



## Maternal and Child Health Related Proposed Legislation California State Legislature 2008 Session

### Background

PAC/LAC and Maternal and Child Health Access created the following list of MCH-related current legislation. All new bills had to be proposed by February 22, 2008, or, after that date, new bill subjects may be created by amending old bills. May 30, 2008, is the last day to pass a bill out of house of origin. "On suspense" means the Assembly Appropriations Committee or the Senate Appropriations Committee, have held the bill because it costs more than \$150,000; the leadership and the committee Chair and Vice Chair then prioritize which bills should go forward given the state's finances. "Joint Rule 56" means the bill was introduced at the beginning of a two-year legislative session and did not pass its house of origin by Jan 31, so was returned to that house (to be later reintroduced, if interest by author or others). August 30, 2008 is the last day for any bill to be passed. September 30, 2008 is the last day for the Governor to sign or veto a bill or to let it become law by doing neither. For a list of bills passed and signed in 2007, please see our websites. This is a bipartisan list. Our organizations do not necessarily support or oppose the bills listed. Updates on substantive changes and status of the legislative process will be made available throughout the session. (Note: significant content changes are italicized.) For more information on the status of specific bills, see [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

Please let us know of bills we may have missed! See our contact information below.

### Proposed Legislation

#### Access and Insurance Coverage

##### AJR 54

**Author:** Assemblymember John Laird  
**Topic:** Children's Health Insurance  
**Status:** Assembly Third Reading

Urges the United States (U.S.) President and Congress to rescind the federal Centers for Medicare and Medicaid Services' (CMS) directive of August 17, 2007, which restricts eligibility for the State Children's Health Insurance Program (SCHIP).

##### AB 1

**Author:** Assemblymembers John Laird and Mervyn Dymally  
**Topic:** Health Care Coverage  
**Status:** Passed Senate (11/11/07), Senate amendments concurred in, held at desk (11/12/07), Corrected (11/10/07).  
**\*Related Bill:** SB 32 (Steinberg)

The intent of this bill is to allow California children to have access to affordable, comprehensive health care coverage by improving the operations and simplifying the enrollment process for state health care coverage programs. This bill would expand eligibility for Medi-Cal and the Healthy Families Program to 300% of the

federal poverty level to qualify for Healthy Families and would delete the specified citizenship and immigration status requirements. The bill would establish a HFP Buy-In Program for children in families with family incomes above 300% FPL. It would require MRMIB and DHCS to maximize federal matching funds and implement strategies to coordinate with other programs that provide health care coverage for children. Additionally, the bill would make various modifications to Medi-Cal and the Healthy Families Program, including creating the Medi-Cal to Healthy Families Presumptive Eligibility Program to provide a child who meets certain criteria with presumptive eligibility benefits identical to full scope benefits under the Medi-Cal program with no share of cost until an eligibility determination is made.

#### **AB 2**

**Author:** Assemblymember Mervyn Dymally

**Topic:** Health Care Coverage

**Status:** To inactive file on motion of Senator Perata (11/11/07)

Existing law establishes the California Major Risk Medical Insurance Program (MRMIP) that is administered by the Managed Risk Medical Insurance Board (MRMIB) to provide major risk medical coverage to persons who, among other matters, have been rejected for coverage by at least one private health plan. Under a pilot program ending on December 31, 2007, existing law requires a health care service plan and a health insurer to offer a standard benefit plan to certain individuals, and requires MRMIB to make payments from the Major Risk Medical Insurance Fund, a continuously appropriated fund, to health care service plans and insurers for the provision of health services under those standard benefit plans. *This bill would enact health insurance market reforms requiring health care service plans and health insurers, effective January 1, 2009, to make available health benefit plans in the individual market to all persons who are not determined to be eligible for MRMIP on the basis of a standardized health questionnaire. This bill would also require health care services plans and health insurers to elect to either make available all of their group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee for covering their market share.* Because the fee would be deposited in the fund, the bill would make an appropriation by increasing the amount of revenue in a continuously appropriated fund. The bill revises the eligibility criteria for MRMIP and would require MRMIB to perform specific duties including establishing guidelines for disease management, case management, care management and other cost management strategies.

#### **AB 30**

**Author:** Assemblymember Noreen Evans

**Topic:** Health Care Coverage: Inborn Errors of Metabolism

**Status:** Senate Health Committee (5/14/08)

This bill would require any health plan issued, amended, delivered, or renewed in this state on and after January 1, ~~2008,~~ 2009, to cover the cost of treatment, including formula and food, for children with metabolic disorders. This would be a state mandated program, however no reimbursement by the state would be required. Sponsored by the March of Dimes Birth Defects Foundation.

#### **AB 158**

**Author:** Assemblymember Fiona Ma

**Topic:** Medi-Cal: Benefits for Persons with Hepatitis B

**Status:** Senate Health Committee, (5/14/08)

This bill would require the State Department of Health Care Services to expand eligibility for benefits under the existing Medi-Cal program to include nondisabled persons with chronic hepatitis B infection who would be eligible for Medi-Cal if disabled. It provides that enrollment in Medi-Cal would be limited pursuant to an allocation system. It relates to Medi-Cal managed care enrollment. This bill prohibits enrolling persons in the program until sufficient savings equal to or greater than the cost of providing benefits are determined.

#### **AB 851**

**Author:** Assemblymember Julia Brownley

**Topic:** Medi-Cal – Eligibility: 250% Working Disabled program

**Status:** Senate Health Committee, (6/11/08)

This bill would extend the Medi-Cal 250% Working Disabled program which is due to expire August 30, 2008. This bill permits individuals otherwise eligible for the program, but who are temporarily not working, to remain in the program for up to 52 weeks, provided the individuals continue to pay premiums during the temporary nonworking period. Makes this provision subject to federal financial participation (FFP).

**AB 1150**

**Author:** Assemblymember Ted Lieu  
**Topic:** Health care coverage: underwriting practices  
**Status:** Senate Health Committee, (6/11/08)

This bill would bar insurance companies from rewarding bonuses to executives based on how many insurance policies they rescind, cancel or limit that results in a cost-savings to the company.

**AB 1774**

**Author:** Assemblymember Sally Lieber  
**Topic:** Health Care Coverage: Cancer Screening Tests  
**Status:** Assembly Appropriations, on suspense

Under existing law, a health care service plan and a health insurer are deemed to provide coverage for all generally medically accepted cancer screening tests. This bill would specifically require that a health care service plan contract and a health insurance policy be deemed to provide coverage for annual uterine and ovarian cancer screening tests, as specified.

**AB 1945**

**Author:** Assemblymember Hector De La Torre  
**Topic:** Health Care Coverage: Cancellation of policies  
**Status:** Assembly Appropriations, on suspense

Existing law prohibits a health care service plan or health insurer from engaging in postclaims underwriting. This bill would require a health care service plan or health insurer to seek and obtain final approval of its regulator prior to rescinding, canceling, or limiting a plan contract or policy.

**AB 1962**

**Author:** Assemblymember Hector de la Torre  
**Topic:** Maternity Services  
**Status:** Passed Assembly Health Committee 4/15/08; to Appropriations, on suspense

Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health insurer that provides maternity coverage may not restrict inpatient hospital benefits, as specified, and is required to provide notice of the maternity services coverage. This bill would require specified health insurance policies to provide coverage for maternity services, as defined.

**AB 2174**

**Author:** Assemblymember John Laird  
**Topic:** Insurance Coverage: Amino acid-based elemental formulas  
**Status:** Assembly Appropriations, on suspense

This bill would require specified health care service plan contracts and health insurance policies to provide coverage for the use of amino acid-based elemental formulas, regardless of the delivery method, for the diagnosis and treatment of eosinophilic disorders and short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

**AB 2844**

**Author:** Assemblymember John Laird  
**Topic:** CalWORKS and the Food Stamp Program: redetermination and recertification  
**Status:** Sen. Judiciary, no date

This bill would simplify reporting requirements for food stamp participants. The bill would repeal the quarterly redetermination requirement and, would instead, impose a semiannual redetermination, operative January 1, 2009. Contains additional requirements for semiannual reporting requirements by the counties.

**AB 2967**

**Author:** Assemblymember Sally Lieber  
**Topic:** Health care cost and quality transparency  
**Status:** Passed Assembly Health 4/8/08; to Assem. Appropriations, on suspense

This bill would create the California Health Care Cost and Quality Transparency Committee in the Health and Human Services Agency, with specified powers and duties, including the responsibility for the development of a health care cost and quality transparency plan, which would include various strategies to improve medical data collection and reporting practices. The collected data would be used to gauge the performance of hospitals and doctors treating certain illnesses, relative to what they charge.

**SB 32**

**Author:** Senator Darrell Steinberg  
**Topic:** Health Care Coverage: Children  
**Status:** Placed on inactive file on request of Assembly Member Bass (11/11/07)  
**\*Related Bill:** AB 1 (Laird & Dymally)

This bill would expand eligibility for the Medi-Cal and Healthy Families Programs by allowing children with family incomes at or below 300% of the federal poverty level to qualify for the programs and would delete the specified citizenship and immigration status requirements. The bill would accept the applicant's signature on the application for the Healthy Families program as verification of the value or amount of income for purposes of establishing eligibility for the program. The bill would create the Healthy Families Buy-In Program that would be administered by the Managed Risk Medical Insurance Board and would make the coverage provided under the Healthy Families Program available to children whose household income exceeds 300% of the federal poverty level and who meet other specified criteria. The bill would specify the family contribution required for children enrolled in the buy-in program. The bill would also make various related modifications to the Medi-Cal program and the Healthy Families Program and would require the State Department of Health Care Services and the Managed Risk Medical Insurance Board to maximize federal matching funds for the Medi-Cal program and the Healthy Families Program. The bill would require the MRMIB and the State Department of Health Care Services to improve and coordinate the application and enrollment processes for the Medi-Cal program and the Healthy Families Program and to develop a process to transition the enrollment of children from local children's health initiatives into those programs.

**SB 48**

**Author:** Senator Don Perata  
**Topic:** Health Care Coverage: Employers and Employees  
**Status:** Assembly Appropriations, no date

*This bill has undergone significant substantive changes and is now authored by Senator Elaine Alquist and relates to Community Development: Healthy Food Choices. A detailed description can now be found under Nutrition.*

**SB 236**

**Author:** Senator George Runner  
**Topic:** Health Care  
**Status:** Senate Rules, no date

This bill would express the Legislature's intent to enact the Cal CARE program to improve access to health care services for the residents of the state, eliminate regulatory hurdles and create consumer options; provide new incentives for hospitals and private industry to increase the number of clinics; offer incentives to employers who offer health care coverage for their employees; prioritize First 5 funding for children's health care initiatives; and provide tax incentives to allow an individual the same tax benefit as an employer that provides health insurance to its employees.

**SB 840**

**Author:** Senator Sheila Kuehl  
**Topic:** Single-Payer Health Care Coverage

**Status: Assembly Appropriations, no date**  
**\*Related Bill: SB 1014**

This bill would establish the California Healthcare System and make all California residents eligible for specified health care benefits. This System 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 also create the Healthcare Policy Board to establish policy on medical issues and various other matters relating to the system and the Office of Patient Advocacy to represent the interests of health care consumers relative to the system. The bill would create the Office of Health Planning to plan for the health care needs of the population, and the Office of Health Care Quality, headed by a chief medical officer, to support the delivery of high quality care and promote provider and patient satisfaction. The bill would also create the California Healthcare Premium Commission to determine the cost of the California Healthcare System and to develop a premium structure for the system that complies with specified standards. The bill specifies that only its provisions relating to the Premium Commission would become operative on January 1, 2008, with its remaining provisions becoming operative on the date the Secretary of Health and Human Services notifies the Legislature that sufficient funding exists to implement the California Healthcare System.

#### **SB 1014**

**Author: Senator Sheila Kuehl**  
**Topic: Taxation: Single-Payer Health Care Coverage Tax**  
**Status: Revenue and Taxation Committee, no date**  
**\*Related Bill: SB 840**

This bill would impose an additional tax at the rate of 1% on the taxpayer's taxable income that exceeds \$200,000, but is not over \$1,000,000, a tax on self-employment income of an individual taxpayer and a tax on nonwage income of a taxpayer. It would further require all revenues received by the Franchise Tax Board from those taxes to be deposited in the Health Insurance Fund. This bill would impose a health care coverage tax on the wages of an employee to be paid by both the employee and his or her employer.

#### **SB 1132**

**Author: Senator Carole Migden**  
**Topic: Medi-Cal; Foster Care Adolescents**  
**Status: Passed Senate Health; referred to Senate Appropriations: on suspense**

Existing law requires Medi-Cal to extend benefits to independent foster care adolescents. This bill insures that the foster care adolescent, once approved, is not required to complete any additional paperwork to continue to qualify for benefits for which they are already entitled to receive.

#### **SB 1147**

**Author: Senator Ron Calderon**  
**Topic: Medi-Cal; Eligibility: juvenile offenders**  
**Status: Passed Senate Health; referred to Senate Appropriations: on suspense**

This bill would specify that inmate status will not be used to terminate the eligibility of a child under the Medi-Cal program and would require Department of Health Care Services to establish protocols and procedures necessary to ensure that Medi-Cal eligibility is not terminated in violation of that requirement.

#### **SB 1332**

**Author: Senator Gloria Negrete McLeod**  
**Topic: Medi-Cal; Managed Care for Seniors and Disabled People**  
**Status: Senate Appropriations: (5/19/08)**

This bill would establish the Medi-Cal Managed Care Pilot program and require that full access to adequate health care to low-income seniors and persons with disabilities be provided in some pilot areas in order to improve the quality of health care for those persons.

#### **SB 1198**

**Author: Sen. Sheila Kuehl**  
**Topic: Durable Medical Equipment coverage**

**Status: Assembly, no date**

This bill would require private health care service plans to offer coverage for Durable Medical Equipment under group policies with limits no lower than the benefit maximums that apply to other basic medical services.

**SB 1440**

**Author: Senator Sheila Kuehl**

**Topic: Health Care Coverage**

**Status: Passed Senate Health Committee; to Senate Appropriations, on suspense**

This bill would limit the amount that a health care service plan may expend for administrative costs to a specific percentage of the payments it receives for providing health care services.

**SB 1522**

**Author: Senator Darrell Steinberg**

**Topic: Health Care Coverage; Coverage choice categories**

**Status: Senate Appropriations, on suspense**

The intent of this bill is to reduce the confusion in choosing a health care plan. Insurers would be required to offer five "benchmark" plans with easy-to-follow guidelines defining benefits and costs such as deductibles, co-pays and premiums. The result would be a "side-by-side" comparison of plans from one insurance company to another for enrollees to review before choosing a plan.

**SB 1633**

**Author: Senator Sheila Kuehl**

**Topic: Dental Services; credit**

**Status: Senate Appropriations, no date**

When the payment for dental work is to be paid for by applying for a loan, line of credit or using a new credit card, the provider of the dental services must provide a written detailed, easy-to-read disclosure document prior to the work being performed. The form must be signed and dated by the patient and the patient must not be asked to read or sign the form while under the influence of anesthesia.

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

**.AB 671**

**Author: Assembly Member Jim Beall**

**Topic: Medi-Cal: Eligibility for Frequent Users of Services**

**Status: Senate Health**

This bill expands Medi-Cal eligibility to include individuals who are frequent users of health services, meaning individuals who have, in the last 12 months, undergone at least 8 emergency room visits, one hospital admission, and 5 inpatient days of care.

**AB 1132**

**Author: Assemblymember Carole Migden**

**Topic: Former Foster Youth – Medi-Cal**

**Status: Senate Appropriations, on suspense**

This bill would eliminate the requirement that former foster youth between the ages of 18 and 21 complete an application or other paperwork as a condition of receiving ongoing Medi-Cal benefits. Under current law, former foster youth who received Medi-Cal benefits prior to their 18th birthday are eligible to Medi-Cal benefits until they reach the age of 21. As a condition of receiving ongoing benefits, former foster youth must complete a simplified Medi-Cal application. This bill would eliminate this requirement.

**AB 1554****Author:** Assemblymember Dave Jones**Topic:** Health Care Coverage: Rate Approval**Status:** Failed passage in Senate Health (7/11/07); Reconsideration granted; no date set

This bill would require health plans licensed by the Department of Managed Health Care (DMHC) and "health insurers" certificated by the California Department of Insurance (CDI), effective July 1, 2009, to annually submit for prior approval to the respective regulator any increase in the amount of the premium, copayment, coinsurance obligation, deductible, and other charges under a health care service plan or disability insurance policy charged to a subscriber or insured, as specified and imposes on DMHC and CDI specific rate review criteria, timelines and hearing requirements. The bill would require each department to notify the public of a rate application and would deem the application approved within 60 days of the date of that notice unless certain conditions exist and the department holds a hearing on the application.

**AB 1780****Author:** Assemblymember Cathleen Galgiani**Topic:** Early and Periodic Screening Program**Status:** Passed Assembly Health; to Appropriations, no date

Existing law provides for administration of the Early and Periodic Screening, Diagnosis, and Treatment Program by the State Department of Mental Health. This bill would require the department to establish administrative procedures for the delivery of services through this program.

**AB 1894****Author:** Assemblymember Paul Krekorian**Topic:** HIV Testing**Status:** Assembly Appropriations, on suspense

This bill requires health care service plans, health insurers, and general acute care hospital or health clinics that provide emergency medical care to offer patients testing for the HIV antibodies and the AIDS virus regardless of whether the testing is related to a primary diagnosis. This bill includes testing for HIV antibodies and for AIDS as a covered service within the Medi-Cal program.

**AB1996****Author:** Assemblymember Sandre Swanson**Topic:** Drug Felons, Eligibility for Food Stamps**Status:** Assembly, Third Reading

This bill would provide that a person convicted of any drug felony be eligible for aid under the Food Stamp program (Same bill passed last year, AB 508, and was vetoed by Governor.)

**AB 2119****Author:** Assemblymember Cathleen Galgiani**Topic:** Medi-Cal: Durable Medical Equipment**Status:** Assembly Appropriations, (5/14/08)

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. This bill requires the Department to establish a list of covered services and maximum allowable reimbursement rates for durable medical equipment. This bill authorizes the department to determine a single methodology to reimburse all items in the identified category.

**AB 2844****Author:** Assemblymember John Laird**Topic:** CalWORKs and Food Stamp redetermination**Status:** Assembly Appropriations Committee, on suspense

Would repeal the quarterly reporting period for these two programs and replace it with a semi-annual reporting period.

**SB 197**

**Author:** Senator Denise Moreno Ducheny  
**Topic:** Child Care: Eligibility: Termination of Services  
**Status:** Assembly Appropriations, no date

This bill would allow a foster child who meets specified criteria and whose services would otherwise be terminated because he or she has a new foster care placement to *retain his or her child development services voucher, certificate or slot* services if the contractor is able to verify the ongoing need for services and the child remains with the same child care provider or transfers to another child care provider within the same service area of the child development program.

**SB 253**

**Author:** Senator Sam Aanestad  
**Topic:** Health Care  
**Status:** Returned to Senate pursuant to Joint Rule 56 (failure of passage in house of origin)

This bill relates to existing law that states the intent of the Legislature to provide basic health care and related remedial or preventive services to individuals qualifying under the Medi-Cal program.

**SB 893**

**Author:** Senator Dave Cox  
**Topic:** California Children and Families Program: Funding  
**Status:** Returned to Secretary of Senate pursuant to Joint Rule 56 (2/4/08)

This bill would change how specified percentages of moneys allocated and appropriated from Proposition 10 can be spent for various subjects relating to, and furthering the goals and purposes of, the act. This bill would eliminate percentages for allocations to various accounts and would instead provide that those funds be allocated and appropriated to the commission to provide health care services to children consistent with the purposes of the act.

**SB 1160**

**Author:** Alquist  
**Topic:** CalWORKs Program Eligibility  
**Status:** Assembly Human Services, no date

This bill would exempt from the fingerprint requirement the caretaker relative who is changing county residence and applying for benefits on behalf of related children.

**SB 1341**

**Author:** Senator Alex Padilla  
**Topic:** CalWORKS personal property retention  
**Status:** Assembly Human Services, no date

This bill would expand the amount of savings allowed to CalWORKS recipients to allow to secure permanent rental housing.

## Child Health

**AB 16**

**Author:** Assemblymember Edward Hernandez  
**Topic:** Pupil Immunizations  
**Status:** Senate Health, (5/14/08)  
**\*Related Bill:** SB 533

*Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her first admission to that institution he or she has been fully immunized against various diseases. This bill would, commencing July 1, 2009, revise the list of institutions that are subject to the prohibition, and would require*

*the State Public Health Officer to create a list of diseases for which immunization shall be required prior to entry into those institutions. The bill would also, commencing July 1, 2009, require the State Department of Public Health to annually publish on its Web site the list of immunizations that are required under these provisions, and to adopt regulations as necessary to administer the immunization requirements by July 1, 2010. Additionally, this bill would, commencing July 1, 2009, require the State Department of Education, in coordination with the State Department of Public Health, to make available to school districts related informational materials. Existing law requires at the beginning of the first semester or quarter, the governing board of each school district to notify parents or guardians of minor pupils of specified rights and responsibilities of the parent or guardian. The bill would, commencing July 1, 2009, require the notice to also advise the parent or guardian of the immunization requirements developed by the State Public Health Officer pursuant to the above-described provisions, as specified.*

#### **AB 273**

**Author:** Assemblymember Dave Jones

**Topic:** Public Health: Foster Children

**Status:** Senate Appropriation, no date

This bill would amend existing law that provides for the Child Health and Disability Prevention program to require prescribed health and dental assessments be provided to children under the supervision of the juvenile court. This bill would further require that those assessments be included in the summary of the child's health and education records, and an appropriate referral be made for the child who is identified as having suspected chronic and acute health care needs. It also would require the extension of Medi-Cal benefits for specified foster children.

#### **AB 1503**

**Author:** Assemblymember Bob Huff

**Topic:** High School Exit Examination: Disabled Pupils: Waiver

**Status:** Senate Education Committee (5/14/08)

This bill requires a school principal to submit a waiver of the requirement to pass the high school exit examination for a pupil with a disability who has taken the examination with modifications and has received the equivalent of a passing score to the school district superintendent and to do so without the waiver being requested by the pupil's parents or legal guardian. It requires the submission of a denied request to the State Board of Education. It requires the board to allow the waiver if the denial is improper.

#### **AB 2115**

**Author:** Assemblymember Gene Mullin

**Topic:** Childhood Lead Screening

**Status:** Assembly Appropriations, on suspense

This bill prohibits the governing board of a school district from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless the pupil has a certificate showing that he or she has been screened for lead poisoning.

#### **AB 2262**

**Author:** Assemblymember Alberto Torrico

**Topic:** Child Protection: Safe-Surrender

**Status:** Assembly Appropriations, on suspense

This bill appropriates funds from the General Fund to the State Department of Social Services to conduct a statewide awareness campaign publicizing the existence of the Child Protection Safe Surrender Program and to establish a toll-free telephone number for the purpose of providing education and assistance to the public regarding the program.

**AB 2580****Author:** Assemblymember Juan Arambula**Topic:** Health; Immunizations**Status:** Assembly Appropriations, on suspense

This bill would require that on and after July 1, 2009 no pupil would be admitted to the 7<sup>th</sup> grade level unless the child has been fully immunized against pertussis (whooping cough).

**AB 2898****Author:** Assemblymember Gene Mullin**Topic:** Coroners**Status:** Passed Assembly Appropriations, 5/7/08

This bill relates to situations where the suspected cause of death is sudden infant death syndrome. It authorizes the coroner to retain only those parts of the body as may be necessary or advisable to the inquiry into the case, or for the verification of his or her findings.

**AB 2904****Author:** Assemblymember Mary Hayashi**Topic:** Child Health: Child Mortality Review Panel**Status:** From Consent Calendar to Third Reading

This bill requires every county to establish a Child Mortality Review Panel to be comprised of 6 members, appointed by the board of supervisors. Requires the panel to investigate and develop findings and recommendations relating to a child's death while in protective custody, in accordance with specified procedures and time lines. This bill requires the findings and recommendations to be presented in a written report to the board of supervisors in a closed session.

**SB 119****Author:** Sen. Gil Cedillo**Topic:** Drug Medi-Cal coverage 12-20 year olds**Status:** Assembly Appropriations, on suspense

This bill would increase the scope of benefits and reimbursement rates for Drug Medi-Cal to provide access to an appropriate continuum of care for youths 12-20 years of age suffering from substance abuse.

**SB 468****Author:** Senator Alex Padilla**Topic:** Shaken Baby Syndrome**Status:** Assembly Appropriations, no date

This bill would revise existing law's legislative findings and declarations to state that programs focusing on providing information on shaken baby syndrome by educating adults about the dangers of shaking a child have been effective in reducing the number of deaths from shaken baby syndrome. Existing law requires that specified information and instructional materials be provided free of charge by each health facility to parents or guardians of each newborn, upon discharge from the health facility, and requires the State Department of Social Services to provide the information and instructional materials free of charge to child care providers upon licensure and at the time of a site visit. This bill would revise those provisions to remove "instructional materials". The bill would further require the department, no later than July 1, 2009, to establish the voluntary Shaken Baby Syndrome Education Pilot Program, to provide public education on shaken baby syndrome to participants in eligible counties that elect to participate in up to 10 counties. *This bill would provide that its activities would be funded exclusively with funds allocated to the department from the State Children's Trust Fund.*

## **Environmental Exposure**

**SB 775****Author:** Senator Mark Ridley-Thomas

**Topic: Childhood Lead Poisoning**  
**Status: Assembly Health Committee, no date**

The Childhood Lead Poisoning Prevention Act of 1991 establishes a Childhood Lead Poisoning Prevention program within the State Department of Health Services. Under the program, a laboratory that performs a blood lead analysis on a specimen of human blood drawn in the state is required to report prescribed information to the department on every person tested. This bill would revise the information to be reported by the laboratory, as specified. The bill would also require the department to distribute to all health care providers that administer perinatal care services information on lead poisoning and would require providers to give this information to pregnant women. Additionally, this bill would, on and after July 1, 2008, prohibit the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless the pupil has been assessed for risk of exposure to lead. The bill would require a licensed health care provider to conduct the assessment by presenting to the child's parent, guardian, or caretaker relative specified questions adopted by the department in order to determine whether the child has been exposed to lead.

#### **SB 1712**

**Author: Senator Carole Migden**  
**Topic: Adulterated Cosmetics**  
**Status: Senate Appropriations, on suspense**

This bill would expand language in the Sherman Food, Drug and Cosmetic Act to include lipstick. It would also require that on and after January 1, 2009, any person who manufactures, packages, or sells lipstick in the state must report this fact to the State Department of Public Health and provide evidence to the department that the lipstick was tested and found not to contain lead. This bill would impose a state-mandated local program.

#### **SB 1713**

**Author: Senator Carole Migden**  
**Topic: Children's Products: bisphenol and lead**  
**Status: Passed Senate Health Committee, to third reading in Senate**

Existing law, starting 1/1/09, prohibits the manufacture, sale or distribution of certain toys and child care products if those products contain types of phthalates in concentrations exceeding 1/10 of 1%. This bill requires manufacturers to replace phthalates with the least toxic alternative. The bill would revise the definition of child care articles to include any product designed or intended by a manufacturer for use either on or by children, including shampoos, lotions, and soaps. It also prohibits anyone from manufacturing, selling or distributing a product where bisphenol A is present in detectable levels where the article in question is intended for use by children under three years of age.

#### **AB 2694**

**Author: Assemblymember Fiona Ma**  
**Topic: Children's Product Safety: Lead Poisoning Prevention**  
**Status: Assembly, no date**

This bill prohibits the manufacture, sale or exchange, as specified, of any product intended for use by or for the care of a child 12 years old or younger if the product, or any part of it, is a lead-bearing substance. And requires a manufacturer to use the least toxic alternative when replacing lead in children's products.

## **Health Education**

#### **AB 708**

**Author: Assemblymember Bob Huff**  
**Topic: Reproductive Health: Abstinence Education**  
**Status: Assembly Health, no date**

This bill would require the State Department of Public Health to develop and implement a program of abstinence education in a manner that would maximize federal financial participation, and would specify the purpose of the program and the subjects to be included in the abstinence education program. The bill would permit the department to receive cash or in-kind donations in connection to this program, as defined.

#### **AB 1511**

**Author:** Assemblymember Mark Leno  
**Topic:** Stronger Families for California Act  
**Status:** Senate Appropriations, no date

This bill would establish the Stronger Families for California Act, a continuing information and public education program, within the State Department of Public Health, with the primary goal of decreasing teenage pregnancies and sexually transmitted diseases through a continuing education and public education program that equips parenting adults with the communication skills necessary to talk with their children about sex, sexual health, and making well-informed decisions to protect their health and safety.

#### **SB 126**

**Author:** Senator Tom Harman  
**Topic:** Child Abuse and Neglect  
**Status:** Returned to Sec. of Senate pursuant to Joint Rule 56

Existing law defines specified local agency employees, such as teachers, social workers, and instructional aides, as mandated reporters of suspected child abuse. Employers of such mandated reporters are required to provide specified training. This bill would, in addition, require employers to provide their employees who are mandated reporters with training resources on how to recognize specified types of crimes against children.

#### **SB 1600**

**Author:** Senator Sheila Kuehl  
**Topic:** School Curriculum: Sexual Health Education  
**Status:** Senate Third Reading

This bill relates to the family temporary disability insurance program for workers who take time off work to care for a seriously ill family member, as defined, or to bond with a new child. This bill provides that an individual shall be deemed to have left his or her most recent work with good cause if the individual's employment is terminated as a result of the individual's taking a qualifying leave under the family temporary disability insurance program.

## **Maternal and Child Health Miscellaneous**

#### **AB 2599**

**Author:** Assemblymember Kevin DeLeon  
**Topic:** Birth Defects Monitoring Program  
**Status:** Passed Assembly Appropriations, to consent calendar

This bill makes technical, non-substantive changes to existing law that relates to the activities of the Birth Defects Monitoring Program.

## **Mental Health**

#### **SB 57**

**Author:** Senator Dennis Hollingsworth  
**Topic:** Personal Income Taxes  
**Status:** Returned to Secretary of Senate pursuant to Joint Rule 56.

This bill relates to the Mental Health Services Act, which was enacted by initiative statute, and established a state personal income tax surcharge of 1% on taxpayers with annual taxable incomes of than \$1 million and

uses the funds derived there from for expanding county mental health programs. This bill repeals the 1% surcharge and associated provisions specifying the allocation of those revenues. This bill would provide that these repeal provisions would become operative only when submitted to, and approved by, the voters.

#### **AB 2809**

**Author:** Assemblymember Mark Leno  
**Topic:** Crime Victims Mental Health Counseling  
**Status:** Assembly, no date

This bill would authorize the Victim Compensation Board to pay up to \$3,000 for outpatient mental health counseling for minors who suffer emotional injury from witnessing a violent crime.

#### **SB 1470**

**Author:** Sen. Abraham Lowenthal  
**Topic:** Homeless Youth Prevention and Assistance Act of 2008  
**Status:** Appropriations Committee, on suspense

This Act would require the Department of Mental Health and the Department of Housing to develop and adopt a statewide strategic homeless youth prevention plan by May, 2010.

## **Nursing and Physician Workforce**

#### **AB 1436**

**Author:** Assemblymember Edward P. Hernandez  
**Topic:** Nurse Practitioners: Scope of Practice  
**Status:** Senate Committee on Business, Professions and Economic Development (6/9/08)

Existing law, the Nursing Practice Act, provides for the certification and regulation of nurse practitioners and nurse-midwives by the Board of Registered Nursing and specifies requirements for qualification or certification as a nurse practitioner. This bill would revise the educational requirements for qualification or certification as a nurse practitioner and would require a nurse practitioner to be certified by a nationally recognized certifying body approved by the board.

#### **AB 1951**

**Author:** Assembly Member Mary Hayashi  
**Topic:** Mental Health professionals: Suicide Prevention Training  
**Status:** Assembly, Third Reading

This bill requires applicants seeking initial licensure, or renewing licensure, as a psychiatrist, psychologist, marriage and family therapist (MFT), educational psychologist (EP), or clinical social worker (CSW) to complete six hours of training in suicide prevention, assessment, intervention, and postintervention strategies (suicide prevention coursework), as specified

#### **SB 478**

**Author:** Senator Dennis Hollingsworth  
**Topic:** Physicians and Surgeons: Loan Repayment  
**Status:** Returned to Secretary of Senate pursuant to Joint Rule 56.

This bill would express the Legislature's intent to establish a loan repayment program for educational expenses incurred by a physician and surgeon who practices in an area deficient in physician services or who treats patients who are without health care coverage.

#### **SB 1521**

**Author:** Senator Gil Cedillo  
**Topic:** School Nurse Loan Assumption Program  
**Status:** Senate Education Committee:

This bill authorizes school personnel who volunteer for specified medical training to administer insulin to pupils with diabetes who require insulin during the regular school day in the absence of credentialed school nurse or other licensed nurse onsite at the school

## **Nutrition**

### **AB 90**

**Author:** Assemblymember Ted W. Lieu

**Topic:** Pupil Nutrition: Trans Fats

**Status:** Filed with the Chief Clerk pursuant to Joint Rule 56.

This bill, commencing on July 1, 2009, would prohibit a school or school district from serving or selling to pupils, during school hours, any food containing artificial trans fat. It would also prohibit the use of artificial trans fat in the preparation of a food item served or sold to pupils.

### **AB 97**

**Author:** Assemblymember Tony Mendoza

**Topic:** Trans Fat

**Status:** Senate Floor

This bill would limit the use of trans fat by retail food facilities. It would require every food facility except a public school cafeteria to maintain on their premises the labeling information for any food or additive used that includes any shortening, oil or fat.

### **AB 433**

**Author:** Assemblymember Jim Beall

**Topic:** Food Stamp Program: Categorical Eligibility

**Status:** Senate inactive file

This bill would require the State Department of Social Services to propose a new name for the Food Stamp Program in California by *July 1, 2008* and to convene with a diverse group of stakeholders to develop the new name. The bill would require the new name to reflect one or more designated concepts relating to the operation and significance of the program. Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under the Food Stamp Program for persons receiving cash assistance for indigent persons. This bill would require the department to establish a similar categorical eligibility program for recipients of the benefits under the Medi-Cal program, when those individuals will be receiving or are eligible to receive benefits or services funded under the federal Temporary Assistance for Needs Families (TANF) block grant. The bill would require the department to establish the program by July 1, 2008 and to fully implement it as to new food applicants by January 1, 2009. Because counties administer the Food Stamp Program, this bill would increase county duties by potentially extending the period of eligibility for these programs for certain recipients, and would thereby impose a state-mandated local program.

### **AB 1966**

**Author:** Assemblymember Bonnie Garcia

**Topic:** Pupil Nutrition: school meals

**Status:** Assembly Appropriations, on suspense

This bill would require each schoolsite, starting with the 2009-2010 school year, to serve a nutritiously adequate breakfast for the neediest of their student population. The bill would be operative only if the Superintendent of Public Instruction determines that there is sufficient funding in the Budget Act of 2008 for increased reimbursements, such determination must be made on or before February 1, 2009. Each school can seek a waiver if they determine this requirement places an undo burden on their system.

### **AB 2300**

**Author:** Assemblymember John Laird

**Topic: Pupil Nutrition: School lunch and breakfast program; direct certification**  
**Status: Appropriations Suspense File**

This bill would directly enroll all Medi-Cal children in a school's free-lunch or reduced price meal program. No additional application to the meal programs would be necessary.

#### **AB 2726**

**Author: Assemblymember Mark Leno**  
**Topic: Healthy Food Purchase pilot program**  
**Status: Assembly Appropriations, on suspense**

Existing law, until January 1, 2011, requires that the State Department of Public Health to develop a "Healthy Food Purchase" pilot program to increase the sale and purchase of fresh fruits and vegetables in low-income communities. This bill would extend the program to January 1, 2012. It would also expand the variety of funding sources to allow more fresh fruits and vegetables to get to inner city grocery stores and to give food stamp participants rebates on purchases of fruits and vegetables.

#### **SB 1369**

**Author: Senator Gil Cedillo**  
**Topic: Pupil nutrition: free and reduced price meals**  
**Status: Senate Health, no date**

This bill is an attempt to clean up some problems with Express Lane Enrollment - Medi-Cal and Healthy Families enrollment process through the school lunch program. Specifically this bill would prohibit a school district from sharing the information on the school lunch program application if the school district determines that the child already has an active Medi-Cal or Healthy Families case. The bill would ensure that the parent or guardian be given the opportunity to refute this finding and if it is verified that the child does not have an active Medi-Cal or Healthy Families case, the application would be required to be processed for an accelerated Medi-Cal determination.

#### **SB 1420**

**Author: Senator Alex Padilla**  
**Topic: Food facilities: nutritional information**  
**Status: Senate, no date**

In the 2007 legislative session this bill was passed by the Senate and Assembly but was vetoed by the Governor. This menu labeling bill is being re-introduced and requires the posting of nutritional information on chain restaurant menus and menu boards. The nutritional information on restaurant menus would include the total number of calories, grams of saturated fat, grams of trans fat, and milligrams of sodium. A menu board would be required to list only the total number of calories. The bill would impose a misdemeanor law infraction for those restaurants not meeting this requirement by July 1, 2009.

## **Public Health**

#### **AB 1230**

**Author: Assemblymember John Laird**  
**Topic: Charter Schools: Public Health Screenings**  
**Status: Senate Education Committee, no date**

Existing law requires the governing board of a school district to provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district, subject to specified exceptions. The governing board of a school district also is required to provide a scoliosis screening to each female pupil in 7th grade and each male pupil in 8th grade, also subject to specified exceptions. Charter schools are generally exempt from state statutes and regulations governing the operation of public elementary and secondary schools, except for certain specified statutory provisions. This bill would require charter schools to provide the pupil sight and hearing test and the scoliosis screening as described above. A charter school would be authorized to contract with a school district or county office of education to provide the test and screening.

**AB 1472**

**Author:** Assemblymember Mark Leno  
**Topic:** Public Health: California Healthy Places Act of 2008  
**Status:** Senate Appropriations, no date

This bill would establish the California Healthy Places Act of 2008 which requires various state agencies and departments to collaboratively support childhood development, prevent injury, illness, and chronic disease, ensure environmental health, and reduce health disparities by providing knowledge, guidance, and resources for public health assessments of land use and transportation system planning. The bill would require the State Public Health Officer to form an interagency working group (IWG), to be comprised of one representative each from certain agencies and entities, including, among others, the Department of Food and Agriculture, the State Department of Public Health, the Office of Planning and Research, the Superintendent of Public Instruction, and the Department of Transportation, which would be required to identify, evaluate, and disseminate available evidence, information, programs, and best practices on environmental health, and establish environmental health goals, as provided. *The bill was amended to eliminate appropriating monies from the General Fund to fund this Act.*

**AB 1605**

**Author:** Assemblymember Sally J. Lieber  
**Topic:** The State Department of Public Health: State Public Health Nurse  
**Status:** Senate Appropriations, no date

Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, duties over licensing and certification of health facilities, and over maternal and child health. Existing law authorizes the appointment of the State Public Health Officer as the director of the department, and authorizes appointment of two chief deputies for the department. This bill would require the director to appoint one of the chief deputies as the State Public Health Nurse to act as a liaison to public health nursing agencies, in addition to other duties.

**AB 1646**

**Author:** Assemblymember Bob Huff  
**Topic:** Transaction and Use Taxes: Counties: Public Health  
**Status:** Senate Health, (6/11/08)

The Transactions and Use Tax Law authorizes counties to levy transactions and use taxes as special taxes in accordance with the procedures and requirements set forth in that law. This bill would authorize counties to impose a transactions and use tax for specified public health purposes if certain conditions are met. This bill would make legislative findings and declaration regarding local public health departments.

**AB 2474**

**Author:** Assemblymember Cathleen Galgiani  
**Topic:** Obesity Prevention  
**Status:** Assembly Appropriations, on suspense

In 2009 federal regulations will allow California to update and improve the nutritional content of WIC foods. The new WIC food packages will include, for the first time, fresh fruits and vegetables, lowfat milk and soy substitutes, whole grains, baby foods and flexible choices for cultural groups. This bill would require the State Department of Public Health to establish a program to coordinate state and local agencies to create community work groups that would educate the public through public service announcements and media campaigns to reach targeted populations. This bill would also require tracking the health impacts of obesity and evaluating the progress of the obesity prevention programs that are established.

**AB 2702**

**Author:** Assemblymember Fabian Nunez  
**Topic:** Hospital and Physician Emergency Fund Reimbursement in LA  
**Status:** Assembly Appropriations (5/14/08)

Allows physicians providing services in certain standby emergency rooms to receive reimbursement from Proposition 99 (The Tobacco Tax and Health Protection Act of 1988) and Maddy Emergency Medical Services (EMS) funds, provided they provide emergency physician staffing 24/7, which standby emergency rooms are not normally required to provide.

#### **SB 164**

**Author:** Senator Carole Migden

**Topic:** Prenatal Screening

**Status:** Placed on inactive file on request of author (3/13/08)

This bill would change the name of the Birth Defects Monitoring Program to the Birth Defects Monitoring and Biomedical Resources Program and require the State Department of Public Health to charge investigators, who are approved by the department to use pregnancy blood for research purposes, a fee for costs related to data linkage, storage, retrieval, processing, data entry, reinventory, and shipping of pregnancy blood or its components, and related data management. *This bill was amended to include language specific to the regulation of for-profit investigators.* The bill would require that the monies collected from the prenatal fee increase and the usage and retrieval charge be deposited in the Birth Defects Monitoring and Biomedical Resources Program Fund, which the bill would create, and that would be continuously appropriated to support the activities of the program and would additionally require that the program develop pregnancy blood collection and processing protocols, determine conditions and recommendations for the duration of pregnancy blood storage, establish exclusion criteria for blood specimens, and institute safe and secure methods for the disposal of specimens, as determined by the program. The bill would require the department to store the pregnancy blood for research purposes, as prescribed, and analyze the costs of pregnancy blood storage, and annual data linkage and management, and to adjust the fee accordingly. This bill would allow information to be released identifying the person from whom the pregnancy blood samples were obtained to Birth Defects Monitoring and Biomedical Resources Program contractors or to other department-approved entities. *This bill was amended to include language that requires certain confidentiality criteria to ensure a donor's personal information is not released.*

#### **SB 825**

**Author:** Senator Alex Padilla

**Topic:** Public Health: Shaken Baby Syndrome

**Status:** Assembly Human Services, no date

Establishes the Shaken Baby Syndrome Education Program. This bill requires the Department of Health Services to select eligible counties which are designed to provide new parents and other adult caregivers of newborns and young infants with information and education relating to the prevention of shaken baby syndrome. It requires a report on the effectiveness of the program in reducing the number of injuries and infant deaths resulting in shaken baby syndrome. Provides funding from the Children's Trust Fund.

## **Reproductive Health and Perinatal Care**

#### **AB 1940**

**Author:** Assemblymember Chuck DeVore

**Topic:** Temporary Disabled Persons' Placards: Pregnancy

**Status:** Assembly Transportation Committee, no date

Existing law authorizes a vehicle equipped with a special license plate, placard, or temporary placard indicating the person is a disabled person, disabled veteran, or an organization or agency involved in the transportation of disabled persons or disabled veterans, as specified, to exercise certain parking privileges, including parking or leaving standing a vehicle in a stall or parking place designated for a disabled person or disabled veteran. These spaces are distinguished by signs and markings placed pursuant to certain specifications. This bill would define "temporary disability" to include the last trimester of a woman's

pregnancy through her first 2 months after giving birth. The bill would require that the certificate be signed by a physician and surgeon, a nurse practitioner, a certified nurse midwife, or a physician assistant.

**AB 2124**

**Author:** Assemblymember Jim Beall  
**Topic:** Medi-Cal: Alcohol and Drug Screening  
**Status:** Assembly Appropriations, On suspense

This bill creates the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Matching Fund which would be administered by the Department of Alcohol and Drug Programs for the purpose of providing matching local funds received by the fund through intergovernmental transfers to a county agency to provide alcohol and drug screening and brief intervention services to Medi-Cal beneficiaries.

**AB 2129**

**Author:** Assemblymember Jim Beall  
**Topic:** Maternal Health: Alcohol and Substance Abuse  
**Status:** Assembly Appropriations, On suspense

This bill requires the State Department of Public Health to develop a model program for the universal screening, assessment, referral, and treatment of pregnant women and women of childbearing age who are suffering from drug and alcohol abuse. This bill requires the department to provide assistance to, counties in the state that may elect to participate in the program.

**SB 1661**

**Author:** Senator Sheila Kuehl  
**Topic:** Unemployment Compensation: family leave  
**Status:** Passed Senate Appropriations, to Senate, no date

Relates to the family temporary disability insurance program for workers who take time off work to care for a seriously ill family member, defined, or to bond with a new child. This bill provides that an individual shall be deemed to have left his or her most recent work with good cause if individual's employment terminated as a result of the individual's taking a qualifying leave under the family temporary disability insurance program.

**SB 1682**

**Author:** Senator Sheila Kuehl  
**Topic:** Medi-Cal Reimbursement Rates  
**Status:** Senate Health, no date

This bill would require rate augmentation for family planning office visits be based on Medicare rates rather than Medi-Cal rates.

## **Safety**

**AB 86**

**Author:** Assemblymember Ted Lieu  
**Topic:** Pupil Safety  
**Status:** Senate Education, no date

Existing law establishes the School/Law Enforcement Partnership and charges it with undertaking several efforts intended to reduce school crime, as specified, including bullying. This bill would specify that bullying, as used in the Interagency School Safety Demonstration Act of 1985, includes acts that are committed personally or by means of an electronic communications device or system.

## Vital Statistics

### AB 1275

**Author:** Assemblymember Mark DeSaulnier

**Topic:** Domestic Violence, *Child Abuse and Neglect, and Family Violence: Certified Copies of Vital Records: Fees*

**Status:** Senate Local Government Committee, (6/408)

This bill would authorize a county board of supervisors, upon making findings and declarations supporting the need for governmental oversight and coordination of the multiple agencies dealing with domestic violence, to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records, for the purpose of funding governmental oversight and coordination of the multiple agencies dealing with domestic violence, child abuse and neglect, and family violence prevention, early intervention and prosecution efforts in the county, up to a maximum increase of \$4.

### SB 471

**Author:** Senator Bob Margett

**Topic:** Birth and Death Records: Certified Copies: Identification

**Status:** Returned to Secretary of Senate pursuant to Joint Rule 56.

Existing law provides that the State Registrar, local registrar, or county recorder may provide a certified copy of a birth or death record to an authorized person, as defined, who submits a statement sworn under penalty of perjury that the requester is an authorized person. This bill would, in addition, require any person who requests, in person, a certified copy of a birth or death record to provide the official with valid identification, as provided, unless that person is a parent or legal guardian and is requesting a certified copy of his or her child's birth or death record in which case, the person need only provide a sworn statement under penalty of perjury that he or she is an authorized person. The bill would also establish requirements for a person who has been a victim of identity theft to obtain a birth or death record.

## Workplace Policy

### AB 624

**Author:** Assemblymember Joe Coto

**Topic:** Foundations: Diversity

**Status:** Senate Business, Professions and Economic Development, (5/12/08)

This bill would require a private, corporate, or public operating foundation with assets over \$250,000,000 to collect specified ethnic, gender, and sexual orientation data pertaining to its governance and domestic grant making. The bill would require this information to include the racial and gender composition of the board of directors and staff of the foundation, the number of grants and percentage of grant dollars awarded to organizations serving ethnic minority communities and lesbian, gay, bisexual, and transgender communities, the number of grants and percentage of grant dollars awarded to organizations where 50% or more of the board members or staff are ethnic minorities or are lesbian, gay, bisexual, or transgender, and the number of grants and percentage of grant dollars awarded to predominantly low-income communities. Requires information in annual report.