



MATERNAL AND CHILD HEALTH ACCESS

1111 W. 6th St., Fourth Floor
Los Angeles, CA 90017-1800
Tel 213. 749.4261
Fax 213.745.1040
info@mchaccess.org

Maternal and Child Health-Related Final Legislation

California State Legislature 2013 Session

Background

The following are some of the Maternal and Child Health and health coverage-related bills presented for this session, 2012-13. This is a two-year legislative session, meaning that bills may be held to carry over into the next legislative session beginning in January. We have documented some of the major bills that were sent to Gov. Brown, below, and whether they were signed, vetoed or held, potentially to be carried over. *Thanks to the Western Center on Law and Poverty for some of the information, below.* See their website www.wclp.org for a more complete list of health coverage bills. In the last year, of bills introduced over the course of the regular legislative session, 800 were signed while another 96 were vetoed.

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 to “Bill Information”.

Legislation Signed, Vetoed or Held

Access and Insurance Coverage

SB 126

Author: Steinberg

Topic: Health care coverage: pervasive developmental disorder or autism

Status: **SIGNED**

This bill would extend until 1/1/17 the coverage of behavioral health treatment for pervasive developmental disorder in health care service plans and health insurance contracts.

SB 138

Author: Ed Hernandez

Topic: Insurance privacy

Status: **SIGNED**

Seeks to protect the personal and sensitive health information of individuals covered under another person's health insurance policy like a partner, spouse or parent. More than 430,000 young adults in California have health coverage under their parent's insurance plans thanks to a key provision in the federal Patient Protection and Affordable Care Act (ACA). Many more Californians are anticipated to move into the private health insurance market. Greater confidentiality protections in SB 138 will help ensure that people lucky enough to have private insurance feel safe enough to use it.

SB 189

Author: Monning

Topic: Wellness Programs

Status: HELD Senate Appropriations

Prohibits a health plan or insurer from offering a wellness program, incentive, or reward in a group health plan contract or insurance policy unless specified requirements are satisfied.

SB 353

Author: Lieu

Topic: Health care coverage: language assistance

Status: SIGNED

This bill provides the Department of Insurance with the authority to review and approve marketing materials. This bill requires health plans and insurers that market in non-English languages that do not meet current language thresholds to provide certain translated documents in those languages.

SB 639

Author: Hernandez

Topic: Health care coverage.

Status: SIGNED

This bill would prohibit the deductible under a small employer health care service plan contract or health insurance policy offered, sold, or renewed on or after January 1, 2014, from exceeding \$2,000 in the case of a plan contract or policy covering a single individual, or \$4,000 in all other cases. The bill would set the limit at \$6,500 for individual coverage and \$12,700 for family coverage for the 2014 plan and policy years, and would set a specified limit for pediatric oral care benefits. For later years, those limits would be set using a specified provision of federal law. The bill would prohibit the total annual out-of-pocket maximum for all covered essential benefits from exceeding that limit for a specialized plan or specialized health insurance policy that offers or provides an essential health benefit, as specified, in plan or policy years beginning on or after January 1, 2015.

AB 209

Author: Pan

Topic: Medi-Cal Quality and Transparency Act

Status: HELD Senate Floor

Requires the Department of Health Care Services to develop a plan to monitor, evaluate, and improve the quality and accessibility of health care and dental services provide through Medi-Cal Managed Care.

AB 361

Author: Mitchell

Topic: Medi-Cal: Health Homes for Medi-Cal Enrollees and Section 1115 Waiver Demonstration Populations with Chronic and Complex Conditions.

Status: SIGNED

This bill would direct the Department of Health Care Services to create a health home program under the Affordable Care Act for Medi-Cal enrollees with multiple chronic conditions. This bill would specifically target frequent emergency room users who are homeless.

AB 720

Author: Skinner

Topic: Inmates: health care enrollment.

Status: SIGNED

This bill would authorize the board of supervisors in each county in consultation with the county sheriff, to designate an entity or entities to assist county jail inmates with submitting an application for Medi-Cal and Exchange coverage.

Eligibility and Enrollment

AB 50

Author: Pan

Topic: Health Care Coverage for Pregnant Women

Status: VETOED

This bill was amended to solely provide "full-scope" health care coverage for pregnant women between 60 and 100 percent of federal poverty level, during the first and second trimesters of pregnancy, if they otherwise meet Medi-Cal eligibility requirements. The issue will be taken up as part of the 2014-15 budget process.

AB 1180

Author: Pan

Topic: Health care coverage: federally eligible defined individuals: conversion or continuation of coverage.

Status: SIGNED

This bill would make inoperative because of the ACA several provisions implementing the Health Insurance Portability and Accountability Act (HIPAA) and additional provisions that provide former employees rights to convert their group health insurance coverage to individual market coverage without medical underwriting. The bill would also establish notification requirements informing individuals affected by this bill of health insurance available in 2014.

AB 1263

Author: John A. Pérez

Topic: Medi-Cal: CommuniCal.

Status: VETOED

This bill would have required the establishment the Medi-Cal Patient-Centered Communication program (CommuniCal) to provide and reimburse for medical interpretation services to Medi-Cal beneficiaries who are limited English proficient (LEP).

Maternal and Child Health

SB 402

Author: DeLeon

Topic: Breastfeeding/Baby-Friendly Hospitals

Status: SIGNED

This bill would require all general acute care hospitals and special hospitals that have a perinatal unit to adopt, by January 1, 2025, the "Ten Steps to Successful Breastfeeding," as adopted by Baby-Friendly USA, per the Baby-Friendly Hospital Initiative, or an alternate process adopted by a health care service

plan that includes evidenced-based policies and practices and targeted outcomes, or the Model Hospital Policy Recommendations as defined.

AB 1308

Author: Susan A. Bonilla

Topic: Midwifery

Status: SIGNED

Removes barriers to licensed midwifery while improving safety for mothers and their babies. A physician and surgeon are no longer required to supervise a licensed midwife. Requires that if a potential midwife client fails to meet the conditions of a normal pregnancy or childbirth, as defined, but still desires to be a client, that the licensed midwife refer the woman to a physician and surgeon for examination. Requires the Board of Licensing of the Medical Board of California to adopt regulations specifying certain of those conditions. Authorizes the licensed midwife to assist the woman only if the physician and surgeon determines, after examination, that the risk factors presented by the woman's disease or condition are not likely to significantly affect the course of pregnancy and childbirth. Requires a licensed midwife to immediately refer or transfer the client to a physician and surgeon if at any point during pregnancy, childbirth, or postpartum care a client's condition deviates from normal. Authorizes the licensed midwife to resume primary care of the client if the physician and surgeon determine that the client's condition or concern has been resolved, and to provide concurrent care if the client's condition or concern has not been resolved, as specified. Authorizes a licensed midwife to directly obtain supplies and devices, obtain and administer drugs and diagnostic tests, order testing, and receive reports that are necessary to his or her practice of midwifery and consistent with his or her scope of practice.

Mental Health

AB 22

Author: Beall

Topic: Mental Health Parity

Status: HELD in Assembly Appropriations

Ensures compliance with and implementation of state and federal mental health parity laws.

AB 989

Author: Mitchell

Topic: Mental Health: Children's Services

Status: SIGNED

Requires counties to consider the mental health needs of transitional age foster youth when developing their plan for Prop 63 funds.

AB 174

Author: Bonta

Topic: Trauma-Informed Mental Health

Status: VETOED

Would have established a pilot program for School Based Health Centers in Alameda County to provide trauma-informed mental health services to students in areas exposed to high levels of violence.

Provider Workforce

AB 836

Author: Skinner

Topic: Volunteer Dentists

Status: SIGNED

This bill decreases the number of continuing education hours retired dentists have to complete in order to renew their licenses. California has one of the highest continuing education requirements in the nation. By decreasing this requirement, California will be in line with the continuing education hours most states require for active dentists. Retired dentists are a critical resource for providing free care to underserved communities.

Nutrition

SB 622

Author: Monning

Topic: Soda Tax

Status: HELD Senate Appropriations

Imposes a penny-per-ounce tax on distributors that sell bottled sweetened beverages.

AB 191

Author: Bocanegra

Topic: CalFresh and Medi-Cal alignment

Status: SIGNED

Starting in January, 2014, will make low-income households with a Medi-Cal recipient (with gross income up to 200% FPL) categorically eligible for CalFresh, thereby removing a CalFresh income barrier. While the net income test would still apply, the gross income test would be raised from the current limit of 130% FPL to 200% FPL for categorically eligible households with a Medi-Cal recipient.

AB 290

Author: Alejo

Topic: Child Care snacks and meals: educating providers

Status: SIGNED

This bill will educate child care providers about early childhood nutrition and ensure child care providers are informed about the federal resources of Child and Adult Care Food Program (CACFP). When an individual seeks out child care licensure in California they are required to take the Preventive Health and Safety training. After January 1, 2016 these individuals will also be educated (one hour) on the importance of childhood nutrition and the benefits of CACFP in the Preventive Health and Safety training.

AB 626

Author: Skinner

Topic: School Nutrition

Status: SIGNED

This bill brings California into compliance with the federal Healthy, Hunger-Free Kids Act by raising nutrition guidelines and increasing healthier options like whole-grains, nut butters and reduced-sugar beverages at elementary, middle and high schools.

AB 459

Author: Mitchell

Topic: Public contracts: healthy and sustainable food.

Status: HELD – Suspense file

This bill would have required that at least 50% of the food offered by a vendor in a vending machine on state property, as defined, meet accepted nutritional guidelines by January 1, 2015. The bill would then require 75% compliance with accepted nutritional guidelines by January 1, 2016, and 100% compliance by January 1, 2017. On and after January 1, 2016, the bill would also require that 100% of beverages offered by a vendor in a vending machine on state property also meet the accepted nutritional guidelines. The bill would revise the definition of accepted nutritional guidelines for this purpose.

Public Health

AB 60

Author: Alejo

Topic: Drivers License – Undocumented

Status: SIGNED

Requires the California Department of Motor Vehicles (DMV) to issue a driver's license to undocumented persons who can prove identity and California residency and meet all other licensing requirements, such as passing the written and behind-the-wheel driving exams. The law becomes operative no later than January 1, 2015. Studies done by the DMV and AAA Foundation for Traffic Safety found that unlicensed drivers were more likely to be involved in fatal crashes than validly-licensed drivers. AB 60 will help make the roads safer by broadening the state's effort to ensure that all California drivers are properly trained, tested, licensed and insured.

AB 127

Author: Skinner

Topic: Standards for Fire Retardants in Building Insulation

Status: SIGNED

AB 127 recognizes the toxicity concerns surrounding flame retardant chemicals used in plastic foam building insulation. This bill calls for a building code revision to reduce the use of flame retardant chemicals in building insulation while maintaining building fire safety and encouraging healthy building practices.

SB 488

Author: Hueso

Topic: Healthy Homes: Infestations

Status: SIGNED

This bill would, if an agreement does not exist with an agency that has a health officer, authorize a code enforcement officer, upon successful completion of a course of study in the appropriate subject matter as determined by the local jurisdiction, to determine whether an infestation exists or whether there is a lack of adequate garbage and rubbish removal facilities.

Welfare; Welfare to Work Issues

AB 271

Author: Mitchell

Topic: Repeal Maximum Family Grant Rule

Status: HELD – (Senate Appropriations)

Under existing law, for purposes of determining a family's maximum aid payment under the CalWORKs program, the number of needy persons in the same family is not increased for any child born into a family that has received aid under the CalWORKs program continuously for the 10 months prior to the birth of the child, with specified exceptions. This bill would repeal that exclusion. The bill would also prohibit the department from conditioning an applicant or recipient's eligibility for aid on the applicant or recipient's disclosure of specified information regarding rape, incest, or contraception, as specified.

SB 252

Author: Liu

Topic: Breastfeeding in public; welfare-to-work activities

Status: SIGNED

The bill would authorize a pregnant woman to satisfy welfare-to-work participation requirements, as specified, by participating in a voluntary maternal, infant, and early childhood home visiting program or another home visiting program for low-income Californians that is approved by the United States Department of Health and Human Services, subject to the receipt of a federal waiver, as provided. This bill would state that an applicant or recipient of CalWORKs is entitled to breastfeed her child in any public area, or area where the mother and the child are authorized to be present, in a county welfare department or other county office. The bill would make related legislative findings and declarations.

Women's Health

AB 154

Author: Atkins

Topic: Increased Access to Early Abortion

Status: SIGNED

Expands the categories of health care providers who may provide early abortion services to include nurse practitioners, physician's assistants, and nurse-midwives. The bill is intended to address the shortage of abortion providers that leads to burdensome travel requirements and long wait times for women, who can end up requiring a more complicated and expensive procedure if too much time passes. The bill requires rigorous training and competency standards.

AB 1286

Author: Skinner

Topic: Breast Cancer Research Tax Contributions

Status: SIGNED

This legislation allows taxpayers to continue making voluntary contributions to fund innovative breast cancer research. The law continues the tax check-off for breast cancer research for two additional years