

CADPAAC 2008 LEGISLATIVE ANALYSIS
(Rev. 4/30/08)

Bill #	Description	Discussion	Recommendation	Status
AB 239	<i>(DeSaulnier)</i> – Enacts the Alcoholism and Drug Abuse Counselors Licensing Law, and provides for the licensure and regulation of AOD counselors by the Board of Behavioral Sciences.	The bill would also add one licensed AOD counselor to the BBSE, to be appointed by the Governor.	Watch	Sen. Business & Professions (5/12) <i>(Treatment)</i>
AB 346	<i>(Beall & Saldana)</i> – Requires ABC to promulgate regulations to require that any alcoholic beverage container sold within California bear a label that includes specified information regarding its alcohol content and its status as an alcoholic beverage, if the department determines that the container can be visually confused with a container for a beverage that does not contain alcohol.	This bill also makes findings and declarations with regard to the need for these labeling requirements, i.e. to help prevent youth access to alcoholic beverages.	Support	Sen. Inactive <i>(Prevention)</i>
AB 1461	<i>(Krekorian)</i> – Prohibits a health insurance policy from denying liability for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any controlled substance.	The bill would also require ADP to initiate and conduct a two-year pilot project called the Methamphetamine Deterrence Pilot Program aimed at identifying and diverting methamphetamine addicts into treatment before they enter the criminal justice system.	Support	Sen. Inactive <i>(Treatment)</i>
AB 1823	<i>(Beall)</i> – Requires the Multiagency Juvenile Justice Coordinating Council in each county to include the County Alcohol and Drug Program Administrator.	Some concern has been raised by the Probation Officers Association that this might create an imbalance on these councils. But currently there is no rep. who can speak for the public AOD system.	Sponsor	Sen. 2 nd Reading <i>(C.J.)</i>
AB 1887	<i>(Beall)</i> – Expands the coverage requirement for certain health care service plans and health insurance policies to include the diagnosis and treatment of mental illness and substance abuse.		Sponsor	Asm. Approp. Suspense <i>(Treatment)</i>

Bill #	Description	Discussion	Recommendation	Status
AB 1961	<i>(Swanson)</i> – Would allow a court to dismiss a conviction for a nonviolent drug offense for which the offender has served a prison term, successfully completed parole, and has never been convicted of a serious or violent felony.		Support	Asm. Approp. Suspense <i>(C.J.)</i>
AB 1996	<i>(Swanson)</i> – Expands eligibility for food stamp benefits to a convicted drug felon who transported, sold or manufactured illegal substances, if the offender provides proof that he/she (a) has completed a government-recognized drug treatment program; (b) is participating in a drug treatment program; (c) is on a waiting list for a drug treatment program; or (d) can provide other evidence that the illegal use drugs has ceased, as established by DSS regulations.		Watch	Asm. 3 rd Reading <i>(Treatment)</i>
AB 2088	<i>(Beall)</i> – Would require the Governor to appoint a Secretary of Addiction Prevention and Recovery Services as a cabinet position. It would require the secretary to be responsible for reporting directly to the Governor on issues related to alcohol and drug problems within the state, and providing the Legislature with annual reports on these issues.	The bill would also establish the Addiction Prevention and Recovery Board within State ADP, and prescribe various board duties. It would also establish the Addiction Prevention and Recovery Services Fund within the State Treasury to receive all revenues from moneys properly credited to the board.	Sponsor	Asm. Approp. Suspense <i>(ALL)</i>
AB 2124	<i>(Beall)</i> – Creates the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Matching Fund in the State Treasury, which would be administered by the State Department of Alcohol and Drug Programs, in collaboration with the State Department of Health Care Services.	The purpose of this program would be to enable counties to provide local funds as a match for federal funds that would be used to provide alcohol and drug screening and brief intervention services to Medi-Cal beneficiaries. The incentive for counties to contribute local funds for SBIRT would be to avoid more costly services (i.e. in emergency rooms) that might otherwise be incurred by this population.	Watch	Asm. Approp. Suspense <i>(Fiscal / Treatment)</i>

Bill #	Description	Discussion	Recommendation	Status
AB 2129	<i>(Beall)</i> – Would require the Department of Public Health, in collaboration with ADP, to develop and oversee the implementation of a model program for the universal screening, assessment, referral, and treatment of pregnant women and women of childbearing age who are suffering from drug and alcohol abuse.	The bill would require the department to provide assistance to counties that may elect to participate in the program, and to facilitate the implementation of model strategies. Even though the goal would be statewide conformity, the language does not dictate a “model program.”	Support	Asm. Approp. Suspense <i>(Treatment)</i>
AB 2151	<i>(Jones)</i> – Provides local governments with greater control of the issuance and transfer of off-sale liquor licenses within their jurisdictions.	There is some question as to whether current CUP processes already give local governments the ability to curb the over-concentration of alcohol outlets.	Support	Asm. Approp. Suspense <i>(Prevention)</i>
AB 2297	<i>(Saldana)</i> – Provides that, beginning in 2009, the State Board of Equalization shall calculate the total amount of all surtaxes, interest, and penalties that are or would be collected as a result of a reclassification of any alcoholic beverage from beer to a distilled spirit. This bill would also require the board to provide the Legislature and the LAO with an annual revenue analysis of the amounts that are or would be collected as a result of a reclassification of an alcoholic beverage from a beer to a distilled spirit.	The bill makes findings and declarations regarding the impact of alcoholic beverages on the youth of this state and states the intent of the Legislature to transfer the amount, upon appropriation, of all surtaxes, interest, and penalties collected as a result of the reclassification of any alcoholic beverage from beer to a distilled spirit to the State ADP for specified purposes, including the prevention of underage drinking of, and access to, alcoholic beverages by minors, and to county alcohol programs to establish new, and to supplement existing, youth alcohol prevention and recovery centers.	Support	Asm. G.O. <i>(Prevention)</i>
AB 2337	<i>(Beall)</i> – Adds alcohol and drug counselors, as specified, to the list of individuals who are mandated reporters of child abuse or neglect.	This measure would elevate the professionalism of the AOD field, and provides protection from liability for AOD staff who report child abuse.	Support	Asm. Approp. Suspense <i>(Treatment)</i>
AB 2541	<i>(Bass)</i> – Authorizes a superior court in up to 3 counties to develop and operate a deferred entry of judgment reentry program targeted at preventing recidivism among nonviolent offenders. The bill would specify the characteristics of that program and the process for eligibility for the program.	The bill would also specify the characteristics of a reentry court and would require the presiding judge, district attorney, public defender, Board of Parole Hearings, and Department of Corrections and Rehabilitation to enter into an agreement about the jurisdiction of the court.	Watch	Asm. Approp. Suspense <i>(C.J.)</i>

Bill #	Description	Discussion	Recommendation	Status
AB 2613	<i>(Plescia)</i> – Allows the furnishing of alcoholic beverage tastings at retail outlets that are authorized to sell these products.		Oppose	Asm. Approp. Suspense <i>(Prevention)</i>
AB 2828	<i>(Salas)</i> – Requires that all grant money awarded to the Dept. of Veterans Affairs by SAMHSA be deposited into the Veterans' Substance Abuse and Mental Health Services Fund, from which money would be appropriated to the department to fund community-based organizations that provide substance abuse and mental health programs specifically for California veterans.	The bill would also require the department to develop a process by which to certify community-based organizations that receive funding through this program, and requires the department to establish criteria of success for the purposes of determining renewal of funding to those community-based organizations. What criteria? What grant \$, and where is it going now?	Watch	Asm. Approp. Suspense <i>(Treatment, Fiscal)</i>
AB 2903	<i>(Huffman)</i> – Provides that a facility that serves six or fewer persons does not include a facility wherein separate buildings or portions of a residential facility are integral components of a single alcoholism or drug abuse recovery or treatment facility that serves more than 6 persons and all of the components of the facility are managed by the same licensee.	This bill could negatively impact the capacity of the AOD field to site new facilities, by subjecting many treatment programs that are already licensed to local control, which could hurt good programs that operate multiple facilities.	Oppose Unless Amended	Asm. Approp. Suspense <i>(C.O.D. / Treatment)</i>
AB 2914	<i>(Calderon)</i> – Imposes an 8% tax on gross receipts of an adult entertainment venue. The bill would create the Adult Entertainment Venue Impact Fund and express the intent of the Legislature that all revenues derived from the tax be transferred to the fund.	This bill also provides that moneys in the fund, upon appropriation by the Legislature, be used to ameliorate the secondary effects of adult entertainment venues, including public health and mental health issues. We may want an amendment to specify AOD treatment.	Watch	Asm. Rev. & Tax (5/5) <i>(Fiscal)</i>
SB 119	<i>(Cedillo)</i> - Makes specified findings and declarations regarding the need for and availability of drug and alcohol treatment services to minors. The bill would require that residential AOD treatment services and other specified services described in the Youth Treatment Guidelines issued by State ADP be a covered benefit under Drug Medi-Cal.	The bill would also require the State Department of Health Services to use its best efforts to obtain approval by the federal Centers for Medicare and Medicaid Services of a Medicaid state plan amendment providing for federal financial participation with respect to those services, but would require the services to be covered under the Medi-Cal program only if federal financial participation is available.	Support	Asm. Approp. Suspense <i>(Youth, Fiscal)</i>

Bill #	Description	Discussion	Recommendation	Status
SB 265	<i>(Romero)</i> – Requires the Dept. of Juvenile Justice (DJJ) to explore options to provide specialized programming outside of division facilities for high risk or high need offenders, if programming is available.	Specialized programs for these offenders shall take into account commitment offenses, delinquency history, age, gender, medical and mental health condition, risk levels, and any other commitment criteria. This bill would implement programs for juvenile offenders who will be returning to their communities.	Watch	Asm. Inactive <i>(C.J.)</i>
SB 992	<i>(Wiggins)</i> – Requires ADP to administer the licensure, certification, and regulation of adult recovery maintenance facilities.	This bill, sponsored by CAARR, establishes the Residential and Outpatient Programs Compliance Branch Licensing and Certification Trust Fund in the State Treasury, and requires the trust fund, upon appropriation by the Legislature, to be used exclusively to cover administrative costs of the licensing and certification process established by the bill.	Support	Asm. Inactive <i>(Treatment)</i>
SB 1147	<i>(Calderon)</i> – Specifies that inmate status shall not be used to terminate the eligibility of a child under the Medi-Cal program.	The bill also requires the Dept. of Health Care Services to establish the protocols and procedures necessary to ensure that Medi-Cal eligibility is not terminated in violation of this requirement.	Watch	Sen. Approp. Suspense <i>(Youth)</i>
SB 1441	<i>(Ridley-Thomas)</i> – Establishes in the Dept. of Consumer Affairs the Diversion Coordination Committee, comprised of the executive officers of specified healing arts boards that establish and maintain a diversion program.	The bill also establishes in the department the Licensee Drug and Alcohol Addiction Coordination Committee, comprised of the executive officers of all other healing arts boards. These committees would meet periodically to develop a set of best practices and recommendations.	Watch	Sen. Approp. (5/5) <i>(Treatment)</i>
SB 1616	<i>(Florez)</i> – Authorizes ADP’s Office of Problem and Pathological Gambling (OPG) to establish training programs for therapists who can treat problem or pathological gamblers, and requires the Department to establish grants for designing and implementing the training and treatment programs.	The bill also would authorize OPG to establish a treatment plan for providing comprehensive care to problem and pathological gamblers and their families. It would require OPG to grant funds to be applied to the design of a problem and pathological gambling therapist training program, a statewide problem and pathological gambling treatment program, and a statewide training and treatment oversight system.	Watch	Sen. Approp. Suspense <i>(Treatment)</i>

Bill #	Description	Discussion	Recommendation	Status
SB 1651	<i>(Steinberg & Romero)</i> – Authorizes superior courts to develop and implement mental health courts, and would allow parolees with a serious mental illness to participate in these courts. The bill would also provide eligible parolees with AB 2034 integrated services.	The bill makes various statements of legislative findings and intent regarding the need to provide mental health and related services to parolees with serious mental illness. It would require CDCR to create a pilot program, to the extent funding is available, to provide comprehensive mental health and supportive services, including AOD services.	Watch	Sen. Approp. Suspense <i>(C.J., C.O.D.)</i>
SB 1738	<i>(Steinberg)</i> – Requires the Dept. of Health Care Services to seek federal approval to establish the Frequent Users of Health Care Pilot Program, which would provide supplemental services to Medi-Cal beneficiaries in at least 6 eligible counties who are frequent users of health care.	These supplemental services are designed to reduce a participating individual’s use of hospital emergency departments when more effective care, including primary, specialty, and social services, can be provided in less costly settings. Eligible counties must have documented ability to provide directly or to link clients with appropriate community-based services, including primary care, specialty care, mental health treatment, substance abuse treatment, peer and recovery support, housing, transportation, vocational services, etc.	Support	Sen. Approp. Suspense <i>(C.O.D.)</i>