



Maternal and Child Health Access



Quality Care for Mothers and Babies



Los Angeles Best Babies Collaborative  
*Building Blocks for Better Babies*  
 A Program of First 5 LA

MCH Related Proposed Legislation  
 California State Legislature  
 2004-2005 Session

## Background

The 2003/2004 Legislative Session concluded on August 31 and all bills submitted to the Governor had to be signed or vetoed by September 30<sup>th</sup>. Below is a brief recap of the session, highlighting maternal and child health-related legislation proposed this year. For full text of the Governor's veto messages, please visit [http://www.governor.ca.gov/state/govsite/gov\\_homepage.jsp](http://www.governor.ca.gov/state/govsite/gov_homepage.jsp) and click press releases. It is anticipated that a number of important bills will be reintroduced next term, which is a two-year term. The 2005-2006 Regular Session convenes December 6, 2004 at noon.

## Legislation Proposed

### Access and Insurance Coverage

#### AB 2291

**Author:** Assembly Member Ray Haynes  
**Topic:** Medi-Cal: Abortion: Provider Reimbursement  
**Status:** Assembly Health – Failed passage

Prohibits the funding of an abortion under the Medi-Cal program unless the physician performing the abortion has obtained written assurance from the patient that she understands that she may not be coerced into having an abortion, and that the decision to have an abortion must be made voluntarily, without duress or intimidation. The bill would prohibit the reimbursement of a provider for abortion services unless the provider submits a statement signed by the recipient of the Medi-Cal benefits that includes a statement that it is against the law for anyone to force, intimidate, or coerce the recipient into having an abortion.

#### AB 2367

**Author:** Assembly Member Wilma Chan  
**Topic:** Managing asthma  
**Status:** Assembly Appropriations – Failed passage

Enacts the Managing Asthma in California's Schools Act of 2004. Requires a school district that receives an asthma action plan, as defined by the bill, that is submitted by a parent or guardian of a pupil identified as having asthma, to maintain the asthma action plan on file. Requires the school district to provide the asthma action plan, along with information on preventing and treating asthma attacks, to each teacher of the pupil for whom the action plan is submitted. Requires a school district to develop an indoor air quality management plan, as specified, and to provide annual training to all school staff that provides a basic understanding of asthma. Requires a school district to allow a pupil to carry and self-administer prescription inhaled asthma medication during the school day and on field trips if specified conditions are met.

**SB 379****Author:** Senator Deborah Ortiz**Topic:** Hospitals: Charity care and reduced payment policies**Status:** Vetoed by Governor

Requires each general acute care hospital, acute psychiatric hospital, and special hospital, except a facility owned or operated by the State Department of Mental Health or the Department of Corrections, to develop and make available charity care and reduced payment policies; allows public and private coverage options to be exhausted before referring unpaid bills to collections; and makes reasonable attempts to negotiate a payment plan with patients prior to referring the patient's account to a collection agency. In addition, hospitals would be prevented from overcharging self-pay patients within certain income guidelines beyond the Medi-Cal, Medicare, or Worker's Compensation rate.

**SB 767****Author:** Senator Dean Florez**Topic:** Healthy Care: Safety Net**Status:** Return to Secretary of the Senate (Joint Rule 56) – Failed passage

Enacts the California Health Care Safety Net Act of 2003 and would set a minimum level of funding for specified health care programs and would preclude these programs from being "realigned" or shifted to county responsibility. Requires that hospitals receiving public funds have an MOU to refer non-emergency care patients to community health centers and health centers would refer inpatient care cases to hospitals. This provision includes process and protocols. Also establishes a taskforce for analysis of other programs to include in the safety net. Programs specified include BIH, AFLP, EAPC, Rural Health, Migrant and Seasonal Health, Maternal and Child Health, local public health subvention and grants in aid to clinics.

**SB 828****Author:** Senator Liz Figueroa**Topic:** Healthy Facilities: Boutique Hospitals**Status:** Assembly Health – Hearing cancelled at the request of the author – Failed passage

Prohibits Department of Health Services from issuing a license to operate a "boutique hospital" (a hospital that does not maintain and operate an emergency department that provides either basic or comprehensive emergency medical services; and two-thirds or more of inpatient discharges are either classified in one or two diagnosis categories or are for surgical diagnosis-related groups) unless that hospital agrees to continuously maintain and operate an emergency department.

**SB 921****Author:** Senator Sheila Kuehl**Topic:** Single Payer Health Care Coverage**Status:** Assembly Appropriations Committee – Failed passage

Establishes the California Health Care System to be administered by the newly created California Health Care Agency under the control of an elected Health Care Commissioner (operational by January 1, 2006). Makes all California residents eligible for specified health care benefits under the California Health Care System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. The bill would create a Health Policy Board, the Office of Consumer Advocacy, the Office of Medical Practice Standards, a Medical Practice Standards Advisory Board, the Office of Inspector General for the California Health Care System, and enact other related provisions relative to, budgeting, federal preemption, subrogation, collective bargaining, agreements, and associated matters.

**SB 1555****Author: Senator Jackie Speier****Topic: Maternity services****Status: Vetoed by Governor**

Requires that all health coverage made available to California consumers, whether issued by health care service plans regulated by the Department of Managed Health Care or by health insurers regulated by the Department of Insurance, must include maternity services.

**SB 1631****Author: Senator Liz Figueroa****Topic: Cal-Health Program****Status: Senate Appropriations – Failed passage**

Creates the California Health Care Program (Cal-Health) to coordinate the Medi-Cal and Healthy Families programs for the purpose of reducing administrative costs. Requires the department and the board to carry out the duties and functions of the program. The bill would also require, by July 1, 2005, the state to submit a federal waiver under the federal Social Security Act or exercise other options under federal law to permit providers to screen and temporarily enroll children, parents, and other adults who meet initial screening requirements into the Medi-Cal and Healthy Families programs.

**SB 1783****Author: Senator Joseph Dunn****Topic: California Children's Services (CCS) status as "Carve-Out" of managed care****Status: Assembly Health – Hearing cancelled at the request of the author. Bill content incorporated into 2004-5 Budget Bill, where PASSED.**

Existing law prohibits California Children's Services covered services from being incorporated into a Medi-Cal managed care contract entered into after August 1, 1994, until August 1, 2005, except with respect to contracts entered into for county organized health systems in specified counties. This bill would eliminate the August 1, 2005 termination of the prohibition against CCS-covered services being incorporated into a Medi-Cal managed care contract entered into after August 1, 1994, thus extending the prohibition indefinitely.

## Eligibility and Enrollment into Health Programs

**AB 343****Author: Assembly Member Wilma Chan****Topic: Healthy Families Revisions****Status: Passed - Signed by Governor**

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to an eligible person. Under the program, eligibility is based upon an application submitted to the board. The board, in administering the program, may pay designated individuals or organizations an application assistance fee in specified circumstances if the individual or organization assists an applicant to complete the program application. Existing law repeals the program on January 1, 2004. This bill would specify, except as provided, that no individual or organization may solicit or receive any compensation from an applicant or subscriber for offering or providing program application assistance. The bill would make a violation of this provision subject to a civil penalty that would be deposited into the Healthy Families Fund. Because the bill would increase the amount of revenue in a continuously appropriated fund, it would make an appropriation.

**AB 2285**

**Author:** Assembly Member Judy Chu  
**Topic:** Medi-Cal: Proof of Eligibility  
**Status:** Vetoed by Governor

Existing law provides that it is the responsibility of the Medi-Cal beneficiary to provide information and evidence of Medi-Cal eligibility to that person's provider if that information is requested by the provider prior to rendering services to that beneficiary. This bill would provide that it is the responsibility of a hospital to provide all information and documentation necessary that confirms evidence of Medi-Cal eligibility to all other providers who bill separately and who rendered services during the same time period for which the hospital is submitting a claim as soon as the proof of eligibility is supplied by the person presenting themselves as a Medi-Cal beneficiary.

#### **SB 1455**

**Author:** Senator Liz Figueroa  
**Topic:** Medi-Cal Eligibility  
**Status:** Senate Health and Human Services – Failed passage

Provides that for purposes of determining eligibility for benefits under the Medi-Cal program, a recipient or applicant may certify his or her available income and available resources. Disregards assets in the determination of eligibility for any member of a family with an income that does not exceed an unspecified level and in the case of assets owned by parents of children who are eligible for benefits under Medi-Cal.

#### **SB 1196**

**Author:** Senator Gil Cedillo  
**Topic:** Express Enrollment  
**Status:** Passed - Signed by Governor

Express Enrollment allows schools, with family consent, to use the school lunch application to determine if a child eligible for free school lunch is also income-eligible for Medi-Cal, and thus eligible for temporary Medi-Cal coverage. Medi-Cal then follows up with families to determine the child's ongoing eligibility for Medi-Cal. This bill allows the Medi-Cal agency to forward the application to Healthy Families or to other health insurance programs if the child is ineligible for Medi-Cal. Requires the schools to notify families when a child is ineligible for Express Enrollment, although they may be eligible for enrollment into Medi-Cal or another program through another application vehicle.

## Environmental Issues

#### **AB 1006**

**Author:** Assembly Member Judy Chu  
**Topic:** The Healthy Schools Act of 2004  
**Status:** Senate Agriculture and Water Resources – Hearing cancelled at request of author

Existing law, the Healthy Schools Act of 2000, requires the Department of Pesticide Regulation to promote and facilitate the voluntary adoption of integrated pest management by school districts. This bill would prohibit all public schools from using the most highly toxic pesticides, as listed, on school property.

**AB 2644****Author: Assembly Member Jenny Oropeza****Topic: School bus idling****Status: Vetoed by Governor**

Existing regulations adopted by the Air Resources Board establish toxic control measures to limit school bus idling and idling at schools. This measure would put these regulations into state statute. The regulations include: requiring drivers of school buses, transit buses, school pupil activity buses, youth buses, general public paratransit vehicles, specified transit buses and commercial motor vehicles to turn off the bus or vehicle engine upon stopping at or within 100 feet of a school, prohibits those drivers from turning the bus or vehicle engine on more than 30 seconds before beginning to depart from a school or within 100 feet of a school, and prohibits those drivers from causing the bus or vehicle to idle for more than five consecutive minutes or five aggregate minutes in any one hour anywhere greater than 100 feet from a school.

**AB 2997****Author: Assembly Member Marco Firebaugh****Topic: Smoking in cars with children****Status: Assembly, third reading – Failed passage**

Existing law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to drive a vehicle while smoking a pipe, cigar, or cigarette and transporting a passenger who is 18 or younger.

**SB 1168****Author: Senator Deborah Ortiz****Topic: Biomonitoring****Status: Assembly Health – Failed passage**

Creates an advisory committee of experts to develop a biomonitoring pilot program beginning with a pilot using breast milk as a marker of community health in a minimum of three diverse communities throughout the state and for DHS to conduct and complete additional pilot projects based on the first and also using additional markers, including blood and urine. With full implementation commencing after completion of initial pilot programs to be completed by January 1, 2008. Requires the department to establish the Healthy Californians Biomonitoring Program to, with certain exceptions, assess a fee upon manufacturers or persons who are responsible for identifiable sources of toxic chemicals, as defined, and would authorize the department to adopt related regulations. Lists toxic chemicals that are subject to the bill and would authorize the department to adopt regulations to add other chemicals to the list.

**SB 1397****Author: Senator Martha Escutia****Topic: Locomotive Emissions Reduction and Mitigation****Status: Assembly – Failed passage**

Existing law, the Lewis-Presley Air Quality Management Act, designates the South Coast Air Quality Management District as the sole and exclusive authority within the South Coast Air Basin with the responsibility for comprehensive air pollution control. However, they do not regulate locomotive emissions, which exceed emissions from 100 of the largest oil refineries, power plants, chemical plants and other industrial sources combined. This bill would make legislative findings and declarations relating to the emissions of air contaminants contributed to the South Coast Air Basin by locomotives, and the need for emissions from locomotives to be controlled or mitigated to attain state and federal standards for ozone and particulate matter (federal deadline of 2010). This bill would declare the intent of the Legislature specifying the necessary criteria and principles for a locomotive emission reduction and mitigation program.

**SB 1446**

**Author:** Senator Martha Escutia  
**Topic:** Environmental Health Tracking  
**Status:** Assembly Appropriations – Failed passage

Existing law establishes the Environmental Health Surveillance System through an interagency agreement between the State Department of Health Services, the California Environmental Protection Agency, and the University of California if authorized by the Regents, for the purpose of, among other things, tracking and evaluating a variety of chronic diseases in relation to environmental exposures. This bill would require the establishment, pursuant to the agreement, of the Interagency Office of Environmental Health Tracking within the Division of Environmental and Occupational Disease Control within the State Department of Health Services for the purpose of implementing the health tracking program, and sets forth the duties.

**AB 1009**

**Author:** Assembly Member Fran Pavley  
**Topic:** Emission standards for Mexican trucks  
**Status:** Passed - Signed by Governor

Requires trucks crossing into California to meet national emissions standards and was written in response to a U.S. Supreme Court decision that could open the border to more than 30,000 trucks from Mexico.

## Health Disparities

**AB 2324**

**Author:** Assembly Member Wilma Chan  
**Topic:** Ethnic minority health: data reporting  
**Status:** Assembly Appropriations – Failed passage

Requires each state program directly involved in furnishing information to, or rendering services to, the public to collect data regarding the race, ethnicity, national origin, and primary language of all participants, on a voluntary basis. Requires the Secretary of California Health and Human Services to convene a task force to delineate ways state agencies and departments can work together to eliminate the underlying determinants of racial and ethnic health disparities, would require agencies and departments and the task force to file related reports, and would require the California Health and Human Services Agency to enhance its training programs. This bill would require the Legislative Analyst's office to conduct a study and to report on policy options to eliminate health disparities.

## Infectious Diseases

**SB 1159**

**Author:** Senator John Vasconcellos  
**Topic:** Sale of hypodermic needles  
**Status:** Passed - Signed by Governor

Allows pharmacists to sell up to 10 hypodermic needles without a prescription in an effort to stop the spread of HIV, hepatitis and other blood-borne diseases among drug users.

## Mental Health

### ACR 169

**Author:** Assembly Member Paul Koretz  
**Topic:** Postpartum Mood and Anxiety Disorder Awareness Month  
**Status:** Passed - Signed by Governor

This measure would proclaim the month of May 2004 to be "Postpartum Mood and Anxiety Disorder Awareness Month" in California. It would declare various ways to identify mothers-to-be who are at risk and ways to effectively facilitate a mother's recovery. The measure would declare that the State Department of Health Services and the State Department of Mental Health should work together to explore ways to improve women's access to mental health care at the state and local levels, to facilitate increased awareness and education about postpartum mood and anxiety disorders, to explore and encourage the use of prenatal screening tools, and to improve the availability of effective treatment and support services.

## Nutrition

### AB 1988

**Author:** Assembly Member Loni Hancock  
**Topic:** Irradiated food in school meal programs  
**Status:** Vetoed by Governor

The "California Safe School Lunch Act", this bill would prevent the California Department of Education from ordering irradiated ground beef for schools participating in federally subsidized school meal programs, and require schools serving irradiated foods to label them and provide a non-irradiated alternative.

### AB 2200

**Author:** Assembly Member Loni Hancock  
**Topic:** School breakfast programs  
**Status:** Assembly Appropriations – Failed passage

Requires each school district and county superintendent of schools maintaining kindergarten or any of grades 1 to 12 to make available to an eligible pupil a nutritionally adequate breakfast served through the national school breakfast program, commencing with the 2005-06 school year and each school year thereafter. Requires the Superintendent of Public Instruction to notify, in writing, school districts and county superintendents of schools of promising approaches to increasing school breakfast participation. Authorizes priority for existing state grant money to school districts and county superintendents of schools that were not operating a breakfast program prior to the 2005-06 school year.

### SB 167

**Author:** Senator Martha Escutia  
**Topic:** Childcare: nutrition  
**Status:** Returned to Secretary of State (Joint Rule 56) – Failed passage

Existing law declares the policy of the state that each childcare and development facility, as defined, has an obligation to provide for the nutritional needs of the children attending that childcare and development facility. This bill would express the encouragement of the Legislature that each childcare and development facility, as defined, provide to the children in its care only those foods and beverages that meet specified nutritional requirements.

### SB 1275

**Author:** Senator Deborah Ortiz  
**Topic:** Hospitals: Maternity Services: Infant Feeding Assistance  
**Status:** Assembly Health – Failed passage

This bill would recommend that a general acute care hospital provide or arrange for the provision of basic lactation management training, and safe preparation and appropriate bottle feeding techniques of infant formula for all health care practitioners who are permitted to provide these services and who regularly work the majority of their hours in the hospital maternity unit and nursery. This bill would also require any manufacturer of infant formula that markets infant formula and distributes free infant formula samples in a hospital's maternity unit, nursery, or any other location in the hospital, to include a single readable notice with specific language affixed prominently and clearly to the discharge bag. The bill would also prohibit the display of these products, or placards or posters concerning these products provided by a manufacturer or distributor of infant formula. The bill would also prohibit a hospital from acting as an agent for distribution of infant formula. **SB 1566**

**Author:** Senator Martha Escutia  
**Topic:** Food and beverage nutrition standards  
**Status:** Assembly – Failed passage

Existing law restricts the sale of certain beverages and food items at elementary, middle, or junior high schools, with certain exceptions. Existing law makes the restrictions on the sale of food items at elementary schools operative if funding is appropriated for specified nutrition purposes. This bill would place similar restrictions on the sale of certain beverages and food items at high schools and delete the funding contingency applicable to elementary schools.

**SB 1796**

**Author:** Assembly Member Mark Leno  
**Topic:** Food stamps for persons with drug felony convictions  
**Status:** Passed - Signed by Governor

This bill allows persons with drug felony convictions (aside from manufacture or sales convictions) to once again receive food stamps in California, ending a ban that was put in effect by the federal government in 1996. The food stamp applicants with drug felonies will be required to have completed or be enrolled in a substance abuse recovery program.

**AB 2101**

**Author:** Assembly Member Jackie Goldberg  
**Topic:** Women, Infants, and Children (WIC) Vendor Cost Containment and WIC-only stores  
**Status:** Assembly Conference Committee – Failed passage

The Federal Child Nutrition and WIC Reauthorization Act of 2004 requires states to contain costs by establishing a competitive vendor peer group price system and by developing price criteria to ensure that authorized WIC vendors offer competitive prices. This bill would allow California to comply with provisions of the federal law and would give DHS the authority to remove the Maximum Price from the WIC voucher.

**AB 2187**

**Author:** Assembly Member Lloyd Levine  
**Topic:** Schools: Nutritional content chart  
**Status:** Assembly Appropriations – Failed passage

Existing law authorizes each school district to establish food service areas in any school under its jurisdiction. This bill would require each public school to post a chart containing the nutritional content of each food item served on campus and requires that the chart be in public view within all school cafeteria, central eating areas, or other areas where food is served.

**AB 2686**

**Author:** Assembly Member Hannah-Beth Jackson  
**Topic:** National School Lunch Program  
**Status:** Vetoed by Governor

Existing law requires each school district and county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each school day and defines a nutritionally adequate meal as a breakfast or lunch that qualifies for reimbursement under the federal child nutrition program regulations. This bill would require the governing board of a school district participating in the National School Lunch Program to post in each school under its jurisdiction information regarding the nutritional content of the lunches served as part of the program and to limit the amount of fat and saturated fat in the entrees served as part of that program.

## Quality of Care

### **AB 253**

**Author:** Assembly Member Darrell Steinberg

**Topic:** Health facilities: nurse-to-patient ratios.

**Status:** Conference – Assembly refused to concur in Senate amendments – Failed passage

Establishes procedures for enforcement of hospital minimum nurse-to-patient staffing ratios and authorizes fines of 5,000 fine against a hospital where immediate jeopardy exists (a situation in which the hospital's noncompliance with one or more requirements of licensure has caused or is likely to cause serious injury, harm, impairment, or death to a patient) and a \$10,000 fine against a hospital with a pattern of violation (four or more times in a continuous six month period).

### **AB 2049**

**Author:** Assembly Member Alan Nakanishi

**Topic:** Fetal ultrasound

**Status:** Passed - Signed by Governor

This bill would require a person or facility that offers fetal ultrasound, or a similar procedure, for keepsake or entertainment purposes, to make a written disclosure to a client prior to performing the procedure, that the federal Food and Drug Administration does not approve the use of ultrasound equipment for these purposes, and that the use may also violate state or local law.

### **AB 2132**

**Author:** Assembly Member Sarah Reyes

**Topic:** Student health: self-administration of asthma inhaler

**Status:** Signed by Governor – Passed

Authorizes a student to self-administer asthma medication in any area of the school grounds, and during any school-related activity, if the parent or guardian of that student provides written consent to the self-medication, and certification that the student both suffers from asthma and is able to self-administer the medication, thus imposing a state-mandated local program.

### **AB 2185**

**Author:** Assembly Member Dario Frommer

**Topic:** Pediatric asthma supplies

**Status:** Passed - Signed by Governor

This bill would require a health care service plan that covers outpatient prescription drug benefits and durable medical equipment to provide coverage for inhaler spacers, nebulizers, and peak flow meters when medically necessary for the management and treatment of pediatric asthma and to provide coverage for pediatric asthma outpatient self-management training and education.

### **AB 2300**

**Author:** Assembly Member Mervyn Dymally

**Topic:** Health Facilities: nurse-to-patient ratios

**Status:** Set first hearing. Failed passage.

This bill would require hospitals to develop a staffing plan for professional, technical, and support staff to determine the need for other professional, technical, and support staff to ensure safe and adequate patient care. Requires whenever the patient classification system is reviewed or revised that the professional, technical, and support staffing plan be reviewed or revised, and would require when the professional, technical, and support staffing plan is reviewed or revised that the patient classification system be reviewed or revised.

**AB 2560**

**Author:** Assembly Member Cindy Montanez  
**Topic:** Nurse Practitioners: furnishing drugs or devices  
**Status:** Passed - Signed by Governor

Existing law, the Nursing Practice Act, licenses and regulates nurse practitioners and authorizes a nurse practitioner to furnish drugs or devices under specified circumstances when furnished or ordered in accordance with standardized procedures or protocols developed by the nurse practitioner and his or her supervision physician and surgeon. A violation of the act is a crime. This bill would instead authorize a nurse practitioner to furnish drugs or devices under the standardized procedures or protocols when the drugs and devices furnished or ordered are consistent with the practitioner's educational preparation or for which clinical competency has been established and maintained. Existing law requires the standardized procedure or protocol to specify which drugs or devices may be furnished or ordered. This bill would instead require the standardized procedure or protocol to specify the categories or classifications of drugs or devices that may be furnished or ordered.

**AB 2963**

**Author:** Assembly Member Robert Pacheco  
**Topic:** Health facilities: nurse-to-patient ratios  
**Status:** Assembly Health – Hearing canceled at request of author

This bill would require, by January 1, 2005, the department to evaluate the regulations that became effective on January 1, 2004, relating to nurse-to-patient ratios in the medical-surgical unit in these health facilities. Provides that the department may not impose the 1:5 nurse-to-patient ratio requirement upon these health facilities unless the department is able to demonstrate that certain conditions are satisfied.

**AB 3035**

**Author:** Assembly Member Leland Yee  
**Topic:** Confidentiality of medical information, transcription services  
**Status:** Assembly Appropriations – Failed passage

This bill would prohibit a provider of health care employed or operated by the University of California, as specified, from disclosing medical information regarding a patient to a person or entity that provides transcription of medical data.

**AB 3044**

**Author:** Assembly Member Leland Yee  
**Topic:** Prenatal Ultrasounds  
**Status:** Passed - Signed by Governor

The Hereditary Disorders Act requires the State Department of Health Services to establish regulations and standards for a hereditary disorders program, including with respect to clinical testing procedures for use in programs, facilities, and projects. Existing law requires the department to administer a statewide program for the prenatal testing for genetic disorders and birth defects, including, but not limited to, ultrasounds. This bill would require a person who performs a prenatal ultrasound to detect congenital heart disease to substantiate that he or she meets training and experience levels jointly developed by three nationally recognized organizations. Prohibits a health facility or clinic, with the exception of a small and rural hospital, from permitting a person who does not meet these requirements from performing a prenatal ultrasound to detect congenital heart disease unless certain conditions are met. Requires any person performing an ultrasound under these provisions to provide information to a pregnant woman regarding neonatal intensive care units in the area if a congenital abnormality is detected.

**SB 847**

**Author:** Senator Sam Aanestad

**Topic:** Health facilities: nurse-to-patient ratios.

**Status:** Return to Secretary of the Senate (Joint Rule 56) – Failed passage

This bill requires the Department of Health Services to evaluate the proposed regulations relating to nurse-to-patient ratios in the medical/surgical care units. Provides that DHS may not impose the 1:5 nurse-to-patient ratio requirement unless DHS is able to demonstrate and certify that the assumptions contained in the original 2002 Nurse Workforce Initiative and in the regulations that raise ratios have, in fact done so.

**SB 1178**

**Author:** Senator Sheila Kuehl

**Topic:** Dependent children: Parenting

**Status:** Passed - Signed by Governor

This bill, the Teen Parents in Foster Care Act, would set forth ways in which the families of dependent teen parents may be preserved, by assisting these parents in raising their children, as well as participating in school and extracurricular activities. Encourages the department and local child welfare agencies to collect data on the number of minors in foster care who give birth and the number of minor parents who remain in placement with their minor children, and to collect information to be used to develop a more cost-effective infant supplemental payment rate structure to more adequately reimburse caregivers. The bill would require child welfare agencies, to the greatest extent possible, to identify and utilize whole family placements and other placement models that provide supportive family focused care for dependent teens and their children.

**SB 1487**

**Author:** Senator Jackie Speier

**Topic:** Health Facilities: Hospital Acquired Infections

**Status:** Vetoed by Governor

This bill requires hospitals to provide data on hospital-acquired infection to the Office of Statewide Health Planning (OSHPP) and to the Department of Health Services (DHS) and to post the information on the Internet for public access.

**SB 1692**

**Author:** Senator John Vasconcellos

**Topic:** Student health: Vision appraisal

**Status:** Senate – Failed passage

Existing law requires the governing board of each school district to provide for sight and hearing testing of each student enrolled in the district, as specified. This bill requires that if a vision appraisal is conducted, each student is to receive a notice and questionnaire regarding student vision, which he or she would be instructed to deliver to his or her parent or guardian.

#### **SB 1843**

**Author:** Senator Betty Karnette  
**Topic:** Health care service plans  
**Status:** Insurance Committee – Failed passage

Under existing law, a health care service plan that provides maternity coverage is generally prohibited from restricting inpatient hospital care to a time period less than 48 hours following a normal delivery and less than 96 hours following a delivery by caesarean section, except a decision to discharge the mother and newborn may be made by the treating physicians in consultation with the mother. This bill would also require the mother to consent to the newborn's discharge before the end of those time periods.

#### **SB 1912**

**Author:** Senator Roy Ashburn  
**Topic:** Student health: self-administration of medication  
**Status:** Signed by Governor – Passed

Existing law provides that each student who is required to take, during the regular school day, medication prescribed for him or her by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives 1) a written statement from the physician detailing the method, amount, and time schedules by which the medication is to be taken and 2) a written statement from the parent, foster parent, or guardian or the student indicating the desire that the school district assist the student in the matters set forth in the physician's statement. This bill authorizes the student to carry and self-administer inhaled asthma or auto-injectable epinephrine medication if the school district receives the statements described above.

## **Revenue & Taxation**

#### **AB 1815**

**Author:** Assembly Member Wilma Chan  
**Topic:** Revenue  
**Status:** Assembly Appropriations – Hearing postponed

Would reinstate higher income taxes in the highest tax brackets, in place under previous (Republican) administrations, of 10 and 11%. Currently, the highest tax bracket is 9.3 percent. Such a tax could raise \$2 billion to \$2.7 billion a year.

## **Tobacco Control / Substance Abuse**

#### **AB 2483**

**Author:** Assembly Member Wilma Chan  
**Topic:** Youth Alcohol Centers  
**Status:** Assembly Appropriations – Failed passage

This bill would state the Legislature's intent to enact legislation that would require all counties to develop an annual plan to develop an evidence-based methodology, which meets specified requirements, to provide services to adolescents with alcohol and other drug-related problems.

## Maternal and Child Health Misc.

### **AB 1963**

**Author:** Assembly Member Simon Salinas  
**Topic:** Public health outreach: Promotoras de Salud.  
**Status:** Vetoed by Governor

This bill would include within the duties of the Office of Multicultural Health, encouragement of the use of Promotoras de Salud, as defined, and community health workers to provide better health outcomes for rural and underserved communities through the various public health programs, and would make conforming changes in various public health programs to include their use.

### **AB 2943**

**Author:** Assembly Member Fran Pavley  
**Topic:** Mercury in Vaccines  
**Status:** Passed - Signed by Governor

Restricts the mercury content in vaccines for pregnant women and babies that will take effect in July 2006. Manufacturers have voluntarily eliminated thimerosal or reduced it to trace levels in all vaccines, except the flu vaccine. Mercury is considered a neurotoxin, and although there has not been sufficient evidence to establish a link between thimerosal and autism, the FDA and AAP recommend its removal from childhood vaccines.

### **SB 1525**

**Author:** Senator Jackie Speier  
**Topic:** Health care administration  
**Status:** Vetoed by Governor

Existing law requires the State Department of Health Services to provide breast cancer and cervical cancer screening services under a federal grant made under the federal Centers for Disease Control and Prevention breast and cervical cancer early detection program to eligible low-income individuals. This bill would state the intent of the Legislature to enact legislation for the efficient implementation of those programs. This bill contains other existing laws.