

## CADPAAC 2011 LEGISLATIVE ANALYSIS

(Rev. 08/08/11)

Bill #	Description	Discussion	Recommendation	Status
<b>AB 43</b>	<i>(Monning)</i> – Requires DHS to begin planning for the transition of individuals into Medi-Cal as required by the ACA. Specifically, the bill requires state planning to transition adults from the county-run LIHPs established under the Medicaid 1115 Waiver into Medi-Cal.	According to the bill’s timeline, the eligibility process for transitioning LIPH participants to Medi-Cal must be developed by July 1, 2013. The technical realities associated with achieving this timeline may be challenging for counties.	<b>Watch</b>	Asm. Inactive  <i>(Medicaid Benefits)</i>
<b>AB 154</b>	<i>(Beall)</i> – Expands the coverage requirement for certain health care service plan contracts and health insurance policies to include the diagnosis and treatment of a mental illness or substance abuse of a person of any age.	This is almost identical to the author’s Mental Health/AOD parity bill that CADPAAC has co-sponsored for the last 4 years.	<b>Sponsor</b>	Asm. Approp. Suspense  <i>(HCR Benefits)</i>
<b>AB 164</b>	<i>(Hayashi)</i> – Requires the Dept. of Health Care Services to implement a system whereby health care personnel with access to a person's Medi-Cal card are made aware if the person has previously accessed mental health services through the Medi-Cal system.		<b>Watch</b>	Asm. Health  <i>(Data, I.T.)</i>
<b>AB 183</b>	<i>(Ma)</i> – Prohibits sales of alcoholic beverages at self-service checkouts.		<b>Recommend Support</b>	Sen. 2 <sup>nd</sup> Reading <i>(Prevention)</i>
<b>AB 201</b>	<i>(Butler)</i> – Authorizes superior courts to develop and implement veterans’ courts, with program details, such as treatment requirements, determined by a collaborative process between the presiding judge, the board of supervisors, and treatment providers.	The stated objectives of this proposal are: (1) To increase cooperation between the criminal justice, veterans, and substance abuse systems. (2) To reduce the involvement of veterans in the criminal justice system and time in jail by making services for veterans available in the least restrictive environment possible while promoting public safety.	<b>Watch</b>	Vetoed  <i>(C.J.)</i>

Bill #	Description	Discussion	Recommendation	Status
AB 396	<i>(Mitchell)</i> – Requires the State Department of Health Care Services to develop a process to allow counties to receive any available federal financial participation for health care services provided to juvenile detainees who are admitted as inpatients in a medical institution.	The bill would require the department to consult with counties in the development of this process, and would require the department to seek all federal approvals necessary to implement the process. The bill would also limit application of this process to counties that elect to voluntarily provide the nonfederal share of expenditures for health care services, and would require that the federal financial participation associated with services provided pursuant to the process be paid to the participating counties.	<b>Watch</b>	Sen. Approp. Suspense  <i>(HCR Benefits)</i>
AB 452	<i>(Ma)</i> – Prohibits a person from employing or engaging a third party to use an electronic tracking device to determine the location or movement of another person without that person's consent, subject to certain exceptions. One of the exceptions is the use of an electronic tracking device by a parent or legal guardian or person having legal custody of a minor for the purposes of tracking that minor.	There is some concern that this bill poses a substantial risk of interfering with a minor's right to seek and obtain medical, psychotherapeutic, or substance use disorder treatment under Minor Consent.	<b>Watch</b>	Sen. Public Safety
AB 472	<i>(Ammiano)</i> – Provides limited criminal immunity to individuals for being under the influence, or in possession of drugs for personal use or drug paraphernalia, if they seek medical attention to save the life of someone experiencing an overdose.	The bill seeks to address needless overdose deaths that occur when witnesses to an overdose hesitate to contact emergency services because they fear arrest for themselves or for the overdose victim. It would <b>not</b> provide immunity to callers or overdose victims for drug trafficking, or any other crimes not specified in the bill, and would not interfere with law enforcement protocols to secure the scene of an overdose.	<b>Recommend Support</b>	Senate 3 <sup>rd</sup> Reading  <i>(C.J.)</i>
AB 540	<i>(Beall)</i> – Establishes the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Program, to be administered by the Dept. of Health Care Services, in consultation with ADP, for Medi-Cal beneficiaries who are pregnant or women of childbearing age.	The bill would also provide that county or local government entities would pay the nonfederal share of expenditures through certified public expenditures. Participation in the program would be voluntary for a Medi-Cal beneficiary.	<b>Recommend Support</b>	Sen. Approp. Suspense  <i>(HCR Benefits)</i>

Bill #	Description	Discussion	Recommendation	Status
AB 604	<i>(Skinner)</i> – Permits the Department of Public Health to authorize needle and syringe exchange programs consistent with state and federal standards, in any location where DPH determines that the conditions exist for the rapid spread of HIV, viral hepatitis, or any other potentially deadly or disabling infections that are spread through the sharing of used hypodermic needles and syringes.	The use of shared syringes is the leading cause of hepatitis C infections in the state, and the second most common means of contracting HIV and hepatitis B. Failure to prevent these infections creates a long-term burden on SGF-supported health insurance and drug programs. While this bill authorizes DPH to approve SEPs, it does not inhibit local government's ability to regulate programs within their jurisdiction, and it does not appropriate funds for syringe exchanges, nor does it mandate the state to fund new or existing SEPs.	<b>Recommend Support</b>	Sen. 2 <sup>nd</sup> Reading  <i>(Integration Strategies)</i>
AB 730	<i>(Grove)</i> – Requires a recipient of CalWORKs aid to undergo drug testing on a periodic basis, as a condition of continued eligibility. The bill would specify those substances for which drug testing would be conducted.	The bill would require a recipient who fails a periodic drug test to successfully complete a one-year drug treatment program. The bill would discontinue the individual's aid under the CalWORKS program upon failure of the individual to participate in testing or to successfully complete the required drug treatment program.	<b>Oppose</b>	Asm. Human Services
AB 776	<i>(Mitchell)</i> – Spot bill regarding unlawful use of controlled substances.		<b>Watch</b>	Asm. Desk  <i>(C.J.)</i>
AB 828	<i>(Swanson)</i> – Permits otherwise eligible convicted drug felons to receive CalFresh food assistance benefits (formerly known as Food Stamps), and removes the restrictions currently in place on certain drug felons eligible to receive CalFresh food assistance benefits.	The “drug felon rule” has been the subject of much criticism by drug treatment providers, advocates for the poor, and law enforcement organizations because it permanently disqualifies otherwise needy persons from receiving food assistance and may interfere with their current or continued recovery. The significance of the lifetime ban on convicted drug felons is compounded over time and regardless of an individual's track record, time served, or rehabilitation efforts. According to the author, "If a person's most critical needs are not met when they reenter society after being in prison, they won't be able to successfully return to their communities. In fact, without basic support, many of them will be inclined to return to criminal activity and drug use instead of attaining sobriety and gainful employment."	<b>Support</b>	Sen. Approp. Suspense

Bill #	Description	Discussion	Recommendation	Status
AB 972	<i>(Butler)</i> – Expands ADP’s licensure authority for AOD treatment facilities to include 24-hour facilities that do not require a health facility license, but are staffed by a multidisciplinary team, including physicians, in order to provide residential medical services.	The bill, sponsored by CSAM, would allow licensed residential AOD facilities that provide detox to include physicians on staff.	<b>Recommend Support</b>	Sen. Approp. Suspense
AB 1167	<i>(Fong)</i> – Creates the California Interagency Council on Homelessness, and requires various state agencies to meet quarterly to coordinate efforts on homelessness.	Among the issues to be addressed by this Council is the prevalence of mental illness and substance use disorders among the homeless population. Amendments add ADP as a member of the Council	<b>Recommend Support</b>	Sen. Approp. Suspense
AB 1296	<i>(Bonilla)</i> – Entitled the Health Care Eligibility, Enrollment and Retention Act, this bill would ensure that California’s health care enrollment system is well-positioned to implement the requirements of the Affordable Care Act, with regard to determining eligibility for and enrolling consumers in health care coverage, including Medi-Cal, Healthy Families, and the State Health Exchange.	As an integrated approach to enroll health care consumers, this bill creates a “no wrong door” system for enrollment; streamlines eligibility rules among Medi-Cal, the Exchange, and Healthy Families; requires the creation of a single, statewide application for all systems and entities accepting and processing applications and eligibility; and maximizes coordination and enrollment in other public programs, such as CalWORKs. The federal government will be issuing guidance that will impact how to incorporate county-based programs in the enrollment provisions of the ACA.	<b>Watch</b>	Sen. Approp. Suspense
AB 1297	<i>(Chesbro)</i> – Expedites federal reimbursement to counties for their Medi-Cal specialty mental health claims by conforming the procedures and timeframes required by DMH to federal Medicaid requirements and the approved Medicaid state plan and waivers. California has established a number of state-only requirements for county MHPs to follow in their provision of these services, and these state-specific requirements needlessly limit the amount of federal Medicaid reimbursement that is available.	According to the sponsor, CMHDA, this bill seeks to eliminate unnecessary state-only Medi-Cal requirements in the provision of Medi-Cal specialty mental health services to ensure that the state accesses all available federal resources, particularly during these economically challenging times. Estimates are that the changes in this bill will help counties capture an additional \$50-\$100 million in federal funds.	<b>Recommend Support</b>	Sen. Approp. Suspense

<b>Bill #</b>	<b>Description</b>	<b>Discussion</b>	<b>Recommendation</b>	<b>Status</b>
<b>SB 39</b>	<i>(Padilla)</i> – Prohibits the import, production, manufacture, distribution, or sale of caffeinated alcoholic beverages.	CABs are marketed to appeal to youth, and are one of the leading contributors to underage and binge drinking.	<b>Support</b>	Chaptered  <i>(Prevention)</i>
<b>SB 41</b>	<i>(Yee)</i> – Deletes the prohibition in current law against any person possessing or having under his control any hypodermic needle or syringe; extends to Jan. 1, 2015 the sunset date on provisions allowing pharmacy sales of 30 or fewer hypodermic needles and syringes for personal use without a prescription.	The bill also amends the Pharmacy Law to require pharmacies to provide consumers with prescribed options for consumer disposal of hypodermic needles and syringes. It also requires the pharmacies to provide written information or verbal counseling at the time of furnishing or sale of nonprescription hypodermic needles or syringes.	<b>Support</b>	Asm. 3 <sup>rd</sup> Reading  <i>(CJ)</i>
<b>SB 210</b>	<i>(Hancock)</i> – Authorizes the Secretary of CDCR to enter into contracts with Alternative Incarceration Facilities, as defined, for housing certain nonviolent inmates who meet certain criteria.	These facilities, including staffing and security standards, shall be certified by the American Correctional Association as providing evidence-based programs for case management, drug treatment, and mental health counseling, or as having access to community-based case management, drug treatment, and mental health counseling.	<b>Watch</b>	Sen. Public Safety  <i>(CJ)</i>
<b>SB 315</b>	<i>(Wright)</i> – Provides that any person who obtains ephedrine, pseudoephedrine, and specified related drugs without a prescription, shall be guilty of an infraction or a misdemeanor.		<b>Recommend Support</b>	Sen. Health  <i>(Prevention)</i>
<b>SB 393</b>	<i>(Hernandez)</i> – Establishes the Patient-Centered Medical Home Act of 2011, and defines “medical home” to be consistent with the Affordable Care Act and any federal rules or regulations.		<b>Watch</b>	Asm. Health
<b>SB 662</b>	<i>(DeSaulnier)</i> – Authorizes the Dept. of Finance to enter contracts with counties to integrate realigned programs in a manner that benefits clients of these services and makes it easier to measure the success of the programs.	The realigned programs covered by this bill include all of the programs specified in the Constitutional Amendment (SCA 1). The contracts between the counties and DOF will include agreed-upon outcomes that the counties can achieve.	<b>Watch</b>	Asm. Human Services

Bill #	Description	Discussion	Recommendation	Status
<b>SB 678</b>	<i>(Negrete-McLeod)</i> – Authorizes counties, for purposes of providing evidence-based practices and supervision, to convene community corrections multidisciplinary teams engaged in providing community supervision and evidenced-based rehabilitation programs. Allows members of an adult criminal justice multi-disciplinary team to share non-privileged information with one another so that appropriate treatment programs can be designed for probationers specific to their individual needs.	This bill is a follow-up to a bill from last session that created an incentivized felony probation program to address the needs of probationers. As part of this effort, a multi-disciplinary team of professionals representing probation, mental health, alcohol and drug treatment, and vocational education, work with the offenders to address their criminogenic behavior, with the goal of reducing recidivism. SB 678 maintains existing privacy and confidentiality obligations.	<b>Watch</b>	Asm. Public Safety  <i>(C.J.)</i>
<b>SB 695</b>	<i>(Hancock)</i> – Provides that Medi-Cal benefits may be provided to an individual awaiting adjudication in a county juvenile detention facility if the individual is eligible to receive Medi-Cal benefits at the time he or she is admitted to the detention facility, or the individual is subsequently determined to be eligible for Medi-Cal benefits.	This bill would provide for continuation of the Medi-Cal benefits until the date of the individual's adjudication. The county would have to agree to pay the state's share of Medi-Cal expenditures and the state's administrative costs for the above-described benefits.	<b>Support</b>	Asm. Approp. Suspense  <i>(HCR Benefits)</i>
<b>SB 810</b>	<i>(Leno)</i> – Establishes the California Healthcare System to be administered by a newly-created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. The bill would make all California residents eligible for specified health care benefits under the California Healthcare System, which 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.	This is the single-payer healthcare bill that Senator Leno has carried for the past several years. The bill further requires the commissioner to seek all necessary waivers, exemptions, agreements, or legislation to allow various existing federal, state, and local health care payments to be paid to the California Healthcare System, which would then assume responsibility for all benefits and services previously paid for with those funds. SUD services are among the benefits that are required to be provided under this Healthcare System.	<b>Support</b>	Sen. Approp. Suspense  <i>(HCR Benefits)</i>
<b>SB 893</b>	<i>(Wolk)</i> – Directs the California Health and Human Services Agency to establish a "review system" for programs administered by state and local agencies, and establish an information sharing plan in support of the review system. The bill requires that these reviews include, but not be limited to, mental health, substance abuse	Under the governor's realignment proposal, counties are encouraged to improve the integration of services, reduce the cost of service delivery, and report information on outcomes. However, county leaders report that state statutes prevent local agencies from sharing information on clients receiving multiple services. This bill will require the state to assess barriers to information-sharing	<b>Watch</b>	Sen. Governance & Finance

<p><b>SB 893 (cont.)</b></p>	<p>treatment, rehabilitation, developmental programs, public health, child support, programs for the aging, health care, and children's programs, and that the review extend to programs provided by local agencies, joint powers agencies, regional agencies, or nonprofit entities under contract with local agencies.</p>	<p>and to develop a plan to facilitate information-sharing consistent with goals for realignment and the need to report outcomes. In addition, the bill requires an outcome-reporting system for health and human services programs so that, after realignment, the state and counties will have a shared understanding of the goals of health and human service programs and how performance and outcomes will be measured and monitored. It directs the agency to convene a workgroup to draft a work plan to implement the system, and prescribes membership of the workgroup to include representatives of departments within the agency, outside departments and commissions, local governments and regional entities, various state associations, tribal entities, advocacy organizations, and researchers conversant with public sector accountability. It further prescribes some of the outcomes that must be included in the work plan: measures of employment, education, housing and homelessness, health, safety, and criminal justice involvement.</p>		
<p><b>SB 23X (formerly SB 653)</b></p>	<p><i>(Steinberg)</i> – Authorizes counties to levy, increase or extend a local personal income tax, transactions and use tax, vehicle license fee, and excise tax, including an alcoholic beverages tax, a tobacco products tax, a sweetened beverage tax, and an oil severance tax.</p>	<p>This bill is intended to help counties fund local services as the state shifts more of these services to counties under realignment.</p>	<p><b>Recommend Support</b></p>	<p>Sen. Rules</p>
<p><b>SCR 45</b></p>	<p><i>(Corbett)</i> – A Senate Concurrent Resolution (SCR) 45 that urges Governor Brown to join the Leadership to Keep Children Alcohol Free and make prevention of underage alcohol use a priority for the state.</p>	<p>Governors of 41 states have joined the Leadership to Keep Children Alcohol Free, a coalition of Governors, Governors' spouses, federal agencies, and public and private organizations working to prevent the use of alcohol by children ages nine to 15, and promoting evidence-based public policy initiatives to curb alcohol use by pre-teens and teens. It is the only national effort focusing on this age group.</p>	<p><b>Recommend Support</b></p>	<p>Asm. 3<sup>rd</sup> Reading  <i>(Prevention)</i></p>