committee: Do pass and re-refer to Com. on JUD. (Ayes 10. Noes 0.) (June 30). Re-referred to Com. on JUD.

Location: 6/30/2021-S. JUD.

Calendar: 7/13/2021 1:30 p.m. - Senate Chamber SENATE JUDICIARY, UMBERG, Chair

Summary: The Long-Term Care, Health, Safety, and Security Act of 1973 generally requires the State Department of Public Health to license and regulate long-term health care facilities and to establish an inspection and reporting system to ensure that long-term health care facilities are in compliance with state statutes and regulations. The term "long-term health care facility" includes, among other types of facilities, a skilled nursing facility and intermediate care 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 resident of a long-term health care facility. The bill would increase the civil penalties for a class "A," "AA," or "B" violation by a skilled nursing facility or intermediate care facility, as specified. The bill would delete numerous references to the "patients" of a long-term health care facility. This bill contains other existing laws.

[AB 383](#)

(Salas D) Behavioral health: older adults.

Current Text: Amended: 6/21/2021 [html](#) [pdf](#)

Introduced: 2/2/2021

Last Amend: 6/21/2021

Status: 7/7/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (July 6). Re-referred to Com. on APPR.

Location: 7/7/2021-S. APPR.

Summary: Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs, including the Adult and Older Adult Mental Health System of Care Act. Existing law authorizes the MHSA to be amended by a 2/3 vote of the Legislature if the amendments are consistent with, and further the purposes of, the MHSA, and also permits the Legislature to clarify procedures and terms of the MHSA by a majority vote. This bill would establish within the State Department of Health Care Services an Older Adult Behavioral Health Services Administrator to oversee behavioral health services for older adults. The bill would require that position to be funded with administrative funds from the Mental Health Services Fund. The bill would prescribe the functions of the administrator and its responsibilities, including, but not limited to, developing outcome and related indicators for older adults for the purpose of assessing the status of behavioral health services for older adults, monitoring the quality of programs for those adults, and guiding decisionmaking on how to improve those services. The bill would require the administrator to receive data from other state agencies and departments to implement these provisions, subject to existing state or federal confidentiality requirements. The bill would require the administrator to report to the entities that administer the MHSA on those outcome and related indicators by July 1, 2022, and would require the report to be posted on the department's internet website. The bill would also require the administrator to develop a strategy and standardized training for all county behavioral health personnel in order for the counties to assist the administrator in obtaining the data necessary to develop the outcome and related indicators. This bill contains other related provisions.

[AB 444](#)

(Committee on Public Employment and Retirement) State and local employees: pay warrants: designees.

Current Text: Enrollment: 6/30/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Status: 6/30/2021-Enrolled and presented to the Governor at 3:30 p.m.

Location: 6/30/2021-A. ENROLLED

Summary: Existing law authorizes a state employee to designate with their appointing power a person who may receive the employee's warrants upon the employee's death. Existing law requires an appointing power, upon sufficient proof of identity from an appropriate designee, to deliver warrants to the person claiming them. Existing law entitles the designated person who receives warrants to negotiate the warrants as if they were the payee. This bill would prescribe a process by which an appointing power would issue a check directly to a designated person instead of delivering employee warrants to that person, as described above. Upon sufficient proof of the designee's identity, the bill would require the appointing power to endorse and deposit the warrant issued to a deceased employee back into the Treasury to the credit of the fund or appropriation upon which it was drawn, as specified, and then issue a revolving fund check to the designated person in the original amount payable to employee. This bill contains other related provisions and other existing laws.

[AB 454](#)

(Rodriguez D) Health care provider emergency payments.

Current Text: Amended: 5/3/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amend: 5/3/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-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 provides for the regulation of health insurers by the Department of Insurance. Existing law authorizes a health care service plan or health insurer to contract with a provider for alternative rates of payment and authorizes a plan or insurer to seek reimbursement from a provider who has been overpaid for services. This bill would authorize the Director of the Department of Managed Health Care or the Insurance Commissioner to require a health care service plan or health insurer to provide specified payments and support to a provider during and at least 60 days after the end of a declared state of emergency or other circumstance if two conditions occur, as specified. The bill would require that, when determining the appropriate amount and type of support to be provided by the health care service plan or health insurer, the director or commissioner take specified factors into consideration, including whether the plan or insurer's providers have received support from the Federal Emergency Management Agency. Because a willful violation of the bill's requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 457](#)

(Santiago D) Protection of Patient Choice in Telehealth Provider Act.

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Introduced: 2/8/2021

Last Amend: 6/28/2021

Status: 6/28/2021-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/24/2021-S. APPR.

Calendar: 7/15/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: (1)Existing law provides for the licensure and regulation of various healing arts professions and vocations by boards within the Department of Consumer Affairs. Under existing law, it is unlawful for healing arts licensees, except as specified, to offer, deliver, receive, or accept any rebate, refund, commission, preference, patronage dividend, discount, or other consideration, in the form of money or otherwise, as compensation or inducement for referring patients, clients, or customers to any person, subject to certain exceptions. This bill would provide that the payment or receipt of consideration for internet-based advertising, appointment booking, or any service that provides information and resources to prospective patients of licensees does not constitute a referral of a patient if the internet-based service provider does not recommend, endorse, arrange for, or otherwise select a licensee for the prospective patient. This bill contains other related provisions and other existing laws.

[AB 507](#)

(Kalra D) Health care service plans: review of rate increases.

Current Text: Introduced: 2/9/2021 [html](#) [pdf](#)

Introduced: 2/9/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/9/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-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 requires a health care service plan in the individual, small group, or large group markets to file rate information with the Department of Managed Health Care, as specified. Existing law requires the information submitted to be made publicly available, except as specified, and requires the department and the health care service plan to make specified information, including justification for an unreasonable rate increase, readily available to the public on their internet websites in plain language. This bill would make technical, nonsubstantive changes to those provisions.

[AB 510](#)

(Wood D) Out-of-network health care benefits.

Current Text: Introduced: 2/9/2021 [html](#) [pdf](#)

Introduced: 2/9/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was HEALTH on 2/18/2021) (May be acted upon Jan 2021)

Location: 5/7/2021-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 provides for the regulation of health insurers by the Department of Insurance. If an enrollee or insured receives services under a health care service plan contract or health insurance policy issued, amended, or renewed on or after July 1, 2017, that includes coverage for out-of-network benefits, existing law authorizes a noncontracting individual health professional to bill or collect the out-of-network cost-sharing amount directly from the enrollee or insured if specified criteria are met, including that the enrollee or insured consents in writing to receive services from the noncontracting individual health professional at least 24 hours in advance of care. Existing law requires the consent to advise the enrollee or insured that they may seek care from a contracted provider for lower out-of-pocket costs and to be provided in the language spoken by the enrollee or insured, as specified. This bill would instead authorize a noncontracting individual health professional, excluding specified professionals, to bill or collect the out-of-network cost-sharing amount directly from the enrollee or insured receiving services under a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2022, if the enrollee consents in writing or electronically at least 72 hours in advance of care. The bill would require the consent to include a list of contracted providers at the facility who are able to provide the services and to be provided in the 15 most commonly used languages in the facility's geographic region.

[AB 636](#)

(Maienschein D) Financial abuse of elder or dependent adults.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amend: 7/1/2021

Status: 7/5/2021-From Consent Calendar. Ordered to third reading.

Location: 7/5/2021-S. THIRD READING

Calendar: 7/12/2021 #104 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes

procedures and requirements for the reporting, investigation, and prosecution of elder and dependent adult abuse. Existing law makes specified reports, including reports of known or suspected financial abuse of an elder or dependent adult, confidential. Existing law requires information relevant to the incident of elder or dependent adult abuse to be given to specified investigators, including investigators from an adult protective services agency, a local law enforcement agency, and the probate court. This bill would also authorize information relevant to the incident of elder or dependent adult abuse to be given to a federal law enforcement agency, under certain circumstances, for the sole purpose of investigating a financial crime committed against the elder or dependent adult and would authorize the information to be given to a local code enforcement agency for the sole purpose of investigating an unlicensed care facility where the health and safety of an elder or dependent adult resident is at risk.

AB 685

(Maienschein D) Health care service plans: reimbursement.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amend: 3/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-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 a health care service plan to reimburse complete claims, or portions thereof, within specified timeframes. Existing law establishes the process and for a health care service plan to contest or deny a claim for reimbursement. Existing law requires every insurer issuing group or individual policies of health insurance that cover hospital, medical, or surgical expenses to reimburse claims within specified timeframes and establishes the process for an insurer to contest or deny a claim for reimbursement. This bill would require health service plans and insurers to obtain an independent board-certified emergency physician review of the medical decisionmaking related to a service before denying benefits, reimbursing for a lesser procedure, reducing reimbursement based on the absence of a medical emergency, or making a determination that medical necessity was not present for claims billed by a licensed physician and surgeon for emergency medical services, as specified. Because a willful violation of the bill's requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program. This bill contains other existing laws.

AB 752

(Nazarian D) Prescription drug coverage.

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amend: 4/15/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-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 provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan contract or health insurance policy that provides coverage for outpatient prescription drugs to cover medically necessary prescription drugs and subjects those policies to certain limitations on cost sharing and the placement of drugs on formularies. Existing law limits the maximum amount an enrollee or insured may be required to pay at the point of sale for a covered prescription drug to the lesser of the applicable cost-sharing amount or the retail price, and requires that payment to apply to any applicable deductible. This bill would require a health care service plan or health insurer to furnish specified information about a prescription drug upon request by an enrollee or insured or their health care provider. The bill would require a health care service plan or health insurer to, among other things, respond in real time to a request for the above-described information. The bill would prohibit a health care service plan or health insurer from, among other things, restricting a health care provider from sharing the information furnished about the prescription drug or penalizing a provider for prescribing a lower cost drug. 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.

AB 890

(Cervantes D) Public employee retirement systems: investment management: reports.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amend: 5/24/2021

Status: 7/6/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (July 5). Re-referred to Com. on APPR.

Location: 7/5/2021-S. APPR.

Calendar: 7/15/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: The Public Employees' Retirement Law establishes the Public Employees' Retirement System, which is funded by employer and employee contributions and investment earnings. Existing law creates the Public Employees' Retirement Fund, a trust fund, which the Board of Administration of the Public Employees' Retirement System administers for support of the system. The Teachers' Retirement Law establishes the State Teachers' Retirement System, which is funded by employer and employee contributions, state contributions, and investment earnings. Existing law creates the Teachers' Retirement Fund, a trust fund, which the Teachers' Retirement Board administers for support of the system. The California Constitution grants a retirement board sole and exclusive responsibility over the assets of a public retirement system and its administration, as specified. This bill, until January 1, 2028, would require the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to provide reports to the Legislature, commencing March 1, 2023, and annually thereafter, on the status of achieving objectives and initiatives, to be defined by the boards, regarding participation of emerging managers or diverse managers responsible for asset management within each retirement system's portfolio of investments. The bill would require the reports to contain specified information and would require the boards to define "emerging manager" and "diverse manager" for purposes of these reports. The bill would require that the reports be based on contracts that the system enters into on and after January 1, 2022, and be based on information from the prior fiscal year.

AB 895

(Holden D) Residential care facilities: conditions.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amend: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HUM. S. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The California Residential Care Facilities for the Elderly Act generally requires the State Department of Social Services to license, inspect, and regulate residential care facilities for the elderly and imposes criminal penalties on a person who violates the act or who willfully or repeatedly violates any rule or regulation adopted under the act. The act specifically requires the department to promulgate regulations for a license that prescribe standards of safety and sanitation for the physical plant and standards for basic care and supervision, personal care, and services provided to residents. The act specifically requires the department to conduct unannounced inspections of licensed residential care facilities for the elderly and to inspect these facilities as often as necessary to ensure the quality of care provided. This bill would require the department, on or before July 1, 2022, and every month thereafter, to post on its internet website every inspection report for every licensed residential care facility for the elderly within 5 years from the date of posting. This bill contains other related provisions.

AB 933

(Daly D) Prescription drug cost sharing.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-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 provides for the regulation of health insurers by the Department of Insurance. Existing law limits the maximum amount an enrollee or insured may be required to pay at the point of sale for a covered prescription drug to the lesser of the applicable cost-sharing amount or the retail price. This bill would require an enrollee's or insured's defined cost sharing for each prescription drug to be calculated at the point of sale based on a price that is reduced by an amount equal to 90% of all rebates received, or to be received, in connection with the dispensing or administration of the drug. The bill would prohibit a health care service plan, health insurer, or a plan's or insurer's agents from publishing or otherwise revealing information regarding the actual amount of rebates the health care service plan or health insurer receives on a product-specific, manufacturer-specific, or pharmacy-specific basis. 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.

AB 1019

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

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/4/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Existing California Constitution provisions grant 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. These provisions qualify 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. This bill would, in addition, prohibit state trust moneys from being used to make additional or new investments or to renew existing investments in investment vehicles issued or owned by the government of Turkey, unless the government adopts a policy to acknowledge the Armenian Genocide and embark on a path of affording justice to its victims. The bill would define "state trust moneys" to mean funds administered by specified state employee retirement funds, including the Public Employees' Retirement Fund and the Legislators' Retirement Fund. This bill contains other existing laws.

AB 1107

(Boerner Horvath D) Emergency ground medical transportation.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 3/4/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-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 requires that health care service plan contracts and health insurance policies provide coverage for certain services and treatments, including emergency medical transportation services. This bill would require a health care service plan contract or a health insurance policy issued, amended, or renewed on or after January 1, 2022, that offers coverage for emergency ground medical transportation services to include those services as in-network services and would require the plan or insurer to pay those services at the contracted rate pursuant to the plan contract or policy. Because a willful violation of the bill's requirements relative to 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.

AB 1131

(Wood D) Health information network.

Current Text: Amended: 3/29/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amend: 3/29/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/28/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Existing law makes legislative findings and declarations on health information technology, including that there is a need to promote secure electronic health data exchange among specified individuals, such as health care providers and consumers of health care, and that specified federal law provides unprecedented opportunity for California to develop a statewide health information technology infrastructure to improve the state's health care system. 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 provides for the regulation of health insurers by the Department of Insurance. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. This bill would establish the statewide health information network (statewide HIN) governing board, an independent public entity not affiliated with an agency or department with specified membership, to provide the data infrastructure needed to meet California's health care access, equity, affordability, public health, and quality goals, as specified. The bill would require the governing board to issue a request for proposals to select an operating entity with specified minimum capabilities to support the electronic exchange of health information between, and aggregate and integrate data from multiple sources within, the State of California, among other responsibilities. The bill would require the statewide HIN to take specified actions with respect to reporting on, and auditing the security and finances of, the health information network. The bill would require the statewide HIN to convene a health technology advisory committee with specified membership to advise the statewide HIN and set agendas, hold public meetings with stakeholders, and solicit external input on behalf of the statewide HIN. This bill contains other existing laws.

AB 1162

(Villapudua D) Health care coverage: claims payments.

Current Text: Amended: 4/26/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amend: 4/26/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-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 provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health care service plan or health insurer to provide access to medically necessary health care services to its enrollees or insureds who have been displaced by a state of emergency. Existing law enumerates actions that a plan or insurer may be required to take to meet the needs of its enrollees or insureds during the state of emergency. Under existing law, the department may relax time limits for prior authorization during a state of emergency. This bill would require a health care service plan or disability insurer that provides hospital, medical, or surgical coverage to provide access to medically necessary health care services to its enrollees or insureds that are displaced or otherwise affected by a state of emergency. The bill would allow the Department of Managed Health Care and the Department of Insurance to also suspend requirements for prior authorization during a state of emergency. The bill would authorize the respective departments to issue guidance to health care service plans and specified insurers regarding compliance with these provisions. This bill contains other related provisions and other existing laws.

[AB 1293](#)

(Cooley D) Judges' Retirement System II: federal law limits: adjustments.

Current Text: Amended: 7/6/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amend: 7/6/2021

Status: 7/6/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on L., P.E. & R.

Location: 5/27/2021-S. L., P.E. & R.

Calendar: 7/12/2021 Upon adjournment of Appropriations Committee - John L. Burton Hearing Room (4203) SENATE LABOR, PUBLIC EMPLOYMENT AND RETIREMENT, CORTESE, Chair

Summary: Existing law establishes the Judges' Retirement System and the Judges' Retirement System II, both of which are administered by the Board of Administration of the Public Employees' Retirement System, which provide pension and other benefits to judges who are members. Existing law establishes the Legislators' Retirement System, also administered by the Board of Administration of the Public Employees' Retirement System, which provides pension and other benefits to those members of the Legislature and specified state and statutory officers who have elected to become members. Existing California constitutional provisions prohibit the provision of retirement benefits to members of the Legislature and, on and after January 1, 2013, the Legislators' Retirement System was closed generally to new members. This bill would prohibit the amount payable to a member or a judge under the Legislators' Retirement System, the Judges' Retirement System, and the Judges' Retirement System II, including specified adjustments, from exceeding the federal limits on annual defined benefit plan payments and would incorporate specified provisions of federal law by reference. The bill would also require the retirement allowance of a judge who is a member of the Judges' Retirement System or the Judges Retirement System II, or a person who is a member of the Legislators' Retirement System, to be increased to reflect adjustments to payment limits prescribed by federal law, provided that the member's allowance determined without regard to that law equals or exceeds the applicable limit as indexed. The bill, for judges in the Judges Retirement System II, would also apply this requirement to a monetary payments annuity that is payable to a judge. This bill contains other existing laws.

[AB 1354](#)

(Grayson D) Public employees' retirement.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021) (May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Existing law, the California Public Employees' Pension Reform Act of 2013, prescribes various limits on public employee retirement systems and public employers, as specified. The act generally prohibits a retired person from being employed by a public employer in the same public retirement system from which the retiree receives pension benefits without reinstatement from retirement into that system, subject to certain exceptions. This bill would make nonsubstantive changes to that provision.

[ACR 5](#)

(Mathis R) AMVETS 75th Anniversary.

Current Text: Introduced: 12/14/2020 [html](#) [pdf](#)

Introduced: 12/14/2020

Status: 6/30/2021-From committee: Ordered to third reading.

Location: 6/30/2021-S. THIRD READING

Calendar: 7/12/2021 #91 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: This measure would commend AMVETS Department of California on its 75th year of providing benefits and services to Veterans.

[SB 112](#)

(Skinner D) Budget Act of 2021.

Current Text: Amended: 6/9/2021 [html](#) [pdf](#)

Introduced: 1/8/2021

Last Amend: 6/9/2021

Status: 6/9/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on B. & F.R.

Location: 1/11/2021-S. BUDGET & F.R.

Summary: This bill would make appropriations for the support of state government for the 2021-22 fiscal year. This bill contains other related provisions.

[SB 221](#)

(Wiener D) Health care coverage: timely access to care.

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Introduced: 1/13/2021

Last Amend: 6/28/2021

Status: 7/7/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (July 6). Re-referred to Com. on APPR.

Location: 7/6/2021-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. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires each department to develop and adopt regulations to ensure that enrollees and insureds have access to needed health care services in a timely manner. Under existing law, a Medi-Cal managed care plan is required to comply with timely access standards developed by the department. This bill would codify the regulations adopted by the Department of Managed Health Care and the Department of Insurance to provide timely access standards for health care service plans and insurers for nonemergency health care services. The bill would require both a health care service plan and a health insurer, including a Medi-Cal Managed Care Plan, to ensure that appointments with nonphysician mental health and substance use disorder providers are subject to the timely access requirements. The bill would additionally require a health care service plan and a health insurer, including a Medi-Cal Managed Care Plan, to ensure that an enrollee or insured that is undergoing a course of treatment for an ongoing mental health or substance use disorder condition is able to get a followup appointment with a nonphysician mental health care or substance use disorder provider within 10 business days of the prior appointment. The bill would require that a referral to a specialist by another provider meet the timely access standards. If a health care service plan is operating in a service area that has a shortage of providers and the plan is not able to meet the geographic and timely access standards for providing mental health or substance use disorder services with an in-network provider, the bill would require the plan, including a Medi-Cal Managed Care Plan, to arrange coverage outside the plan's contracted network. By imposing new requirements on health care service plans, the willful violation of which would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[SB 280](#)

(Limón D) Health insurance: large group health insurance.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 7/7/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (July 6). Re-referred to Com. on APPR.

Location: 2/1/2021-A. APPR.

Summary: (1) Existing law requires the regulation of health insurance policies by the Department of Insurance under the guidance of the Insurance Commissioner. Under existing law, the department regulates individual, small employer, and large employer health insurance policies, as defined. Existing law requires an individual or small group health insurance policy issued to include coverage for essential health benefits, as defined. This bill would require a large group health insurance policy issued, amended, or renewed on or after July 1, 2022, to cover medically necessary basic health care services, as defined. The bill would authorize the commissioner to adopt regulations to implement these provisions. The bill would require these provisions to apply to an individual, group, or blanket disability insurance policy if a specified condition is met. This bill contains other related provisions and other existing laws.

[SB 294](#)

(Leyva D) Public retirement: leave of absence: service credit.

Current Text: Amended: 6/14/2021 [html](#) [pdf](#)

Introduced: 2/2/2021

Last Amend: 6/14/2021

Status: 7/8/2021-Read second time. Ordered to third reading.

Location: 7/8/2021-A. THIRD READING

Calendar: 7/12/2021 #51 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement

System (PERS) for the purpose of providing pension benefits to state employees and employees of contracting agencies. Existing law requires administration of PERS by the Board of Administration of PERS. Existing law creates the Public Employees' Retirement Fund, a continuously appropriated fund, as a trust fund to be expended for purposes related to the system and its administration, and into which employee contributions are deposited. Existing law entitles an elected officer of an employee organization that is on a compensated leave of absence, as specified, for purposes of service with an employee organization to retirement service credit in STRS and PERS if specified conditions are met. Existing law requires the governing board of a school district, or the governing board of a community college district, to grant any employee, upon request, a leave of absence without loss of compensation for the purpose of enabling the employee to serve in this manner, as specified. Existing law excepts certain employees from these provisions if they are subject to a collective bargaining agreement that expressly provides for a leave of absence without loss of compensation for participation in authorized activities as an elected officer or an unelected member of the public employee organization. Existing law limits the maximum amount of the service credit earned during a compensated leave of absence for the purposes described above to 12 years. This bill would remove the 12-year limitation for service credit earned on a compensated leave of absence for purposes of service with an employee organization, as described above. The bill would state that this leave is in addition to any leave to which public employees may be entitled by other laws or by a memorandum of understanding or collective bargaining agreement. The bill, for purposes of provisions relating to community college districts, would apply its provisions retroactively to service as an elected officer in a public employee organization occurring after August 31, 1978, and would prescribe a process and conditions for receiving service credit in this context. The bill would prescribe the rates at which contributions are to be made for certain provisions. The bill would make conforming changes consistent with its retroactive effect and would make technical changes. By increasing contributions into the continuously appropriated Public Employees' Retirement Fund and Teachers' Retirement Fund, the bill would make an appropriation. This bill contains other existing laws.

SB 411

(Cortese D) Public Employees' Retirement System: employment without reinstatement.

Current Text: Amended: 4/13/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amend: 4/13/2021

Status: 7/8/2021-Read second time. Ordered to consent calendar.

Location: 7/7/2021-A. CONSENT CALENDAR

Calendar: 7/12/2021 #63 ASSEMBLY CONSENT CALENDAR 1ST DAY SENATE BILLS

Summary: Existing law, the Public Employees' Retirement Law (PERL), creates the Public Employees' Retirement System (PERS), which provides pension and disability benefits to its members and prescribes their rights and duties. Existing law, the Public Employees' Pension Reform Act of 2013 (PEPRA), prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, work after retirement. PERL generally prohibits retired PERS members from working for an agency participating in the system without reinstatement in the system, unless that employment is otherwise specifically authorized. PEPRA also prohibits retirees from serving or being employed directly, or through a contract, with a public employer, as defined, in the same retirement system from which they receive their benefits, except as expressly permitted. Both PERL and PEPRA generally prescribe limits on the manner and duration that retired members may be employed without reinstatement. PERL requires a person who is employed in violation of its reinstatement requirements to be reinstated in the member category previously held and on the date on which the unlawful employment occurred. In these circumstances, PERL requires that a retired member reimburse the system for the person's allowance received during the periods of the unlawful employment, to pay to the system employee contributions that otherwise should have been paid, and to contribute for associated administrative expenses, as specified. PERL requires employers in these circumstances to pay to the system the employer contributions that otherwise should have been paid and to contribute for associated administrative expenses, as specified. This bill would eliminate the above-described requirement that a person employed without reinstatement in a manner other than authorized by PERL be reinstated, instead providing that reinstatement is permissive. The bill would limit the circumstances pursuant to which retired members and employers are obligated to pay employee and employer contributions, which would have otherwise been paid, plus interest, to apply only to specified reinstatements. The bill would make conforming changes and make specific reference to the duties of employees and employers regarding reinstatement after retirement in violation of PEPRA.

SB 457

(Portantino D) Public employee retirement systems: investment portfolios: divestment from Turkey.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 5/28/2021-Referred to Com. on P.E. & R.

Location: 5/28/2021-A. P.E. & R.

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 prescribes specified duties for the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System in connection with investment in specified countries and, under certain conditions, limits the authority of the boards to invest in those countries. This bill would require the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System to provide employers that are school districts and cities that participate in the systems an option to elect an investment portfolio that does not contain investment vehicles that are issued or owned by the government of the Republic of Turkey.

SB 460

(Pan D) Long-term health facilities: patient representatives.

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Last Amend: 3/16/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/26/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging in the California Health and Human Services Agency, and sets forth its mission 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 create the Office of the Patient Representative in the Department of Aging to train, certify, provide, and oversee patient representatives to protect the rights of nursing home residents, as specified. The bill would, among other things, require the office to establish appropriate eligibility, training, certification, and continuing education requirements for patient representatives and to convene a group of stakeholders to advise the office regarding the eligibility requirements. The bill would, among other things, require the office to collect and analyze data, including the number of residents represented, the number of interdisciplinary team meetings attended, and the number of cases in which judicial review was sought and to present that data in an annual public report delivered to the Legislature and posted on the office's internet website. The bill would require patient representatives to perform various duties including reviewing the determinations that the resident lacks capacity, as defined, to make decisions and no surrogate decisionmaker is available, as specified. This bill contains other existing laws.

SB 650

(Stern D) Skilled nursing facilities.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amend: 7/1/2021

Status: 7/6/2021-July 6 set for first hearing canceled at the request of author.

Location: 6/10/2021-A. HEALTH

Calendar: 7/13/2021 1:30 p.m. - State Capitol, Assembly Chamber ASSEMBLY HEALTH, WOOD, Chair

Summary: Existing law requires an organization that operates, conducts, owns, or maintains a health facility, and the officers thereof, to make and file with the Office of Statewide Health Planning and Development specified reports relating to the facility's finances, including, among other things, a balance sheet detailing the assets, liabilities, and net worth of the health facility at the end of its fiscal year. This bill would, except as specified, require an organization that operates, conducts, owns, manages, or maintains a skilled nursing facility or facilities to prepare and file with the office an annual consolidated financial report that includes data from all operating entities, licenseholders, and related parties in which the organization has an ownership or control interest of 5% or more and that provides any service, facility, or supply to the skilled nursing facility. The bill would require the office to develop policies and procedures to outline the format of information to be submitted, determine if the annual consolidated financial report is complete, and post those reports and related documents to its internet website. The bill would make these provisions operative on January 1, 2023.

Total Measures: 36

Total Tracking Forms: 36