

### Sponsored Bills

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**Senate Bill 613 (Allen, D-Santa Monica) – Department of Public Health: Dementia Guidelines: Workgroup**

Requires the Department of Public Health to update the Guidelines for Alzheimer's Disease Management and report the recommendations of the workgroup to the Legislature on or before March 1, 2017.

Status: SB 613 passed unanimously out of five committees: Senate Health, Senate Appropriations, Assembly Aging & Long-Term Care, Assembly Health and Assembly Appropriations. It also cleared the Senate and Assembly floors with no opposition. SB 613 was signed by Governor Brown on October 7<sup>th</sup>, 2015.

**Assembly Bill 1526 (Brown, D-San Bernardino) – Behavioral Risk Factors Surveillance System**

Requires the State Department of Public Health to include the federal Centers for Disease Control and Prevention's optional Caregiver Module in the annual Behavioral Risk Factor Surveillance System survey.

Status: AB 1526 passed unanimously out of five committees: Assembly Aging & Long-Term Care, Assembly Health, Assembly Appropriations, Senate Health and Senate Appropriations. It also cleared the Assembly and Senate floors with no opposition. The governor vetoed AB 1526 citing that there was already a process in place to add questions to the BRFSS survey and legislation was not needed.

### High Priority Bills

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**Assembly Bill 643 (Nazarian, D-Sherman Oaks) – Silver Alert**

This bill amends existing law that authorizes a report of a missing person who is of a certain minimum age or older, developmentally disabled, or cognitively impaired, and certain conditions are met, including that all local resources have been utilized and the disappearance is unexplained or suspicious. Authorizes the Silver Alert to be made by changeable message sign if the law enforcement agency determines that a vehicle may be involved and specific vehicle information data is available for public dissemination.

Status: AB 643 was signed by Governor Brown.

**Assembly Bill 1261 (Burke, D-Inglewood) – Community-Based Adult Services (CBAS): Adult Day Health**

This bill establishes the Community-Based Adult Services program as a Medi-Cal benefit and would specify eligibility requirements for participation in the CBAS program. Requires that CBAS providers be licensed as Adult Day Health Care centers and certified by the California

Department of Aging as CBAS providers. Requires CBAS providers to meet specified licensing requirements.

Status: AB 1261 was vetoed by Governor Brown because he believes it requires new spending at a time when the fiscal outlook for Medi-Cal is not stable.

**Senate Bill 675 (Liu, D-La Canada Flintridge) – Health Facilities: Family Caregivers**  
This bill requires a hospital subject to the federal Health Insurance Portability and Accountability Act of 1996 to take specified actions relating to family caregivers, including notifying the family caregiver of the patient's discharge or transfer to another facility and providing information or instruction regarding the post-hospital care needs of the patient.

Status: SB 675 was signed by Governor Brown.

### Priority Bills

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**Assembly Bill 74 (Calderon, D-Whittier) – Care Facilities: Regulatory Visits**  
This bill makes every community care facility, residential care facilities for the elderly, child day care center, and family day care home subject to an annual unannounced visit by the State Department of Social Services requiring the department to conduct annual unannounced visits to no less than 20% of the facilities by requiring the department to conduct annual unannounced visits to no less than 30% of facilities.

Status: AB 74 was vetoed by Governor Brown because while he believes increasing the frequency of inspections is a lofty goal, it should be considered in the budget process.

**Assembly Bill 332 (Calderon, D-Whittier) – Long-Term Care Insurance**  
This bill requires the Insurance Commissioner to convene a task force to examine the components necessary to design a statewide long-term care insurance program. Requires the task force to recommend options for establishing this program and to comment on their respective degrees of feasibility.

Status: Governor Brown vetoed AB 332 because he does not believe the bill is necessary and could lead to a large and potentially costly new mandate.

**Assembly Bill 348 (Brown, D – San Bernardino) – Health Facilities: Complaints: Investigations**

This bill requires the State Department of Public Health to complete an investigation of a complaint regarding a long-term care facility within a specified time period. Provides an extension if it is necessary to obtain related evidence. Requires the Department to notify the complainant of such extension and the basis therefor. Provides what is to be included in an investigation report. Increases the time period for a request for an informal conference by the complainant.

Status: AB 348 is currently being held on suspense in Appropriations.

**Assembly Bill 474 (Brown, D-San Bernardino) – Public Social Services: SSI/SSP**

Requires the State maximum for the State Supplementary Program for the Aged, Blind and Disabled (SSP) grant for individual to be readjusted and increased so that the SSP payment and federal Social Security Income (SSI) payment, when combined, equals a specified percentage of the federal poverty level.

Status: AB 474 is currently in the Assembly Budget committee.

**Assembly Bill 664 (Dodd, D-Napa) – Medi-Cal: Universal Assessment Tool Report**

Relates to Medi-Cal and the universal assessment tool report. Requires the State Department of Health Care Services, the State Department of Social Services, and the State Department of Aging to evaluate and report to the Legislature on the outcomes of, and lessons learned from, the universal assessment tool pilot project. Requires the report to include findings from consumers.

Status: AB 664 was signed by Governor Brown.

**Assembly Bill 763 (Burke, D-Inglewood) – Medi-Cal: Program for Aged and Disabled Persons**

Relates to the Medi-Cal program for aged and disabled persons. Increases income disregard amounts. Requires that the income disregards be adjusted annually. Provides that the income standard determined may not be less than the SSI/SSP payment level the individual or couple receives or would receive as a disabled or blind individual or couple.

Status: AB 763 is being held on suspense in Assembly Appropriations.

**Assembly Concurrent Resolution 38 (Brown, D-San Bernardino) – State Task Force on Family Caregiving**

Establishes the State Task Force on Family Caregiving, to meet monthly to examine issues relative to the challenges faced by family caregivers and opportunities to improve caregiver support, review the current network and the services and supports available to caregivers, and make policy recommendations to the Legislature. Requires an interim report to the Legislature and a final report, both not later than specified dates.

Status: ACR 38 was adopted.

**Senate Bill 19 (Wolk, D-Davis) – Physician Orders for Life Sustaining Treatment Form**

Enacts the State Physician Orders for Life Sustaining Treatment (POLST) Act. Requires the establishment of the POLST Registry for the purpose of collecting POLST forms received from a physician or physician designee. Requires that any disclosure of POLST form information in the registry be made in accordance with federal privacy law. Requires maintaining a copy of the form in the patient's medical record. Provides the patient or his or her decision maker may abstain from participation. Relates to liability.

Status: SB 19 was signed by Governor Brown.

**Senate Bill 196 (Hancock, D-Berkeley) – Elder Abuse: Protective Orders**

Authorizes a county adult protective services agency and a public conservator to file a petition for a protective order on behalf of an elder or dependent adult if the elder or dependent adult has been identified as lacking capacity and a conservatorship is being sought. Requires the agency or conservator to provide a copy of the petition, a notice of the hearing, and any supportive declarations to the adult prior to the hearing, and to assist the person to attend the hearing and provide testimony.

Status: SB 196 was signed by Governor Brown on September 9<sup>th</sup>.

**Senate Bill 406 (Jackson, D-Santa Barbara) – Employment: Leave**

Relates to the Moore-Brown-Roberti Family Rights Act concerning unpaid leave. Restricts a specified small business exemption to an employer that employs less than a specified number of employees within a specified distance of the worksite where the employee is employed. Redefines employer and the term child. Removes the restriction on age or dependent status. Expands the definition of leave with regard to caring for persons to include care for specified family members. Includes a parent-in-law.

Status: SB 406 was vetoed by Governor Brown because it creates a disparity between California's law and the Federal Medical Leave Act and, in certain circumstances, could require employers to provide employees up to 24 weeks of family leave in a 12 month period.

**Senate Bill 571 (Liu, D-La Canada Flintridge) – Long-Term Care: CalCareNet**

This bill requires the State Health and Human Services Agency to update the standards for a CalCareNet Internet Web site and to create a related Web site that provides information on how to navigate long-term care services and assist consumers and providers in making informed decisions related to such services. Requires the site to satisfy certain elements. Requires the examination of alternative funding sources for the site. Deletes the prohibition on appropriating funds. Relates to related county web sites.

Status: SB 571 is being held on suspense in Senate Appropriations.

**Other Bills**

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**SB 128 (Wolk, D-Davis) – End of Life**

Enacts the End of Life Option Act. Authorizes an adult who meets certain qualifications, and who has been determined by his or her attending physician to be suffering from a terminal disease, to make a request for medication for the purpose of ending his or her life. Prohibits a will or other agreement being impacted by such a decision. Prohibits insurance impact by such

a decision. Provides civil and criminal immunity. Provides for a crime to alter or forge a request, and a felony for coercion.

Status: SB 128 was held in the Assembly Health committee, but a new bill with nearly identical language was introduced in extraordinary session (**AB 2X-15**) and passed quickly through one committee instead of multiple committees as SB 128 was required to do. AB 2X-15 is awaiting signature or veto by Governor Brown.

**Senate Bill 492 (Liu, D-La Canada Flintridge) – Coordinated Care Initiative: Consumer Guide**

Requires the State Department of Health Care Services to develop and post on the Department's Internet Web site an educational and informational guide to assist consumers and patients in understanding the rights afforded to them under the Coordinated Care Initiative and how to effectively exercise those rights. Requires the Department to distribute the guide to specified advocacy groups and programs and to all other interested persons upon request.

Status: SB 492 was withdrawn by Senator Liu.

**Senate Bill 547 (Liu, D-La Canada Flintridge) – Assistant Secretary of Aging and Long-Term Care**

Establishes the Department of Community Living within the Health and Human Services Agency. Serves as the single state-level contact on issues of aging and long-term care, oversee statewide long-term care service delivery, promotes coordinated long-term care service delivery and access to home and community-based services at the local and regional level and serves as the organizational unit designated to oversee all long-term care programs in the state.

Status: SB 547 was held in the Senate Health committee. It is expected to be a two-year bill with an interim hearing in the fall.

**Senate Bill 648 (Mendoza, D-Artesia) – Health and Care Facilities: Referral Agencies**

Requires a health care referral agency to obtain a license in order to refer a person to a residential care facility for the elderly. Prohibits holding any power of attorney or other property of a person receiving referral services, or information of a person receiving services unless authorized to do so. Requires such agency to provide disclosure statement to each person receiving its services, and to retain certain acknowledgments. Provides a civil penalty for violations. Requires liability insurance.

Status: SB 648 is currently being held on suspense in Senate Appropriations.

**Senate Bill 779 (Hall, D-Compton) – Skilled Nursing Facilities: Staffing**

Amends existing law which requires every skilled nursing facility to post information about staffing levels. Requires the State Department of Public Health to develop certain regulations and include a minimum staff-to-patient ratio that includes specific ratios for certified nurse assistants and licensed nurses that comply with specified requirements. Amends provisions of

the Medi-Cal Long-Term Care Reimbursement Act concerning supplemental payments to skilled nursing facilities.

Status: SB 779 is currently being held on suspense in Senate Appropriations.

All bills can be accessed via [www.leginfo.ca.gov](http://www.leginfo.ca.gov)

**Questions:**

Contact Susan DeMarois

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