



October 1, 2014

Maternal and Child Health-Related Legislation

## California State Legislature

### 2013-14 Session

The following are some of the Maternal and Child Health and health coverage-related bills presented for this session as of October 1, 2014. This is the end of a two-year legislative session, meaning new bills will have to be introduced for 2015. **Please let MCHA know of bills we may have missed! See our contact information below. To read the full text of bills, go to [www.leginfo.ca.gov](http://www.leginfo.ca.gov) to “Bill Information”.** Thanks to the Western Center on Law and Poverty for language for many of the bills below.

## Legislation Signed, Vetoed or Held

### Access and Insurance Coverage

#### **AB 369**

**Author:** Pan

**Topic:** Continuity of Care

**Status:** **SIGNED INTO LAW**

This bill would require a health care service plan and a health insurer to arrange for the completion of covered services by a nonparticipating provider for a newly covered enrollee and a newly covered insured under an individual health care service plan contract or an individual health insurance policy whose prior coverage was withdrawn from the market between December 1, 2013, and March 31, 2014 (the insurance removed from market as “junk” insurance or not meeting ACA standards), inclusive, as specified.

#### **AB 505**

**Author:** Nazarian

**Topic:** Medi-Cal: managed care: language assistance services.

**Status:** **SIGNED INTO LAW**

This bill codifies the Medi-Cal managed care thresholds for translated documents.

#### **AB 617**

**Author:** Nazarian

**Topic:** California Health Benefit Exchange: appeals.

**Status:** **SIGNED INTO LAW**

This bill would establish a notice and appeals process for eligibility determinations related to the Exchange, MAGI Medi-Cal and the Medi-Cal Access Program (formerly known as AIM).

#### **AB 1174**

**Author: Bocanegra**

**Topic: Virtual Dental Home**

**Status: SIGNED INTO LAW**

This bill expands the duties of registered dental assistants and hygienists. Requires Medi-Cal to reimburse dentists who provide care using store-and-forward telehealth.

#### **AB 1792**

**Author: Gomez**

**Topic: Public Financing of Employee Benefits**

**Status: SIGNED INTO LAW**

This bill requires the Department of Finance to identify and post on its website each employer that employees 100 or more beneficiaries enrolled in Medi-Cal.

#### **AB 1877**

**Author: Cooley**

**Topic: California Vision Care Access Council**

**Status: VETOED**

This bill would establish the California Vision Care Access Council - an Exchange marketplace for vision coverage plans governed by a 5-member Board. The Council would work with the Exchange to set up a direct link between the Web site of the Exchange and the Web site of the Council to connect consumers of the Exchange to the vision marketplace.

#### **AB 2325**

**Author: John A Perez**

**Topic: Medi-Cal: CommuniCal.**

**Status: VETOED**

This bill would require DHCS to establish the Medi-Cal Patient-Centered Communication program (CommuniCal), to be administered by a 3rd-party administrator, to, commencing July 1, 2015, provide and reimburse for medical interpretation services to Medi-Cal beneficiaries who are limited English proficient (LEP).

#### **SB 964**

**Author: D. Hernandez**

**Topic: Oversight health plans**

**Status: SIGNED INTO LAW**

This bill increases oversight of health plans' adequacy standards for timely access and provider networks.

#### **SB 1052**

**Author: Torres**

**Topic: Prescription Drug Formularies**

**Status: SIGNED INTO LAW**

This bill requires health plans and insurers that provide prescription drug benefits to post those formularies on their websites, update that posting monthly, and use the standard formulary template - to be jointly created by DMHC and CDI.

### **SB 1124**

**Author: D. Hernandez**

**Topic: Medi-Cal Estate Recovery**

**Status: VETOED**

This bill would have limited recovery from the estate of a deceased Medi-Cal beneficiary to only the costs that the state is required to recover under federal law.

### **SB 1256**

**Author: D. Mitchell**

**Topic: Credit in medical services**

**Status: SIGNED INTO LAW**

This bill prohibits a healing arts licensee from arranging for credit extended by a 3rd party for a patient without first providing a written notice and treatment plan, and prohibits that arrangement of credit with regard to a patient who has been administered or is under the influence of general anesthesia, conscious sedation, or nitrous oxide.

### **SB 1276**

**Author: D. Hernandez**

**Topic: Health care: fair billing policies**

**Status: SIGNED INTO LAW**

This bill would require hospitals to collect no more than 10% of a billed patients monthly income if that patient is below 350% FPL and expands eligibility for charity care and discount payment programs to patients with insurance.

## **Children**

### **AB 357**

**Author: Pan**

**Topic: Children's Health Advisory Board**

**Status: SIGNED INTO LAW**

Creates the Children's Health Advisory Board (CHAB) by transferring the Healthy Families Advisory Panel (HFAP) from the Managed Risk Medical Insurance Board (MRMIB) to the Department of Health Care Services (DHCS). Appointed by the Governor, the Assembly Speaker and the Senate Committee on rules, board members would be tasked with developing a vision for children's health in California, making recommendations on improving child health systems, and setting goals and standards for children's health coverage. It provides a potential pathway for future improvements in children's health services and programs in California.

### **AB 2127**

**Author: Cooley**

**Topic: Sports, concussions and head injuries**

**Status: SIGNED INTO LAW**

This bill would express legislative findings and declarations relating to head injuries sustained by high school pupil-athletes, particularly those who play football. The bill would prohibit high school and middle school football teams of school districts, charter schools, or private schools that elect to offer an athletic program from conducting more than 2 full-contact practices, as defined, per week during the preseason

and regular season, as defined. The bill would also prohibit the full-contact portion of a practice from exceeding 90 minutes in any single day, and completely prohibit full-contact practice during the off-season, as defined. The bill would urge the California Interscholastic Federation to develop and adopt rules to implement this provision. This bill would provide that an athlete suspected of sustaining a concussion or head injury is prohibited from returning to the athletic activity until the athlete is evaluated by a licensed health care provider, as defined to mean a licensed health care provider trained in the management of concussions and acting within the scope of his or her practice, and the athlete receives written clearance from a licensed health care provider.

### **SB 910**

**Author:** Pavley

**Topic:** Domestic Violence: Restraining orders

**Status:** **SIGNED INTO LAW**

For the purposes of these provisions, domestic violence includes abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. The violation of a restraining order issued pursuant to these provisions is a crime.

This bill would, for the purposes of these provisions, expand the definition of domestic violence to include abuse perpetrated against a child of a party to the domestic violence proceedings or a child who is the subject of an action under the Uniform Parentage Act, as specified, or against any other person related to the defendant by consanguinity or affinity within the 2nd degree.

### **SB 955**

**Author(s):** Mitchell and others

**Topic:** Trafficking of minors

**Status:** **SIGNED INTO LAW**

SB 955 will allow law enforcement officials to use court-authorized wiretaps when investigating or prosecuting the trafficking of minors. SB 1165 adds teaching trafficking avoidance to public school curricula and SB 1388, which Senator Mitchell jointly authored with Senators Ted Lieu, Jerry Hill and principal co-author Bob Huff, increases criminal penalties for those convicted of trafficking minors or sex. The average age of entry into the sex trade is 12-14 years old; 72% of Californians trafficked are born U.S. citizens; many are approached at school, transit stops, malls, shelters or group homes, often by friends recruited for use by sex traffickers as decoys.

## Eligibility and Enrollment/Re-enrollment

### **AB 2706**

**Author:** Hernandez, Roger

**Topic:** Schools and health care coverage

**Status:** **SIGNED INTO LAW**

This bill requires public schools to ensure their enrollment forms include how to be referred for information regarding health coverage options and enrollment assistance.

### **SB 1002**

**Author:** De León

**Topic: Medi-Cal: redetermination.**

**Status: VETOED**

This bill would align Medi-Cal redetermination with the CalFresh certification period when a CalFresh application or recertification application is submitted.

### **SB 18**

**Author: Leno**

**Topic: Medi-Cal renewal**

**Status: SIGNED INTO LAW**

This bill requires DHCS to accept \$6 million from private foundations, to be matched with federal funds, to provide Medi-Cal renewal assistance payments to enrollers/assisters.

### **SB 1002**

**Author: DeLeon**

**Topic: Eligibility for Medi-Cal and CalFresh**

**Status: VETOED**

This bill would allow automatic renewal of Medi-Cal for people enrolled in CalFresh and determination or redetermination of CalFresh for people in Medi-Cal.

## **Maternal and Child Health**

### **AB 1559**

**Author: Pan**

**Topic: Newborn Screening**

**Status: SIGNED INTO LAW**

This bill would require the department to expand statewide screening of newborns to include screening for adrenoleukodystrophy (ALD) as soon as ALD is adopted by the federal Recommended Uniform Screening Panel (RUSP). ALD is a rare disease that causes damage to the myelin sheath, an insulating membrane that surrounds nerve cells in the brain. The most severe symptoms primarily affect males, and prevalence is estimated at 1 in 17,000 males.

### **AB 1579**

**Author: Stone**

**Topic: CalWorks Payments**

**Status: SIGNED INTO LAW**

This bill would, beginning July 1, 2015, provide that when a family does not include a needy child qualified for aid under CalWORKs, aid shall be paid to a pregnant woman for the month in which the birth is anticipated and for the 6-month period immediately prior to the month in which the birth is anticipated, i.e. beginning the 2<sup>nd</sup> trimester instead of the 3<sup>rd</sup>. The bill would also authorize these implementation by means of all-county letters or similar instructions until regulations are adopted.

## **Workforce issues**

### **AB 1522**

**Author: L. Gonzalez**

**Topic: Paid Sick Leave**

**Status: SIGNED INTO LAW**

Provides paid sick leave of at least three days per calendar year starting July 1, 2015. Affects employers with at least one employee who works more than 30 days in a year in California.

**AB 2325**

**Author: John Perez**

**Topic: Medical interpreters**

**Status: VETOED**

This bill would require DHCS to establish a program for certified medical interpreters for Medi-Cal.

**SB 1315**

**Author: Monning**

**Topic: Medi-Cal providers**

**Status: SIGNED INTO LAW**

This bill requires a notice of temporary suspension issued to a Medi-Cal health care provider by DHCS to include a list of discrepancies required to be remediated and a timeframe for remediation.

**SB 1384**

**Author: Mitchell.**

**Topic: Certified nurse assistants**

**Status: SIGNED INTO LAW**

Existing law provides for the certification of nurse assistants by the State Department of Public Health. This bill would delete the requirement that the department deny a training and examination application and deny, suspend, or revoke a certificate if the applicant or certificate holder has been convicted of a violation or attempted violation of one or more of the specified crimes. The bill would make findings and declarations related to these provisions, and would make other related and conforming changes.

## **Nutrition**

**SB912**

**Author: Mitchell**

**Topic: Vending machines in state buildings**

**Status: SIGNED INTO LAW**

This bill will eliminate the sunset on the current requirement that vending machines in state buildings include 35% healthy food and drinks.

## **Public Health**

**AB 1819**

**Author: Hall**

**Topic: Smoking**

**Status: SIGNED INTO LAW**

Prohibits smoking in family day care homes at all times

## **AB 2069**

**Author:** Maienschein

**Topic:** Vaccination information

**Status:** **SIGNED INTO LAW**

Requires the Department of Public Health to post educational information about influenza (flu) and the availability of vaccines.

## **AB 2130**

**Author:** Pan

**Topic:** Retail Food Safety

**Status:** **SIGNED INTO LAW**

This bill repeals a prohibition on bare hand contact with ready-to-eat food by food employees and replaces it with prior law, which required food employees to minimize bare hand contact. Specifically, this bill: 1) Requires food employees to minimize bare hand and arm contact with nonprepackaged food that is in a ready-to-eat form. 2) Requires food employees to use utensils, including scoops, forks, tongs, paper wrappers, gloves, or other implements, to assemble ready-to-eat food or to place ready-to-eat food on tableware or in other containers. Allows food employees to handle ready-to-eat food without the use of utensils if hands are cleaned in accordance with current hand washing requirements.

## **Reproductive Health**

### **AB 460**

**Author:** Ammiano

**Topic:** Health care coverage: Infertility

**Status:** **SIGNED INTO LAW**

Existing law requires that every group health care service plan contract or health insurance policy that is issued, amended, or renewed on or after January 1, 1990, offer coverage for the treatment of infertility, except in vitro fertilization, under those terms and conditions as may be agreed upon between the group subscriber or the group policyholder and the plan or the insurer, except as provided. This bill would require that the coverage for the treatment of infertility be offered and, if purchased, provided without discrimination on the basis of age, ancestry, color, disability, domestic partner status, gender, gender expression, gender identity, genetic information, marital status, national origin, race, religion, sex, or sexual orientation.

### **SB 1053**

**Author:** Mitchell

**Topic:** [The Contraceptive Coverage Equity Act](#),

**Status:** **SIGNED INTO LAW**

SB 1053 seeks to improve access to the full range of FDA approved methods of contraception for all individuals in California with health insurance by building on current state and federal law to: Require insurance coverage of all FDA approved methods, voluntary sterilization and comprehensive contraceptive counseling without restrictions or cost-sharing, prohibit a plan or insurer from engaging in unreasonable medical management in providing that coverage, and create equity in the contraceptive coverage mandate by eliminating co-pays for birth control for men.