



Maternal and Child Health Related Final Legislation California State Legislature 2011 Session

Background: The following are some of the Maternal and Child Health-related bills presented for this session, 2011-12. This is the beginning of a two-year legislative session, meaning that bills may carry over into the next legislative session.

Please let us 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 to “Bill Information”. Thank you to First 5LA, the Western Center on Law and Poverty and Health Access for tracking many of these bills and for the bill write-ups.

Proposed Legislation

Access and Insurance Coverage

AB 43

Author: Monning

Topic: Medi-Cal Eligibility

Status:

This bill would expand Medi-Cal coverage to 133% of the Federal Poverty Level, pursuant to the federal Affordable Care Act.

AB 171

Author: Beall

Topic: Autism Spectrum Disorder

Status:

Requires health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis and treatment of autism spectrum disorders.

AB 185

Author: Hernandez, R.

Topic: Maternity Services

Status:

Requires new forms of health insurance policies to provide coverage for maternity services.

AB 301

Author: Pan

Topic: CCS and Managed Care

Existing law prohibits services covered by the California Children's Services program (CCS) from being incorporated into a Medi-Cal managed care contract until January 1, 2012. This bill would extend that date to January 1, 2018.

AB 310

Author: Ma

Topic: Prescription Drugs

Status:

Requires certain health plans and insurers to cover the costs of outpatient prescription drugs and limits cost sharing to consumers.

AB 428

Author: Portantino

Topic: Fertility preservation coverage

Status:

AB 428 will provide fertility preservation coverage in health insurance and health service plan policies for patients about to undergo lifesaving treatment for cancer sickle cell anemia, leukemia, lupus or other diseases where the treatment can compromise the patient's future fertility.

AB 1066

Author: Perez

Topic: Medi-Cal Expansion and ACA

Status:

Implements the Medi-Cal expansion as authorized by the Affordable Care Act.

AB 1296

Author: Bonilla

Topic: Health Care Eligibility, Enrollment, and Retention Act

Status:

Requires the California Health and Human Services Agency to establish a standardized single application form and related renewal procedures for Medi-Cal, the Healthy Families Program, the Exchange, and county programs.

SB 36

Author: Simitian

Topic: County Health Initiative Matching Fund for children

Status:

Permits the expansion of eligibility for the County Health Initiative Matching Fund program to children with family incomes between 300-400% of the federal poverty level.

SB 155

Author: Evans

Topic: Maternity Services

Status:

This bill would require new forms for health insurance policies submitted to the department after January 1, 2012, to provide coverage for maternity services, as defined. With respect to policy forms on file with the department as of January 1, 2012, the bill would require health insurers to submit to the department, on or

before March 1, 2012, revised policy forms that provide coverage for maternity services and would require insurers to include that coverage in the corresponding policies that are issued, amended, or renewed following the department's approval of the revised forms, as specified.

SB 166

Author: Steinberg

Topic: Autism Spectrum Disorders

Status:

Requires health care service plans licensed by the Department of Managed Health Care (DMHC) and health insurers licensed by the Department of Insurance (DOI) to provide coverage for behavioral intervention therapy for autism.

SB 222

Author: Alquist

Topic: County Health Insurance

Status:

This bill would authorize counties that have local initiative health plans or county-organized health systems to form joint ventures to offer health coverage to individuals and groups.

SB 485

Author: Hernandez

Topic: Emergency Room Use

Status:

This bill establishes a pilot program to reduce emergency room use by Medi-Cal beneficiaries and people without health insurance.

SB 677

Author: Hernandez

Topic: Medi-Cal Rules

Status:

This bill requires Medi-Cal be transitioned to reflect the Affordable Care Act provisions – changes the income counting mechanism to the Modified Adjusted Gross Income, eliminates asset test, etc.

SB 703

Author: Hernandez

Topic: Basic Health Plan

Status:

This bill would require the Managed Risk Medical Insurance Board to establish a basic health plan for Californians between 133 and 200% of poverty, as the ACA allows.

SB 810

Author: Leno

Topic: Single Payer Universal Health Care

Status:

Establishes a universal State Healthcare System. Creates State Healthcare Agency. Makes all residents eligible for specified health care benefits under the System, which would negotiate for or set fees for health care services and pay claims for those services.

Health Program Enrollment

AB 714

Author: Atkins

Topic: Pre-Enrollment

Status:

Requires DHCS, MRMIB, Family PACT and other programs and some hospitals to provide information about the California Health Benefits Exchange for the purpose of preenrolling them. An application would automatically be submitted to the Exchange for those persons who use coverage and a notice would be sent to the individual that they do not have to accept the Exchange and they may be eligible for Medi-Cal.

AB 792

Author: Bonilla

Topic: Enrollment

Status:

This bill would require a notice about health coverage through the Exchange and Medi-Cal be given at key life changes: divorce, adoption, loss of coverage, unemployment.

AB 922

Author: Monning

Topic: Consumer Assistance

Status:

Creates an Office of Health Consumer Assistance responsible for providing outreach and education about health coverage to consumers. Authorizes contracting to community organizations for consumer assistance.

AB 1296

Author: Bonilla

Topic: Health Care Eligibility, Enrollment and Retention Act

Status:

Requires the California Health and Human Services Agency to streamline eligibility rules and verifications, real-time enrollment, establish a standardized single application form and related renewal procedures for Medi-Cal, Healthy Families, the Exchange and county programs.

Child Health and Development

AB 660

Author: Hall

Topic: Children's Health

Status:

Declares the intent of the Legislature to enact legislation that addresses chronic health issues facing children.

AB 1319

Author: Butler

Topic: Product Safety: Bisphenol A (BPA)

Status: Assembly floor

Prohibits the manufacture, sale or distribution of any bottle, cup or liquid, food or beverage in a can, jar or plastic bottle that contains bisphenol A. Prohibits the manufacture, sale or distribution of liquid infant formula in a can or plastic bottle containing bisphenol A.

AB 395

Author: Pan

Topic: Newborn Screening Test - SCID

Status: Assembly Appropriations (Suspense List)

Severe Combined Immunodeficiency (SCID) is a group of rare, usually inherited disorders in which babies are born without the ability to fight infections, like the “Bubble Boy” in the 1980s. The US Sec. for Health and Human Services has recommended this be one of the screens conducted on newborns. AB 395 would ensure all babies born in California are screened for SCID.

AB 499

Author: Atkins

Topic: Preventive STD services in Minor Consent

Status: Senate Rules for assignment

Minor Consent Medi-Cal allows for the treatment, but not prevention, of STD services. This bill extends current law for minors’ consenting to confidential medical services to include services for prevention of STDs. At the time the existing law was passed, the preventive options we have today did not exist and there are now time-critical prevention services for diseases that are sexually transmitted, such as prophylactic post-exposure HIV medications (which must be given within 72 hours of exposure) and the human papilloma virus (HPV) vaccine (which, if given before exposure, can significantly reduce the risk of certain cancers and abnormal, precancerous cervical cell changes and genital warts).

SB 472

Author: Correa

Subject: Early Intervention Services: Assessments

Status:

Amends the California Early Intervention Services Act to require the development of either an integrated assessment instrument or a process to consolidate assessments to be used to coordinate multiple agency assessments, and to report to the Legislature.

SB 502

Author: Pavley

Subject: Hospital Infant Feeding Protection Act

Status:

Requires hospitals with perinatal units to have an infant feeding policy based on Baby Friendly USA or on the Department of Public Health’s Model Policies and to clearly post that policy and community the policy routinely to all perinatal unit staff. The policy would be applied to all infants in a perinatal unit.

Drug and Alcohol Issues

AB 540

Author: Beall

Topic: Medi-Cal: Alcohol and Drug Screening

Status:

This bill would establish a Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Program to provide reimbursement to localities for alcohol and drug screening and brief intervention services to Medi-

Cal beneficiaries who are pregnant women or women of childbearing age.

Environmental Health Issues

SB 147

Author: Leno

Topic: Furniture Flammability Standards

Status:

Modifies state requirements to include alternative flammability standards for residential upholstered furniture that can be met without the use of toxic brominated and chlorinated fire retardants, which are known to cause cancer and reduce fertility, and have been found in the bloodstreams of California's children, pregnant women and nursing mothers.

Mental Health

AB 154

Author: Beall

Topic: Mental Health Parity

Status:

Expands the existing mental health coverage requirement for certain health care service plan contracts and health insurance policies issued, amended or renewed on or after Jan, 2012 to include the diagnosis and treatment of a mental illness of a person of any age.

AB 164

Author: Hayashi

Topic: Medi-Cal cards

Status:

This bill would require DHCS to implement a system to indicate via the beneficiary's BIC card if the beneficiary has received mental health services under Medi-Cal.

AB 989

Author: Mitchell

Topic: Mental health: Children's Services

Status:

This bill provides that information and services for transition age foster youth be included in each county's three-year plan to the Mental Health Services Oversight and Accountability Commission.

ACR 53, Roger Hernández.

Topic: Kelly Abraham Martinez Act: Perinatal depression prevention.

Status:

This measure would enact the Kelly Abraham Martinez Act, which would urge hospital providers, mental health care providers, health plans, and insurers to invest resources to educate women about perinatal depression risk factors and triggers. This measure would also request that a statewide collaborative network of stakeholders focused on the areas of health, maternal health, and infant and child development, along with the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, the California Psychological Association, the Los Angeles County Perinatal Mental Health Task Force, and Postpartum Support International collaborate to explore ways to assist with the development of perinatal depression prevention educational materials.

Nursing, Physician, and Health Care Workforce

AB 916

Author: Perez

Topic: Promotores

Status:

Requires the State Department of Public Health to assess the grants to promote positive health behaviors and outcomes available pursuant to the ACA for funding opportunities for using promotores in medically underserved communities.

Nutrition

AB 6

Author: Fuentes

Topic: CalWORKs and CalFresh Program

Status:

Repeals the provisions requiring fingerprinting in order to receive CalWORKs and Cal Fresh benefits and the quarterly reporting requirements for the CalWORKs program and replaces with semi-annual reporting. Requires the development of a utility assistance initiative through the federal Low Income Heating and Energy Assistance Program (LIHEAP).

AB 152

Author: Fuentes

Topic: Food Banks: Grants, Contributions, Tax Credits

Status:

Requires the State Department of Public Health to investigate and apply for federal funding opportunities to promote healthy eating and preventing obesity, and to award grants and provide in-kind support to nonprofit organizations that encourage specified healthy eating programs; requires the establishment of a State Emergency Food Assistance Program to provide emergency food and funding; and allows a tax credit for donations of fresh fruits and vegetables to food banks.

AB 234

Author: Wieckowski

Topic: Healthy Food Options

Status:

Declares the intent of the Legislature to enact legislation to ensure that all Californians have access to fresh produce and healthy food options.

AB 581

Author: Perez, J.

Topic: Public Health – Food Access

Status:

Creates the California Healthy Food Financing Initiative Fund for the purpose of expanding access to healthy foods in underserved communities and to leverage other funding.

AB 669

Author: Monning

Topic: Taxation: Sweetened Beverage Tax: Children's Health

Status:

Institutes a tax of \$0.01 per fluid ounce on bottled sweetened beverages and sweetened beverages distributed in California. Requires these funds to be deposited in a Children's Health Promotion Fund which would be used for childhood obesity prevention programs.

AB 727

Author: Mitchell

Topic: Healthy and Sustainable Food

Status:

Creates nutrition standards to govern the foods purchased for all state departments, agencies and state-run institutions in accordance with the federal dietary guidelines. Also creates guidelines for sustainable purchasing practices and procedures that encourage purchasing from local vendors, farms and manufacturers when feasible.

AB 1100

Author: Hernandez, R.

Topic: Retail Food Facilities: Toys and Incentives

Status:

Declares the intent of the Legislature to enact legislation to improve the health of children in California by setting healthier standards for children's meals that are accompanied by toys and other incentive items.

Perinatal Care and Reproductive Health

AB 568

Author: Skinner

Topic: Pregnant inmates and wards: least restrictive restraints.

Status:

Existing law requires the Corrections Standards Authority to establish standards restricting the shackling of women in labor, during childbirth, and while in recovery after giving birth, and to review those standards biennially and make any appropriate revisions, as specified. This bill would require that the standards ensure that women who are pregnant shall not be shackled by the wrists, ankles, around the abdomen, or to another person, including during time spent outside a state or local correctional facility, during transport to or from a correctional facility, during labor, delivery, and while in recovery after giving birth, except that the least restrictive restraints possible may be used when deemed necessary for the inmate, consistent with the legitimate security needs of the inmate, the staff, and the public.

Women's Health

Workplace Issues

AB 59

Author: Swanson

Topic: Family Leave

Status:

Expands the definition of families to reflect the state's diversity and allow all families to help their loved ones recuperate from illness.

AB 400

Author: Ma

Topic: Paid Sick Leave

Status:

Requires employers to provide paid sick leave so that employee can take care of their health without compromising their income or job status.

SB 299

Author: Evans

Topic: Employment: Pregnancy or Childbirth Leave

Status:

This bill would prohibit an employer from discontinuing an employee's health care benefits during pregnancy disability leave.

Miscellaneous Issues

AB 823

Author: Dickinson

Topic: Children's Cabinet of California

Establishes a Children's Cabinet of California to promote and implement information sharing, collaboration, increased efficiency and improved service delivery among and within the state's agencies, departments, and organizations that serve children.