



Maternal and Child Health Related Proposed Legislation
California State Legislature
2005-2006 Session

Background

Maternal and Child Health Access and PAC/LAC created the following list of MCH-related current legislation. The 2005-2006 session is a two-year session. These proposed bills are either two-year bills from the prior session or have been proposed since the Legislature reconvened in early January 2006. All new bills had to be proposed by February 24, 2006. For a list of bills passed and signed in 2005, please contact us. This is a bipartisan list: our organizations do not necessarily support or oppose the bills listed. **Please let us know of bills we may have missed! See our contact information below.**

Active Legislation Proposed

Access and Insurance Coverage

AB 774

Author: Assemblymember Wilma Chan

Topic: Hospital Self-Pay Policies

Status: Senate Health Committee: Hearing set for 6/21/06.

This bill would require each hospital to develop a policy specifying how the hospital will determine financial liability for services rendered to both financially qualified patients and self-pay patients, as defined. The bill would require the policy to include a section addressing charity care patients that specifies the financial criteria and the procedure used by the hospital to determine whether a patient is eligible for charity care. The bill would require each hospital to perform various functions in connection with the hospital self-pay policy, including notifying patients of the policy, and attempting to determine the availability of private or public health insurance coverage for each patient. The bill would also specify billing and collection procedures to be followed by a hospital, its assignee, collection agency, or billing service.

AB 977

Author: Assemblymember Pedro Nava

Topic: Health Care Review Process

Status: Referred to Senate Banking, Finance, & Insurance Committee and Senate Health Committee on 2/09/06. Senate Banking Committee: Hearing set for 6/21/06.

This bill would create a public process for review and approval of co-pays, deductibles, and other out-of-pocket costs set by health care service plans and health insurers, and would provide guidelines against which these must be reviewed by the Department of Managed Health Care and the Department of Insurance.

AB 1840

Author: Assemblymember Jerome Horton

Topic: Medi-Cal and Healthy Families Programs

Status: Full Assembly: Passed 5/31/06. Sent to Senate 6/1/06. Referred to Senate Health

Committee and Banking, Finance and Insurance Committee. No hearing date set.

This bill would require the State to disclose names and employers who, rather than providing health coverage, have their workers and their families on Medi-Cal and Healthy Families Program.

AB 1971

Author: Assemblymember Wilma Chan

Topic: Managed Risk Medical Insurance Program

Status: Full Assembly: Passed 5/31/06. Sent to Senate 6/1/06. Referred to Health Committee and Banking, Finance and Insurance Committee. No hearing date set.

This bill extends the sunset for the Managed Risk Medical Insurance Program (MRMIP), which covers patients with "pre-existing conditions" unable to get coverage elsewhere.

AB 2742

Author: Assemblymember Pedro Nava

Topic: Family planning: Medi-Cal: Family PACT program

Status: Assembly Health Committee: Amended and passed 5/3/06. Re-referred to Assembly Appropriations Committee: Passed 5/30/06. Full Assembly: Passed 5/31/06. Sent to Senate 6/1/06: In Senate Rules Committee for assignment.

Amended as follows: This bill would require that 1) All Managed care plans comply with the same regulations as FPACT providers which includes gathering data 2) Makes all family planning services the same as FPACT 3) Strikes out the Managed Care carve out in the bill 4) Expands the Freedom of choice to abortion (to be able to go out of plan for abortion which is already allowed for family planning) 5) Codifies the requirement that out of plan providers be reimburse at the applicable Medi-Cal rate in a timely way.

SB 437

Authors: Senator Martha Escutia

Topic: California Healthy Kids Insurance Program

Status: Full Senate: Passed 6/1/06. Sent to Assembly 6/2/06. Read third time with amendments.

This is the statewide children's health coverage bill sponsored by the 100% Campaign and PICO California to cover all children in California. It would create the California Healthy Kids Insurance Program, allowing all eligible children to be enrolled in the Healthy Families Program or the appropriate Medi-Cal program component. The bill would require the agencies that administer the Medi-Cal program to design, implement and promulgate policies and procedures for an automated enrollment gateway system within the California Healthy Kids Insurance Program to perform designated functions. The bill would also require the board and the department to establish a simplified annual renewal form for enrollees in the Healthy Families Program and the Medi-Cal program. The bill would require the California Healthy Kids Insurance Program to educate families about, and enroll individuals in, the most beneficial Healthy Families Program or Medi-Cal program component and to promote voluntary participation by employers in providing health care coverage to employees' children. By requiring counties, as administrators of the Medi-Cal program to collaborate on the automated enrollment gateway system, the bill would increase their duties, thereby imposing a state-mandated local program. The bill would delete the family income eligibility requirement under the Medi-Cal Bridge Program and would delete the time limit for benefits under both the Medi-Cal and Healthy Families bridge programs, providing health care benefits under these programs until the person's eligibility for either the Healthy Families Program or the Medi-Cal program has been determined. See bill for additional requirements and provisions.

SB 458

Author: Senator Jackie Speier

Topic: Basic Health Care: Counties

Status: Assembly Health Committee: Set for 5/4/06 hearing: bill amended and re-referred to Committee: Hearing set for 6/13/06.

This bill would authorize, until January 1, 2009, a pilot project in which up to 200,000 employees at any one time may be enrolled, and for which nonprofit community health centers, nonprofit primary care clinics,

nonprofit federally qualified health centers, and look-alikes, may accept prepayment from an administering health care service plan or health insurer for provider services for up to one month at a time. This bill also allows special county commissions established in San Mateo, San Bernardino, Ventura, and other counties with commissions pertaining to the delivery of publicly assisted medical care, to expand the scope of the commissions to include meeting the problems of a lack of access to affordable health care coverage. The bill authorizes the commissions to offer coverage for both publicly assisted medical care and privately financed medical care for both the residents of the county and residents of other counties if the commission's governing body determines that there exists a need for affordable coverage in other counties.

SB 840

Author: Senator Sheila Kuehl

Topic: Single Payer Health Care Coverage

Status: Assembly: Re-referred to Rules Committee: No action since 7/12/05.

This bill would establish the California Health Insurance System to be administered by the newly created California Health Insurance Agency under the control of an elected Health Insurance Commissioner. The bill would make all California residents eligible for specified health care benefits under the California Health Insurance System, provided on a single-payer basis. The bill requires the health care system to be operational within two years of enactment. The bill also establishes various offices within the agency to protect consumer rights, establish quality of care standards and plan for the health care needs of the population. Related bill: SB 1779.

SB 1528

Author: Senator Debra Bowen

Topic: Medi-Cal: Covered Services: Pregnancy

Status: Passed Senate Health 3/29/06: Re-referred to Senate Appropriations Committee: Passed on 5/26/06. Full Senate: Passed on 6/1/06. Sent to Assembly on 6/1/06: Held at desk.

This bill would provide coverage for home infusion treatments with tocolytic agents for pregnant women in the Medi-Cal fee-for-service program, subject to utilization controls and clinical guidelines.

Changes to Health and Social Service Programs, including Eligibility and Enrollment

AB 1298

Author: Assemblymember Noreen Evans

Topic: Health and Human Services

Status: Senate Appropriations Committee: No action since 8/25/05.

This bill would require the CA HHS agency to establish a workgroup by July 1, 2006 to develop procedures for streamlining eligibility requirements in certain health and human services programs including CalWORKs, Food Stamps, Healthy Families and Medi-Cal. It would also look at how to best reduce administrative costs associated with asset certification.

AB 1948

Author: Assemblymember Cindy Montanez

Topic: Medi-Cal program: Healthy Families Program: Child Health and Disability (CHDP) Program

Status: Rereferred to Assembly Appropriations: Passed on 5/30/06. Full Assembly: Passed 5/31/06. Sent to Senate on 6/1/06: Referred to Senate Health: Hearing set for 6/21/06.

This is an MCH Access-sponsored bill. This bill would require the Department of Health Services, by July 1, 2008, to modify the current two-step CHDP Gateway application process so that families could, at their option, simultaneously pre-enroll and apply for enrollment into the Healthy Families Program or Medi-Cal program when they apply for the CHDP Gateway. Continuing preliminary benefits would be effective until a final eligibility determination is made.

AB 2889**Author: Assemblymember Dario Frommer****Topic: Health care coverage: federally eligible defined individual****Status: Assembly Health: Passed on 4/18/06 with amendments. Assembly Appropriations: Passed on 5/11/06. Full Assembly: Passed on 5/22/06. Sent to Senate on 5/22/06. Referred to Senate Banking, Finance and Insurance Committee and Health Committee.**

Under existing law, health plans are prohibited from declining to cover or enroll a federally eligible defined individual and are also prohibited from imposing a preexisting condition exclusion with respect to such a person. Existing law defines a federally eligible defined individual, in part, as an individual who has had 18 months of creditable coverage, with the most recent coverage being under a group plan. This bill would expand the definition of a federally eligible defined individual by instead requiring that he or she have had creditable coverage under any of a list of health plans, policies, or programs.

SB 1448**Author: Senator Sheila Kuehl****Topic: Health care: Medi-Cal uninsured persons****Status: Senate Health: Passed with amendments on 5/3/06: Re-referred to Senate Appropriations: Passed on 5/16/06. Full Senate: Passed on 5/18/06. Sent to Assembly on 5/18/06. Assembly Health: Hearing set for 6/20/06.**

This bill would, in implementation of the hospital funding waiver and subject to federal financial participation, enact the Health Care Coverage Initiative Act to expand health care coverage to uninsured individuals. The bill would require that the initiative be designed and implemented to achieve specified outcomes, including expanding the number of Californians who have health care coverage. It would require the department to award the funds made available from the Health Care Support Fund to fund the initiative, and to make awards to programs that best meet the requirements and desired outcomes of the initiative. The bill would provide that a county, city and county, or consortium of more than one county is eligible to apply for the initiative funds, would specify application requirements, and would require the department to make awards to at least three entities and to seek to balance the awards throughout geographic areas of the state. Awards would be made for a 3-year period, and grantees would be required to provide local matching funds necessary to claim federal funds. The bill would require that federal funds under the initiative supplement, and not supplant, funds that would otherwise be used for health care services, and would limit the amount of award payments that may be used for program administration. **This bill would declare that it is to take effect immediately as an urgency statute.**

SB 1622**Author: Senator Martha Escutia****Topic: Healthy Families Program and Medi-Cal: Employee Eligibility****Status: Senate Banking, Finance, and Insurance Committee: Approved with amendments: Re-referred to Senate Health Committee: Approved with amendments on 5/3/06: Re-referred to Senate Appropriations: Passed on 5/16/06. Full Senate: Passed on 5/30/06. Sent to Assembly on 5/31/06. Referred to Assembly Health: Hearing set for 6/27/06.**

This amended bill would require, on or before 1/1/08, the State Department of Health Services and the Managed Risk Medical Insurance Board (MRMIB) to develop an informational document referred to as "Employee Notification of Eligibility for Healthy Families/Medi-Cal". This document would be made available in both English and Spanish and in each language spoken by 15% or more of the employees who are non-English speaking. The document must include information on income eligibility criteria, application materials and enrollment instructions, as well as where to obtain additional information about the programs. Employers, within identified industries, would be required to provide this document to their employees hired on or after March 31, 2008.

Child Health

AB 264

Author: Assemblymember Wilma Chan
Topic: Health Care Service Plans: Pediatric Asthma
Status: Senate Banking, Finance, and Insurance Committee: Heard 5/18/06, amended and referred to committee for third reading.

This bill would require a health care service plan contract, as specified, to include coverage for outpatient training and education necessary to use the medications and devices prescribed for the treatment of pediatric asthma for an enrollee who meets certain criteria.

AB 525

Author: Assemblymember Judy Chu
Topic: Child Abuse Reporting
Status: Re-Referred to Senate Public Safety: Passed 6/13/06. Referred to Senate Appropriations.

This bill would expand the existing definition of the term "child abuse or neglect" for the purposes of mandatory reporting of suspected instances of child abuse or neglect, to include instances where a child suffers or is at substantial risk of suffering serious emotional damage.

AB 1111

Author: Assemblymember Dario Frommer
Topic: Health care coverage
Status: Full Assembly: Passed 1/30/06. Sent to Senate 1/30/06. Referred to Senate Health: No hearing date set.

This bill would create the California Healthy Kids Fund in the State Treasury, where public and private contributions would be deposited. The bill would require the funds to be used, upon appropriation, by the State Department of Health Services for the purpose of implementing and providing health coverage pursuant to the California Healthy Kids Insurance Program and providing transitional assistance. These provisions would not become operative unless a statute is enacted that creates the California Healthy Kids Insurance Program.

AB 2377

Author: Assemblymember Wilma Chan
Topic: Health care coverage
Status: Assembly Health: Passed on 4/26/06. Re-referred to Assembly Appropriations: Passed with amendments on 5/26/06/ Full Assembly: Passed on 5/31/06. Sent to Senate on 6/1/06: In Senate Rules Committee for assignment.

Existing law creates the County Health Initiative Matching Fund where specified funds are deposited and administered by the Managed Risk Medical Insurance Board. Until a program is established to provide health coverage to all children the money in the fund can be used (1) to eliminate caps on enrollment and waiting lists under a local initiative, (2) to fund administrative costs for a county's participation in the Healthy Families (HF) buy-in program, and (3) to provide matching funds for the premium payment assistance county HF buy-in program. HF immigration status requirements do not apply.

AB 2651

Author: Assemblymember Dave Jones
Topic: Newborns: Hearing Screening
Status: Assembly Health Committee: Passed with amendments. Re-referred to Assembly Appropriations: Passed with amendments on 5/26/06. Full Assembly: Passed on 5/31/06. Sent to Senate on 6/1/06: In Senate Rules Committee for assignment.

This amended bill, sponsored by the March of Dimes, would expand the Newborn and Infant Hearing Screening, Tracking, and Intervention Act, beyond CCS-covered facilities, to include every birthing center or

clinic or general acute care hospital with licensed perinatal services, such that all parents of a newborn, upon birth admission, are offered a hearing screening test for the identification of hearing loss in their infant. It would permit certain hospitals to contract for the provisions of this service.

SB 558

Author: Senator Carole Migden
Topic: Healthy Families Program and Medi-Cal: Workplace Notice
Status: Full Senate: Passed 1/30/06. Sent to Assembly 1/30/06. Referred to Assembly Health: No hearing date set.

This bill requires the Managed Risk Medical Insurance Board (MRMIB) to develop an informational document, the "Healthy Families/Medi-Cal Workplace Notice" which would require distribution to the employees of all California businesses. The Employment Development Department would be responsible for providing private employers, as specified, the new form and tracking employee interest. In addition, MRMIB would be required to develop a process permitting direct payment of premiums from private employer payrolls or have the payments transferred from a designated financial institution to the board. Every employer in the state would be required to notice all of their employees of the availability of publicly sponsored children's health insurance.

SB1405

Author: Senator Nell Soto
Topic: Medi-Cal: Healthy Families Program: interpreter services
Status: Senate Health: Passed on 5/16/06. Senate Appropriations: Passed on 5/24/06. Full Senate: Passed on 5/25/06. Sent to Assembly on 5/25/06: Referred to Assembly Health: Hearing set for 6/20/06.

This bill would make certain findings regarding the portion of the California population that is limited English proficient (LEP). The bill would establish the Task Force on Reimbursement for Language Services to develop and adopt a mechanism for seeking federal matching funds to pay for language assistance services, including oral interpretation services and translation of written materials, for the population that is LEP and that is enrolled in Medi-Cal or Healthy Families. It would require the task force to report its recommendations to the Legislature no later than July 1, 2009, and would require that all costs associated with the task force be paid with private funds. This bill contains other existing laws.

SB 1748

Author: Senator Liz Figueroa
Topic: Cystic Fibrosis: Newborn Screening
Status: Re-referred to Senate Appropriations: Passed on 5/25/06. Full Senate: Passed on 5/30/06. Sent to Assembly on 5/31/06. Referred to Assembly Health: Hearing set for 6/27/06.

This bill would additionally require the department to expand statewide screening of newborns to include cystic fibrosis screening to detect cystic fibrosis as soon as possible. The bill would require the department, not later than July 1, 2007, to report to the Legislature on the progress of the program with respect to newborn screening for cystic fibrosis, including an estimate of the costs for screening, follow-up, and treatment as compared to costs and morbidity averted by this testing under the program.

Environmental Exposure

AB 1681

Author: Assemblymember Fran Pavley
Topic: Lead-Containing Jewelry
Status: Senate Environmental Quality Committee: Hearing set for 6/19/06.

This bill was originally part of AB 1415, a mercury reduction bill, but is now replacing a relationship service bill. This bill would prohibit on or after July 1, 2007, the sale, promotion, and importation of metal jewelry, or any metal component of jewelry, with more than 600 parts per million total lead. Similar restrictions would

apply to non-metal jewelry containing more than 200 parts per million total lead, and any leaded crystal jewelry yielding more than 90 micrograms of accessible lead. Legislative findings about the harmful effects of lead are included in the bill.

Infectious Diseases

SB 699

Author: Senator Nell Soto

Topic: HIV and AIDS Reporting

Status: Enrolled 4/06/06 and signed by the Governor on 4/17/06.

Existing law requires that public health records relating to HIV and AIDS, containing personally identifying information, that was developed or acquired by state or local public health agencies be confidential, and prohibits the disclosure of those records, except as otherwise provided for by law for public health purposes or pursuant to a written authorization by the person who is the subject of the record or by this or her guardian or conservator. This bill would, to ensure knowledge of current trends in the HIV epidemic and to assure that California remains competitive for federal HIV and AIDS funding, require health care providers and laboratories to report cases of HIV infection to the local health officer using patient names. It would require local health officers to report unduplicated HIV cases by name to the State Department of Health Services. The bill would also require the Department to promulgate specified regulations, not later than one year from the effective date of the provisions of the bill and would make various other changes related to the disclosure of information on HIV cases to federal, state and local health agencies.

SJR 22

Author: Senator Jackie Speier

Topic: Microbicide Development Act

Status: Senate Health: Hearing set for 5/03/06: Read and adopted: Sent to Assembly.
Assembly Health Committee: Hearing set for 6/13/06.

This legislation would memorialize the United States Congress and the President to enact the Microbicide Development Act (S 550 and HR 385). This Act will strengthen and accelerate microbicide research and development at the National Institutes of Health, the US Agency for International Development and the Centers for Disease Control. Microbicides are products, such as a cream or gel, which would prevent transmission of HIV and other STDs.

Maternal and Child Health Miscellaneous

AB 1872

Author: Assemblymember Rebecca Cohn

Topic: Domestic Violence: Punishment

Status: Assembly Appropriations Committee: Referred to Appropriations: Passed on 5/26/06.
Full Assembly: Passed on 5/30/06. Sent to Senate on 5/30/06. Referred to Senate
Public Safety: Hearing set for 6/20/06.

Current law provides that any person who, during the commission of a felony or attempted felony, knows or reasonably should know that the victim is pregnant, and who, with intent to inflict injury, and without the consent of the woman, personally inflicts injury upon a pregnant woman that results in the termination of the pregnancy is subject to an enhancement of 5 years. This bill would provide, instead, that any person, during the commission of a felony or attempted felony, knows or reasonably should know that the victim is pregnant and without the consent of the woman, personally inflicts great bodily injury upon a pregnant woman or inflicts injury upon a pregnant woman that results in the termination of the pregnancy is subject to an enhancement of 5 years.

AB 1907

Author: Assemblymember Ted Lieu

Topic: Office of Child Abuse Prevention: Multidisciplinary Personnel
Status: Cleared Assembly: Passed to Senate Rules for assignment: Referred to Senate Committee on Human Services: Hearing set for 6/13/06.

This bill would revise the definition of "multidisciplinary personnel" for purposes of child abuse prevention services to include marriage and family therapists.

AB 2108

Author: Assemblymember Noreen Evans
Topic: Child health: car safety seat or booster
Status: Assembly Transportation: Passed on 4/24/06. Re-referred to Assembly Appropriations: Passed on 5/22/06. Full Assembly: Passed on 5/25/06. Sent to Senate on 5/25/06. Referred to Senate Transportation and Housing: Hearing set for 6/27/06.

This bill mandates use of a car safety seat or booster up to age eight unless the child is 4'9" or taller. It requires children 12 and under to ride in the back seat, with some exceptions, and babies to ride in a rear-facing safety seat until they reach both one year and 20 pounds.

SB 300

Author: Senator Sheila Kuehl
Topic: Family and Medical Leave
Status: Assembly Appropriations Committee: No action since 8/25/05.

This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, and (2) permitting an employee to take leave to care for a seriously ill grandparent, sibling, or domestic partner, as defined. This bill would prohibit the employer from requiring the employee to disclose his or her own diagnosis or course of treatment, or that of a family member, as a condition of granting family or medical leave.

SB 1668

Author: Senator Debra Bowen
Topic: Child Death: Review Teams
Status: Senate Public Safety: Passed on 4/26/06. Full Senate: Passed on 5/11/06. Sent to Assembly on 5/11/06. Referred to Assembly Public Safety: Passed on 6/13/06. Re-referred to Assembly Judiciary Committee.

This bill would provide that an oral or written communication or a document shared within or produced by a child death review team related to a child death review, provided by a third party to the child death review team, or between a third party and a child death review team is confidential and not subject to disclosure or discoverable by a third party. This bill also would provide an exception to these rules of nondisclosure for recommendations of a child review death team at the discretion of a majority of the members of the team.

Mental Health

AB 2317

Author: Assemblymember Paul Koretz
Topic: Postpartum Mood and Anxiety Disorders
Status: Assembly Health Committee: Passed as amended on 4/04/06: Re-referred to Assembly Appropriations: Passed on 5/26/06. Full Assembly: Passed on 5/31/06. Sent to Senate on 6/1/06: In Senate Rules Committee for assignment.

This bill would require the State Department of Health Services to conduct the Perinatal Mood and Anxiety Disorders (PMAD) Awareness Campaign to increase awareness and provide education to pregnant women and new mothers on postpartum mood and anxiety disorders, including postpartum depression, panic disorder, obsessive-compulsive disorder, and postpartum psychosis. By June 1, 2008, a work group would prepare and submit to the department specified recommendations relating to the implementation of the

awareness campaign. The bill would also authorize the department to use nonpublic sources of funding to support the activities of the work group and fund the campaign, and would require that voluntary funds received for the purposes of this bill be deposited into the Community Postpartum Anxiety and Awareness Campaign Fund.

SB 1356

Author: Senator Alan Lowenthal

Topic: Suicide Prevention

Status: Re-referred to Senate Appropriations: Passed on 5/25/06. Full Senate: Passed on 5/30/06. Sent to Assembly on 5/31/06. Referred to Assembly Health: Hearing set for 6/20/06.

This bill establishes the Suicide Prevention Act of 2006 which requires the Department of Mental Health (DMH) in consultation with impacted state and local boards and departments to implement a comprehensive suicide prevention plan.

Nursing Workforce

AB 958

Author: Assemblymember Hector De La Torre

Topic: California State University: Nursing Education: Liability

Status: Senate Education Committee: Hearing set for 6/21/06.

Specifies when California State University (CSU) campuses are responsible for liability coverage for student-nurses in private hospitals. Specifically, this bill provides that CSU is responsible for its student-nurses stationed in private hospitals, as well as the activities of any university faculty member, administrator, or staff person who participates in a university nursing program.

SB 1596

Author: Senator George Runner

Topic: Nurse-Family Partnership Program

Status: Senate Health Committee: Passed on 4/05/06 and re-referred to Senate Appropriations: Passed on 5/26/06. Full Senate: Passed on 5/30/06. Sent to Assembly on 5/31/06: Held at Desk.

This bill would establish the Nurse-Family Partnership program, which would be administered and implemented by the State Department of Health Services, for purposes of making grants to eligible participating counties for the provision of voluntary registered nurse home visiting services for expectant first-time low-income mothers, their children, and their families.

SB 1638

Author: Senator Liz Figueroa

Topic: Midwives: Supervision

Status: Senate Judiciary Committee: Re-referred to Health Committee: Passed on 5/3/06 and Re-referred to Senate Appropriations: Passed on 5/23/06. Full Senate: Passed on 5/25/06. Sent to Assembly on 5/25/06: Held at desk.

This amended bill would allow a client receiving services from a certified midwife to refuse the supervision of a physician and surgeon if the refusal is informed and is on a written form prescribed by the Division of Licensing of the Medical Board of California. The personal information of licensees shall be confidential and shall not be released in any public document.

Nutrition

AB 469

Author: Assemblymember Leland Yee

Topic: Nutrition guidelines: Public School Food

Status: Senate Health: Hearing set for 6/14/06.

Existing law requires the State Department of Education to develop and maintain nutrition guidelines for school lunches and breakfasts, and for all food and beverages sold on public school campuses. This bill would require the department to develop and maintain those guidelines for all food and beverages served on public school campuses. The bill contains other related provisions and other existing laws.

AB 569

Author: Assemblymember Bonnie Garcia

Topic: Pupil Nutrition – Food Service

Status: Re-referred to Senate Appropriations Committee on 3/1/06.

This bill, commencing on January 1, 2007, would require a school district that elects to contract with a commercial food vendor to prepare or provide food for sale to pupils on a school campus to make information available on the nutritional content of all food items sold.

Public Health

AB 2918

Author: Assemblymember Lois Wolk

Topic: Medi-Cal: county organized health system

Status: Assembly Health: Passed with amendments on 5/2/06: Sent to Senate. Senate Health Committee: Passed 6/8/06. Re-referred to Rules Committee.

Currently, some county organized health systems (COHS) can provide managed care services beyond the Medi-Cal population and some COHSs cannot. This bill would allow all COHSs to provide services beyond Medi-Cal to other individuals and groups, conforming their authority to that of the Local Initiatives.

SB 912

Author: Senator Denise Ducheny

Topic: Medi-Cal Provider Reimbursement

Status: Approved by Governor on 2/17/06.

This bill eliminated the 5% provider rate reductions with respect to Medi-Cal program services for dates of service commencing 14 days after the effective date of the bill and ending on January 1, 2007, to the extent that federal financial participation is available for the increase provided for in these provisions. The bill exempted from elimination the reduction in payments to managed health care plans.

Reproductive Health and Perinatal Care

SB 1555

Author: Senator Jackie Speier

Topic: Umbilical Cord Blood Banking: Education

Status: Senate Health: Passed with amendments on 4/25/06: Re-referred to Senate Judiciary: Passed on 5/2/06 with amendments: Re-referred to Senate Appropriations: Passed on 5/23/06. Full Senate: Passed on 5/30/06. Sent to Assembly on 5/31/06: Held at desk.

This amended bill would require that a primary prenatal care provider of a pregnant woman provide to her, by the end of the 2nd trimester (28th week), standardized, objective information developed by the State Department of Health Services regarding her options with respect to umbilical cord blood banking. This information would include but not be limited to the following 1) The current and potential future medical uses of stored umbilical cord blood 2) The benefits and risks involved in umbilical cord blood banking 3) The medical process involved in umbilical cord blood banking 4) Medical or family history criteria that can impact a family's consideration of umbilical cord banking 5) An explanation of the differences between public and private umbilical cord blood banking 6) The availability and costs of public or private umbilical cord blood banks 7) An explanation that the practices and policies of blood banks may vary with respect to

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For further information, please contact Lynn Kersey at MCH Access (213) 749-4261, lynnk@mchaccess.org or Andrea Hoberman or Jennifer Taylor at PAC/LAC (818) 788-6850, ahoberman@paclac.org, jtaylor@paclac.org

accreditation, cord blood processing and storage methods, costs and donor privacy. The information provided by the department shall be made available in Cantonese, English, Spanish, and Vietnamese.

Safety

AB 389

Author: Assemblymember Juan Arambula
Topic: Swimming Pool Safety
Status: Referred to Senate Rules Committee on 02/02/06.

This bill authorizes and encourages the Department of Health Services (DHS) to produce and place on its website a document explaining the child drowning hazards of home swimming pools and spas, safety measures and drowning hazard prevention measures if such a document has not been donated to DHS, or if DHS has not approved a donated document.

AB 963

Author: Assemblymember Bonnie Garcia
Topic: Vehicles: Provisional Driver's License: Cellular Telephone use Restriction
Status: Senate Transportation and Housing Committee: Hearing set for 5/16/06. Pulled at request of author.

This bill would prohibit a person issued a provisional driver's license from using a cellular telephone and other similar devices while operating a motor vehicle for the first six months of the license period.

AB 1873

Author: Assemblymember Alberto Torrico
Topic: Child Protection: Safe Surrender
Status: Assembly Committee on Human Services: Passed on 5/3/06 with amendments: Re-referred to Assembly Appropriations: Passed on 5/26/06. Full Assembly: Passed on 5/31/06. Sent to Senate on 5/31/06. Referred to Senate Judiciary: Hearing set for 6/20/06.

The existing "Safe-Surrender" Law allows a parent or other person with lawful custody of a child 72 hours old or younger to safely surrender the newborn child at a designated safe-surrender location. This amended bill would change the existing law to allow a child up to thirty days old to be safely surrendered. The bill also appropriates \$5 million to conduct a statewide awareness campaign and establish and operate a toll-free number to provide education and assistance to the public regarding safe-surrender sites and voluntary relinquishment of a child.

Medical Debt and Hospital Billing Practices

AB 2950

Author: Assemblymember Lynn Daucher
Topic: Medi-Cal billing reductions
Status: Assembly Health: Passed on 4/18/06: Re-referred to Assembly Appropriations with Recommendation: Passed on 5/26/06. Full Assembly: Passed on 5/30/06. Sent to Senate on 5/30/06. Referred to Senate Health: Hearing set for 6/21/06.

Under existing law, a bill submitted by a provider for a service provided under the Medi-Cal program is required to be submitted not more than 6 months after the month in which the service is rendered, with specified exceptions. Existing law requires that reimbursement for an original claim, submitted for payment between 6 and 12 months after the month of service, and which does not meet an exception, be reduced by 25% to 50%, as specified. This bill would provide that the reductions in reimbursement specified under the above provisions do not apply with respect to certain Medi-Cal programs for which there is no state General Fund match.

SB 1277**Author:** Senator Elaine Alquist**Topic:** Emergency services and care: reimbursement**Status:** Senate Appropriations: Passed 5/9/06. Full Senate: Passed on 5/11/06. Sent to Assembly on 5/11/06. In Assembly Health: Hearing set for 6/20/06.

Under the Knox-Keene Act, a health care service plan is required to comply with procedures regarding authorization requests made by providers and is required to reimburse providers for emergency services and care provided to its enrollees. This bill would provide that a request for authorization for emergency services and care, poststabilization care, as defined, or transfer of the enrollee is deemed approved by the health care service plan if it fails to authorize those services within 30 minutes of the provider's initial contact to request authorization. The bill would require the plan to reimburse the provider for the services within a specified time frame. This bill contains other related provisions and other existing laws.

First-Year Bills That Failed

The following bills failed to pass out of their house of origin (Senate or Assembly) in the 2006-2007 legislative session. The author of each bill has the option to pursue passage of the bill in the 2007-2008 legislative session.

Access and Insurance Coverage

AB 2508**Author:** Assemblymember Ray Haynes**Topic:** Illegal Immigration: Public benefits**Status:** Assembly Judiciary Committee: Hearing set for 4/25/06: Failed passage.

Under existing law, the California Emergency Services Act provides for mitigation and response efforts to events including states of emergency, as defined, and local emergencies, as defined. This bill would include illegal immigration within the definitions of the terms "state of emergency" and "local emergency" under these provisions, and would make findings and declarations to this effect.

SB 189**Author:** Senator Wes Chesbro**Topic:** Health Care Coverage: Substance Related Disorders**Status:** Inactive: Returned to Secretary of Senate (Joint Rule 56).

This bill would require HMOs and health insurers to provide coverage for the necessary treatment of substance abuse, on the same basis as coverage is provided for any other medical condition. The bill would authorize a plan and insurer to limit non-hospital residential care, as defined, to 60 days per calendar year.

SB 1784**Author:** Senator Sheila Kuehl**Topic:** Taxation: The California Health Insurance Reliability Funding Act**Status:** Senate Health: Hearing set for 5/03/06: Author did not submit bill to committee.

This bill would impose a series of taxes beginning after January 1, 2007 on the taxpayer's taxable income that exceeds \$200,000, on self-employment income of an individual taxpayer, and on non-wage income of a taxpayer. The bill would require all revenues from these taxes received by the Franchise Tax Board to be deposited into the Health Insurance Fund to create the California Health Insurance System.

Related bill: SB 840.

Changes to Health and Social Service Programs, Including Eligibility and Enrollment

AB 2450

Author: Assemblymember Keith Richman
Topic: Health care coverage: Cal-Health program
Status: Assembly Health: Failed passage on 4/25/06.

This bill contains many of the elements introduced by Assemblymembers Richman and Nation in their series of bills last year. It would enact the Cal-Health Act that would:

- 1) Require the Department of Health Services to establish an enrollment and retention program to serve as a single point of entry, but not the exclusive method of enrollment and retention, for all health care programs offered by the state and local government agencies.
- 2) Require each resident of the state to obtain minimum health care coverage, as defined.
- 3) Require the Secretary of California Health and Human Services to work in conjunction with counties to establish a purchasing exchange through which an essential benefits plan, developed by the Managed Risk Medical Insurance Board and the Department of Managed Health Care, would be made available.
- 4) Require the board and the department to establish a subsidy program for eligible qualified employers, as defined, who offer essential benefits health coverage for eligible employees. The bill would authorize the Franchise Tax Board to withhold any overpayment of income tax by a resident who failed to obtain minimum health care coverage that would be used to obtain coverage through the resident's purchasing exchange. The bill would impose a tax on the gross premiums, as specified, of health care service plans that would be deposited into the Universal Health Care Fund, which would be created by the bill

Child Health

SB 811

Author: Senator Deborah Ortiz
Topic: Infant and Child Health
Status: SPOT bill – No action.

This bill would enact legislation related to infant and child health. Subsequent amendments will specify the bill intent.

SB 1118

Author: Senator Liz Figueroa
Topic: Health Care Insurance for All Children Act
Status: Senate Health: Hearing set for 5/03/06: Withdrawn from committee by author: Re- Referred to Revenue and Taxation Committee and Health Committee: Hearing postponed by committee on 5/8/06.

This bill would express the Legislature's intent to enact legislation to provide access to affordable health care insurance to all uninsured children in California, and to provide a funding mechanism for that insurance.

Infectious Diseases

AB 2203

Author: Assemblymember Bonnie Garcia
Topic: Prenatal Care: Pregnant women: HIV testing
Status: Assembly Health Committee: Hearing set for 4/25/06: Failed passage – reconsideration granted.

Prior to obtaining a blood specimen, existing law requires the physician and surgeon or other person engaged in the prenatal care of a pregnant woman or attending the woman at the time of delivery to ensure that the woman is informed that she has a right to accept or refuse testing. Further, existing law requires the acceptance of testing for HIV to be documented in writing and signed by the patient. This bill would require that the information sheet be developed by the State Department of Health Services in coordination with federal Centers for Disease Control and Protection and, when complete, be available on websites and by written request. The bill would require that any woman seeking an annual gynecological examination or

family planning appointment by provided with an information sheet on HIV and AIDS, as prescribed, including a place where the patient may sign to acknowledge receipt of the information sheet. The signed information sheet would be maintained as part of the patient's medical record.

Maternal and Child Health Miscellaneous

AB 2141

Author: Assemblymember Dave Jones

Topic: Parent-Child Communication Assistance Program

Status: Assembly Appropriations: Final hearing on 5/25/06: Held under submission.

This bill would create the Parent-Child Communication Assistance Program (PCCA) within the Office of Family Planning. The goal of the program is to decrease teenage pregnancies through programs that equip parents with the knowledge, understanding, and communication skills necessary to talk to their children about sex and sexuality. PCCA would require the OFP establish standards for organizations applying for grant funds that would be made available to qualified public or private nonprofit providers.

AB 2775

Author: Assemblymember Lynn Daucher

Topic: Medi-Cal: Dental services: anesthesia

Status: Assembly Health: Passed with amendments on 4/25/06. Re-referred to Assembly Appropriations: Hearing set for 5/25/06: Held under submission.

This bill would provide that nothing in the provisions governing coverage for dental services under the Medi-Cal program shall be construed to preclude coverage for anesthesia or sedation for dental services that are not provided as inpatient hospital services.

AB 2976

Author: Assemblymember Dennis Mountjoy

Topic: Child Abuse: Reporting

Status: Assembly Public Safety: Failed passage on 4/25/06. No further action pursuant to Joint Rule 62 (a) on 5/17/06.

This bill would create the Child Sexual Abuse, Exploitation, and Rape Reporting and Deterrence Act of 2006, which would require all licensed medical personnel, including physicians and surgeons, physicians assistants, nurses, nurse practitioners, and pharmacists, and their ancillaries and assistants to report, within 24 hours of receiving the reportable information, to a law enforcement of child protective agency their knowledge or reasonable suspicion that a minor has contracted a sexually transmitted disease or is pregnant. The bill would also require a physician or surgeon who performed an abortion on a minor to collect sufficient tissue from the fetal remains to determine paternity. This bill would require the tissue and documentation regarding the chain of custody to be preserved for 4 years in case of use in a criminal proceeding.

SB 1599

Author: Senator Denise Ducheny

Topic: Domestic Violence Prevention: Funding

Status: Senate Judiciary: Hearing set for 5/2/06: Pulled at request of author.

Existing law requires the governing bodies of *specified* cities and counties to deposit into special funds, money collected from filing fees and requests for certified copies of fetal death and death records, and marriage and birth certificates. The proceeds of these funds are to be used for governmental oversight and coordination of specified domestic violence and family violence prevention, intervention, and prosecution efforts in the affected counties. This bill would establish these same provisions, *applicable to any county in the state*, pursuant to which the county board of supervisors may provide for the assessment and collection, subject to applicable constitutional requirements, deposit, and expenditure of the fees described above, for the prevention, intervention, and prosecution of domestic violence in the county.

SB 1615

Author: Senator Joe Simitian
Topic: State Agencies: Collection of Data: Ancestry or Ethnic Origin
Status: Senate Judiciary Committee: Hearing set for 5/2/06: Passed with amendments: Re-
Referred to Senate Appropriations: Hearing set for 5/25/06: Held in committee and
under submission.

This amended bill would require that any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians shall ensure that data is, at a minimum, collected and tabulated according to standards defined by the Office of Management and Budget's current Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting and uses separate collection categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian. A single designation for multiracial respondents does not satisfy this requirement.

SB 1785

Author: Senator Liz Figueroa
Topic: Human Milk
Status: Senate Health: Passed on 5/15/06. Senate Appropriations: Hearing set for 5/25/06: Held
in Committee and under submission.

This bill would exempt a hospital from the tissue bank licensure and regulation requirements for the purpose of collecting, processing, storing, or distributing human milk, and would exempt human milk to be given to the infant of the woman who expressed the milk from any screening test requirement. This bill would also require a hospital that collects, processes, stores, or distributes human milk to comply with specified standards set forth on the effective date of the bill. If passed, this bill would take effect immediately as an urgency statute. **Co-sponsored by PAC/LAC.**

Medical Education

SB 1779

Author: Senator Richard Alarcon
Topic: Rural Doctor Incentive Program
Status: Referred to Senate Rules Committee on 3/9/06.

This bill would establish a rural doctor incentive program to provide incentives to recently graduated physicians and surgeons to work in low-income rural areas of the state, similar to programs used to provide incentives for teachers to teach in inner city schools. The program may include grants to assist in paying off student loans, and to provide aid to help physicians and surgeons to build and maintain clinics. This bill would also implement a program resulting in increased number of students who come from low-income rural areas who enroll in medical schools through outreach programs, scholarships, and grants.

Nutrition

AB 1790

Author: Assemblymember Rebecca Cohn
Topic: California Fresh Start Pilot Program
Status: Assembly Agriculture: Set for hearing on 4/26/06: Pulled at request of author.

Existing law has established that the California Fresh Start Pilot Program, administered by the State Department of Education in consultation with the Department of Food and Agriculture and the State Department of Health Services, to encourage public schools (kindergarten through grade 12) to provide fruits and vegetables that have not been deep fried to pupils in order to promote the consumption of nutritious fruits and vegetables. This bill would replace reference to "nutritious" fruits and vegetables with references to "fresh" fruits and vegetables.

Public Health

SB 1672

Author: Senator Abel Maldonado
Topic: Public Health: Health Care Technology Systems: Tax Credit: Loans
Status: Senate Revenue and Taxation: Passed on 4/26/06: Re-referred to Senate
Appropriations: Hearing set for 5/25/06: Held in committee and under submission.

This bill would establish a low-interest loan program to provide any participating health institution, health facility, hospital, long-term care facility, or licensed physician and surgeon with financing for the costs of purchasing a health care information technology system.

SB 1746

Author: Senator George Runner
Topic: Health Care Reporting: Public Access
Status: Senate Health: Hearing Set for 4/12/06: Hearing cancelled at request of author.

This bill would require the State Department of Health Services to convene a 13-member commission to study specified aspects of reporting health care information and methods to make this information available to the public. The commission would assess the feasibility of developing a Physician Report Card and statewide web sites to make information regarding quality and cost of health care procedures, as well as information regarding individual physician cost and outcomes, available to the public. The commission would also look at establishing a long-term database assessing treatment outcomes for the purpose of enhancing public epidemiology research, as well as methods by which patient outcome data can be stripped of personal information markers for confidentiality.

SB 1780

Author: Senator Richard Alarcon
Topic: Health Facilities: Nosocomial Infections
Status: Senate Health: Hearing Set for 4/26/06: Pulled at request of author.

This bill would require that on and after January 1, 2008, each health facility transmit notification of a nosocomial infection to the Office of Statewide Health Planning and Development. This bill would also require that the office on or before January 1, 2009, and annually thereafter, compile this data and establish an aggregate nosocomial infection rate per health facility and transmit the aggregate nosocomial infection rate of each health facility to all applicable local health agencies.

Reproductive Health and Perinatal Care

AB 2818

Author: Assemblymember Bill Maze
Topic: Maternal Use of Narcotics: Testing
Status: Assembly Health: Failed passage on 4/25/06: Reconsideration granted.

This bill would require the State Department of Health Services, in consultation with the State Department of Alcohol and Drug Programs, to conduct a pilot program that would randomly select 12 health facilities to conduct random urine tests of mothers and their infants at birth to determine the prevalence of illegal narcotics use by expectant mothers. The program would require that if a mother tests positive and her baby tests negative, a further test of the baby's meconium would be conducted. Statistical results would be reported to the Legislature by January 1, 2008.

Safety

AB 2716

Author: Assemblymember Audra Strickland
Topic: Hospitals: Lift Policies

Status: **Assembly Committee on Labor and Employment: Hearing set for 04/19/06: Pulled at request of author.**

This bill, commencing January 1, 2008, would require every general acute care hospital to include a patient lifting policy as a part of its injury prevention program, including a lifting and transferring process, identifying patients needing lift teams, lifting devices, and lifting equipment. It would require lift team members to be trained and demonstrate proficiency in safe techniques for lifting and transferring patients. It would further provide that a health care worker who refuses to lift a patient would not be disciplined, unless the worker had been trained on appropriate patient and equipment lifting procedures and has appropriate, functional lifting devices and equipment available to perform the requested lift, or if the health care worker refuses to help lift a patient who needs immediate lifting.

Medical Debt and Hospital Billing Practices

AB 2281

Author: **Assemblymember Wilma Chan**

Topic: **High deductible health care coverage**

Status: **Assembly Health: Passed on 5/3/06 with amendments: Re-referred to Assembly**

Appropriations: Passed on 5/17/06. Full Assembly: Read third time, passage refused.

This amended bill would establish protections for consumers with health coverage under a High Deductible Health Plan (HDHP) - defined as coverage with an annual deductible of \$1,000 or more for an individual and \$2,000 or more for a family. The bill would limit annual out-of-pocket expenses to \$5,000 for an individual and \$10,000 for a family and limits co-payments to no more than 30% of the negotiated rate for the service furnished to the enrollee, subscriber, insured or policy holder. Preventive care would have to be covered with no deductible. This bill would establish benefits standards and disclosure requirements for a HDHP contract and would require a plan and insurer to also offer a plan contract or a policy with a lower deductible and cost-sharing amount than allowed for high deductible products. The Department of Managed Health Care and the Department of Insurance would be required to develop data elements about HDHPs and a guide about these products by 7/1/07.

SB 1823

Author: **Senator Joe Dunn**

Topic: **Health care service plans: claim reimbursement**

Status: **Senate Banking, Finance and Insurance: Hearing set for 4/17/06: Pulled at request of author.**

The Knox-Keene Act prohibits a health care service plan from engaging in an unfair payment pattern, as defined, and authorizes the department to investigate whether a plan has engaged in such a practice and to impose a penalty for that conduct. The Knox-Keene Act requires the department to make available information regarding actions it has taken pursuant to these provisions. This bill would additionally prohibit a medical group having responsibility to pay a provider claim from engaging in an unfair payment pattern. The bill would require the department to investigate, in specified circumstances, complaints by noncontracting physicians and surgeons who furnished emergency services and care and would prohibit, on and after July 1, 2007, the department from exempting a plan or medical group from an unfair payment pattern violation by approving a proprietary database. The bill would require the department to develop a "fast-track" process for resolving a payment practice it previously found unfair and to assess a plan or medical group that engaged in that same practice a fine 3 times the amount by which the provider was underpaid. The bill would also require a plan or medical group to make restitution automatically, except as specified, to a provider for the amount by which the provider was underpaid and would specify that any monetary penalty assessed against a plan or medical group equal to at least that amount. The bill would require the department to report to the Legislature any investigations of unfair payment patterns that were not completed within 6 months of the complaint's submission and would specify information the department is required to provide the public and providers concerning complaints of unfair payment patterns.

Second-Year Bills That Failed

The following bills failed to pass out of their house of origin (Senate or Assembly) within the two year time limit and are considered "dead".

AB 21

Author: Assemblymember Lloyd Levine
Topic: Pharmacists: Practice Requirements

SB 24

Author: Senator Deborah Ortiz
Topic: Hospital Charity Care

SB 456

Author: Senator George Runner
Topic: Access for Infants and Mothers (AIM): Federal Funding

SB 38

Author: Senator Elaine Alquist
Topic: Healthy Families Program

AB 888

Author: Assemblymember Hector de la Torre
Topic: Air Pollution: Equipment Emission

SB 863

Author: Senator Dean Florez
Topic: California Clean Air Bond Act

SB 870

Author: Senator Martha Escutia
Topic: Air Quality: Violations

SB 985

Author: Senator Joseph Dunn
Topic: Lead in Candy

SB 235

Author: Senator Jeff Denham
Topic: HIV Exposure: Penalties

AB 291

Author: Assemblymember Paul Koretz
Topic: Maternal, Child and Adolescent Health

SB 454

Author: Senator Deborah Ortiz
Topic: Health Counseling

SB 147

Author: Senator George Runner
Topic: Fetal Pain Prevention

SB 364

Author: Senator Don Perata
Topic: Health Care Service Plans