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## **Maternal and Child Health-Related Legislation California State Legislature 2015-16 Session**

The following are some of the Maternal and Child Health and health-coverage related bills for this session. Please let MCHA know of bills we may have missed or any broken links! To read the full text of bills go to [www.leginfo.ca.gov](http://www.leginfo.ca.gov) to "Bill Information". Thanks especially to Marty Omoto, [CDCAN](#); for his budget trailer bill analyses; [California Coalition for Reproductive Freedom](#); [Health Access](#), and the [Western Center on Law and Poverty](#) for some of the updates below.

### **Access and Insurance Coverage**

#### **AB 366**

**Author: Bonta**

**Topic: Medi-Cal Annual Access Monitoring Report**

**Status: Died in committee**

Would require the State Department of Health Care Services to submit to the Legislature, and post on the department's Internet Web site, a Medi-Cal access monitoring report providing an assessment of access to care in Medi-Cal and identifying a basis to evaluate the adequacy of Medi-Cal reimbursement rates and the existence of other barriers to access to care, as specified and require the department to hold a public meeting to present and discuss the access monitoring report at least once annually, and would require the department to accept public comment from stakeholders at the public meeting. This bill was introduced as a proposal to restore Medi-Cal reimbursement provider rates.

#### **AB 1823**

**Author: Bonilla**

**Topic: California Cancer Clinical Trials Program**

**Status: Senate Health**

AB 1823 establishes the California Clinical Trials Program to increase access to cancer clinical trials for all patients, especially women and underrepresented communities. The program, administered by the University of California, will fundraise and distribute privately funded grants aimed at reducing barriers to trial participation.

Currently, only 3% of eligible cancer patients participate in clinical trials and of those, only 5% of trial participants are from underrepresented communities including African Americans, Latinos/Hispanics, Asians and Pacific Islanders, and American Indians.

**AB 2394****Author: E. Garcia****Topic: Medi-Cal Non-Medical Transportation Benefit****Status: Senate Health Committee**

This bill seeks to ensure that non-medical transportation is a covered benefit, i.e. for a beneficiary needing transport to obtain Medi-Cal services.

**SB 10****Author: Lara****Topic: Enrollment into Health Benefit Exchange (Covered CA)****Status: SIGNED INTO LAW**

This bill would require the Exchange to apply to the United States Department of Health and Human Services for a waiver to allow individuals who are not eligible to obtain health coverage through the Exchange because of their immigration status to obtain coverage from the Exchange. After that waiver has been granted, an issuer that offers a qualified health plan in the individual market through the Exchange must offer a California qualified health benefit plan to these individuals. This would become operative on January 1, 2018, for coverage effective January 1, 2019, as specified. The bill requires that individuals eligible to purchase California qualified health plans pay the cost of coverage without federal assistance and meet other specified requirements.

**SB 33****Author: Hernandez****Topic: Medi-Cal: Estate Recovery****Status: Incorporated into health trailer bill**

This bill would limit estate recovery in Medi-Cal to the federally required minimum of long-term care services. Would also eliminate recovery from the estate of a surviving spouse of a deceased Medi-Cal beneficiary, and require DHCS to provide claims detail information free to Medi-Cal beneficiaries limited to the homes less than average value.

**SB 137****Author: Ed Hernandez****Topic: Health Care Coverage: Provider Directories****Status: SIGNED INTO LAW**

Requires health care service plans (plans) and health insurers (insurers), collectively referred to as carriers, to publish and maintain printed and online provider directories, and sets requirements to maintain accurate provider directories.

**SB 388****Author: Mitchell****Topic: Health Care Coverage: Solicitation and Enrollment****Status: SIGNED INTO LAW**

This bill would, commencing October 1, 2016, provide that the Summary of Benefits and Coverage constitutes a vital document and would require a plan or insurer to comply with requirements applicable to those documents. The bill would, commencing July 1, 2016, require the Department of Managed Health Care and the Insurance Commissioner to develop written translations of the template uniform summary of benefits and coverage and to make available those translations in specified languages

on their respective Internet Web sites.

**SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Medi-Cal: Emergency Medical Air Transportation**

**Status: To Legislature 6-15-16, then to Governor**

Would require the Department of Finance to report to the Legislature on the fiscal impact to Medi-Cal of, and the planned reimbursement methodology for, emergency medical air transportation services.

**SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Medi-Cal to Covered California: Non-Qualified Immigrants**

**Status: To Legislature 6-15-16, then to Governor**

The budget delays implementation of the Newly Qualified Immigrant (NQI) wrap program by one year to January 2018. The NQI wrap program would transition Medi-Cal expansion adults who have less than five years in a "qualified immigration status" to Covered California with wraparound Medi-Cal benefits and no cost sharing.

## Children

**AB 53**

**Topic: Children's Car Safety Seats**

**Author: C. Garcia**

**Status: SIGNED INTO LAW**

Existing law requires a parent, legal guardian, or the driver of a motor vehicle to properly secure a child under 8 years of age in an appropriate passenger restraint system while the child is riding in a motor vehicle. A violation of the Vehicle Code is a crime. This bill would require a parent, legal guardian, or the driver of a motor vehicle to properly secure a child who is under 2 years of age in an appropriate rear-facing child passenger restraint system, unless the child weighs 40 or more pounds or is 40 or more inches in height.

**AB 1760**

**Topic: Human Trafficking**

**Author: Santiago**

**Status: Held in committee**

This bill would grant trafficked children immunity from prosecution, create an interagency workgroup, and require the development of specialized supportive services.

**AB 1761**

**Topic: Human Trafficking Victims Defense**

**Author: Weber**

**Status: Senate Public Safety**

AB 1761 helps ensure that human trafficking victims arrested for non-violent offenses directly related to their trafficking are not convicted of crimes their traffickers forced them to commit. It also mandates that courts dismiss any charge arising from a commercial sex act against a person under 18.

## **AB 1762**

**Topic: Vacating Convictions of Human Trafficking Victims**

**Author: Campos**

**Status: Assembly Appropriations**

Human trafficking is the only crime where the very nature of the criminal exploitation of victims could force them to commit crimes for their traffickers' profit. These crimes can include prostitution for sex trafficking victims, but also often include other crimes such as drug use or sale, theft, truancy, loitering, or fraud for both sex and labor trafficking victims. AB 1762 would ensure that trafficking survivors do not face long-term barriers to employment and housing due to convictions for crimes they were forced to commit.

## **SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Mental Health Children's Continuum of Crisis Services**

**Status: To Legislature 6-15-16, then to Governor**

This section of the budget health trailer bill would establish a one-time grant program to expand the continuum of mental health crisis services for children and youth (ages 21 and under) regardless of where they live in the state that adds child/youth-specific mobile crisis and community-based crisis stabilization support teams; triage personnel who would be available at various points of access, such as clinics and schools, who could provide services including coordination, referral, monitoring service delivery, and providing placement service assistance; crisis stabilization unit services lasting less than 24 hours which can provide facility-based support to children/youth who are in psychiatric crisis, as well as providing support to their family members and natural supports; child/youth crisis residential services; family respite care to help families and sustain caregiver health and well-being; family support services training designed to help families participate in the planning process, access services, and navigate programs. Services will follow "a train the trainer" model which includes, at a minimum training and education; outreach; engagement; communication; and advocacy.

## **AB 433**

**Author: Chiu**

**Topic: Public Social Services – CalWORKS**

**Status: SIGNED INTO LAW**

This bill will maintain a family's CalWORKs eligibility and grant amount, when a child in the family dies, for the remainder of the month in which the child dies and the following days. This bill will help ensure that a CalWORKs family does not endure further financial hardship following the loss of a child, regardless of whether an aided parent meets welfare-to-work requirements during that period of time. It will also require county social workers to provide the family with referrals to services when the death of a child is reported.

## **Eligibility and Enrollment**

### **SB 23**

**Author: Mitchell –**

**Topic: CalWORKS eligibility**

**Status: Incorporated into health trailer bill**

SB 23 will repeal the Maximum Family Grant (MFG) rule in the California Work Opportunities and Responsibility to Children (CalWORKs) program in order to provide for the basic needs of a newborn. Under the MFG rule, some infants are denied basic needs assistance, which leads to poorer outcomes and ultimately increased state costs.

### **SB 312**

**Author: Pan**

**Topic: Face to Face Interviews for CalWORKS**

**Status: Died in committee**

Current law prohibits an applicant from being granted public assistance under CalWORKs until he or she is personally interviewed by the county human services agency or state hospital staff. It would authorize the county human services agency or state hospital staff to conduct this personal interview telephonically or through electronic means. The bill would require a face-to-face interview to be conducted if requested by an applicant or recipients.

### **SB 1339**

**Author: Monning**

**Topic: Intercounty transfers**

**Status: Assembly Human Services Committee**

This bill would modernize the process for transferring records for people who are receiving CalWORKs, CalFresh or Medi-Cal when they move from one county to another within California to ensure no break in benefits.

### **SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Estate Recovery**

**Status: On Governor's Desk**

Section 22 addresses Estate Recovery, the mechanism by which the state recuperates the costs of Medi-Cal-covered medical care under certain circumstances when someone dies. Following bill passage, the state will only recover what is federally required for individuals who die on or after January 2017.

## **Health Care Services**

### **AB 1795**

**Author: Atkins**

**Topic: Breast and Cervical Cancer Screening and Services**

**Status: Senate Health Committee**

This bill deletes the 18 and 24-month eligibility period for breast or cervical cancer, respectively, and instead provides that the treatment services be for the duration of the period of treatment for an individual made eligible for treatment due to a diagnosis of breast cancer or cervical cancer, or who is diagnosed with a reoccurrence of breast cancer or cervical cancer, if the individual continues to meet all other eligibility requirements.

### **SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Medi-Cal – Acupuncture Benefit Restoration**

**Status: On Governor's Desk**

Would restore acupuncture services as a covered benefit under the Medi-Cal program. This "optional" Medi-Cal benefit was eliminated in the 2009 State Budget, in addition to several other Medi-Cal "optional" benefits.

**SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Hepatitis**

**Status: On Governor's Desk**

Would require the Department of Public Health to purchase and distribute hepatitis B vaccines and related materials to local health jurisdictions and community-based organizations; purchase hepatitis C test kits and related materials; train nonmedical personnel to perform hepatitis C and HIV testing; and provide technical assistance to local governments and community-based organizations regarding syringe exchange and disposal programs. The 2016-2017 State Budget would provide one-time funding for this purpose.

**SB 833/AB 1605 (Health Trailer Bills)**

**Topic: Naloxone**

**Status: On Governor's Desk**

Would requires the Department of Public Health to award funding to local county health departments, local government agencies, or on a competitive basis to community-based organizations to support or establish programs that provide Naloxone, an overdose prevention drug. The 2016-2017 State Budget would provide one-time funding for this purpose.

## **Housing, Hunger and Homelessness**

**AB 1603 (Human Services Trailer Bill)**

**Topic: CalWORKS Homeless Assistance Program (HAP)**

**Status: On Governor's Desk**

Would repeal the once-in-a-lifetime ban in current State law and instead would allow a family to receive Homeless Assistance Program help once in a 12 month period. Currently, the Homeless Assistance Program provides a once-in-a-lifetime payment to CalWORKs recipients to meet the reasonable costs of obtaining permanent housing, and/or temporary shelter while seeking permanent housing.

**AB 1603 (Human Services Trailer Bill)**

**Topic: Housing – Bringing Families Home Program**

**Status: On Governor's Desk**

Would establish the "Bringing Families Home Program", subject to an appropriation in the annual State Budget Act. This program would require the Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness. Defines eligible family to mean any individual or family that receives child welfare services, is homeless, voluntarily agrees to participate in the program, and has either been determined appropriate for reunification of a child to a biological parent or guardian or a child or children in the family are, or are at risk of foster care placement, and it is determined that safe and stable housing for the family will prevent the need for the

child's or children's removal. Declares the intent of the Legislature that housing-related assistance utilize evidence-based models, including rapid rehousing and supportive housing. Specifies that housing-related supports include an assessment of each family's housing needs, and a plan to assist them in meeting those needs, housing navigation or search assistance, housing-related financial assistance, and housing stabilization services. Specifies that the Department of Social Services shall award program funds to counties according to criteria developed by the department, in consultation with the County Welfare Directors Association, the Corporation for Supportive Housing, and Housing California. Would require that counties that receive state funds under this program will match that funding on a dollar-by-dollar basis.

**SB 1584**

**Topic: Increase in SSI/SSP**

**Author: Brown**

**Status: Senate Human Services Committee**

This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2017 calendar year. The budget bill provides a cost of living adjustment of 2.76 percent to the state's contribution to the SSI grant beginning January 1, 2017. For a single individual this will increase the grant by \$4 a month and for couples by \$11 a month.

## **Maternal and Child Health**

**AB 492**

**Author: Gonzalez**

**Topic: Diaper payments**

**Status: Senate Appropriations**

This bill would provide that necessary supportive services also include a diaper-needs benefit in the amount of \$50 per month, through the EBT system, for diapers for every child 2 years of age or younger enrolled in child care pursuant to the above-mentioned provisions

**The budget includes trailer bill language** requiring DSS, OSI and the Department of Public Health to study the viability and benefits of providing vouchers for CalWORKs families to purchase diapers for young children.

**AB 1603 (Human Services Trailer Bill)**

**Topic: Maximum Family Grant**

**Status: On Governor's Desk**

Would repeal the State's existing "Maximum Family Grant" (MFG) rule, under which, a child born into a family receiving CalWORKs does not receive a benefit. Would increase the maximum CalWORKs aid payments by 1.43%, effective July 1, 2016.

**AB 2589**

**Author: Gomez**

**Topic: Lactation Services and Equipment**

**Status: Senate Committee on Health**

This bill allows the state's eligibility computer, CalHEERS, to identify individuals who

may be eligible for WIC and provide electronic access to program applications.  
Develops measures and outcomes for breastfeeding rates

### **SB 1014**

**Author:** Liu

**Topic:** Parental leave policies for students

**Status:** Assembly Education Committee

This bill promotes the creation of parental leave policies for California's pregnant and parenting students. It would include as another type of excused absence four absences per school year to care for a sick child, for which the school is prohibited from requiring a note from a doctor. The bill would authorize the governing board of a school district to allow a parenting pupil who gives or expects to give birth up to 6 weeks of parental leave and to allow a parenting pupil not giving birth up to 3 weeks of parental leave. Schools would still receive ADA state funding for these missed days.

## **Nutrition**

### **SB 203**

**Author:** Monning

**Topic:** Sugar-Sweetened Beverages

**Status:** Died in committee

This bill would require a consumer-warning label be placed on sugar-sweetened beverages, which contain 75 calories or more per 12 ounces, sold in California. It would provide vital information to consumers about the harmful effects of consuming sugary drinks, such as sodas, sports drinks, energy drinks, and sweetened teas. The warning label will allow consumers to make choices informed by the latest scientific evidence linking sugary drink consumption to obesity, diabetes, and tooth decay.

### **AB 1603 (Human Services Trailer Bill)**

**Topic:** CalFresh maximum recertification periods

**Status:** On Governor's Desk

Would require that all CalFresh households be assigned certification periods that are the maximum number of months allowable under federal law. Some Counties were assigning GA/GR recipients or homeless recipients shorter periods (less than one year) so everyone would come in and reapply each month or each 3 months.

### **AJR 35**

**Topic:** SSI CalFresh Benefits

**Author:** Brown

**Status:** Senate Human Services Committee

This measure would request the federal government to change federal policy in order to allow California to equitably end the Supplemental Nutrition Assistance Program (SNAP) cash-out policy, administered through the Supplemental Security Income (SSI) and the State Supplementary Payment (SSP) programs, in a way that would maximize benefits to, and participation among, newly eligible individuals and mitigate or eliminate harm to low-income families and the approximately 60,000 medically needy children who could be ineligible for certain benefits under a program without the cash-out policy.

## **SB 826 (Budget Bill)**

**Author: Leno**

**Topic: Market Match program**

**Status: On Governor's Desk**

Last year, Governor Brown signed AB 1321 (Ting), which created the Program within the Office of Farm to Fork at the California Department of Food and Agriculture (CDFA), for the purpose of awarding grants to certified farmers' markets that increase the amount of nutrition benefits available to low-income consumers when purchasing California fresh fruits, nuts, and vegetables. However, AB 1321 also contained language specifying that grants would not be issued by CDFA until financial support is available to implement the Program and draw down federal matching funds. \$5 million is allocated in the budget for that purpose.

## **Oral Health**

### **AB 2207**

**Author: Mullin**

**Topic: Oral Health**

**Status: Senate Health Committee**

This bill makes several improvements in the Denti-Cal program: expedites provider enrollment; monitors dental service access and utilization and requires a Medi-Cal managed care health plan to provide dental health screenings for eligible beneficiaries and refer them to appropriate Medi-Cal dental providers.

### **SB 1098**

**Author: Cannella**

**Topic: Denti-Cal Advisory Committee**

**Status: Assembly Health Committee**

This bill creates an Advisory Committee focused on children's dental utilization rates.

## **Public Health**

### **SB 7**

**Author: E. Hernandez**

**Topic: Age to purchase cigarettes**

**Status: SIGNED INTO LAW**

Extends to age 21 various requirements for distributors and retailers relating to tobacco sales to minors, prohibits the furnishing of tobacco products to, and the purchase of tobacco products by, a person under 21 years of age, and prohibits persons from making various promotional or advertising offers of smokeless tobacco products without taking actions to ensure that the product is not available to persons under 21 years of age. The law exempts military personnel. The bill includes an expansion of smoke-free workplaces to include hotel lobbies, bars, banquet rooms and employee break rooms.

### **SB 5**

**Author: Leno**

**Topic: E-cigarettes**

**Status: SIGNED INTO LAW**

This bill establishes electronic cigarettes as tobacco products which cannot be used in restaurants, theaters, bars and other places where smoking has long been banned. They also cannot be marketed to minors.

## Reproductive Health

**AB 1306**

**Author: Burke**

**Topic: Certified Nurse Midwives Expanded Scope**

**Status: Senate Business, Professions and Economic Development**

This bill expands the scope of practice by authorizing authorize a certified nurse-midwife to manage a full range of primary health gynecological and obstetric care services for women from adolescence beyond menopause, including, but not limited to, gynecologic and family planning services *and* practice in all specified settings.

**AB 1561**

**Author: Garcia**

**Topic: Tampon Tax**

**Status: Senate Committee on Government and Finance**

Would eliminate sales tax on women's menstrual supplies.

**AB 1671**

**Author: Gomez**

**Topic: Confidential health care communications**

**Status: Assembly Appropriations**

This bill makes it a crime to intentionally disclose, distribute, or attempt to disclose or distribute, in any manner, and for any purpose, the contents of a confidential communication with a health care provider, after illegally obtaining it.

**AB 1954**

**Author: Burke**

**Topic: Access to reproductive health services**

**Status: Senate Health Committee**

This bill would prohibit health insurance plans from requiring a referral prior to a patient accessing essential sexual and reproductive health care services.

**SB 999**

**Author: Pavley**

**Topic: Contraceptive Supplies**

**Status: Assembly Health Committee/Business and Professions**

Requires insurance plans to cover up to a 12-month supply (currently only 30-90 days) of FDA-approved, self-administered hormonal contraceptives when dispensed at one time.