



To: CHEAC General Membership

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Date: September 1, 2018

RE: 2018 End of Session Memo

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The 2017-18 Legislative Session is officially adjourned as the Senate completed its work just prior to 12:00 am and the Assembly shortly thereafter. Governor Jerry Brown made a brief appearance in both houses for his final time in his official capacity to thank legislators for their productive work over the past two years. In the last days of session, the Legislature acted on a number of significant issues including wildfires, net neutrality, and public safety, among others.

After just over a month of wildfire conference committee hearings and negotiations, the Legislature passed [SB 901 \(Dodd\)](#). The bill includes a number of key provisions including, but not limited to, the creation of the Commission on Catastrophic Wildfire Cost and Recovery in the Governor's Office of Planning and Research, providing upwards of \$1 billion over the next five years from the Greenhouse Gas Reduction Fund for forest and fire prevention programs and projects and restructuring how utilities pay for negligent behavior.

California lawmakers also passed [SB 822 \(Wiener\)](#), the California Internet Consumer Protection and Net Neutrality Act of 2018. In light of the Federal Communications Commission repealing net neutrality protections enacted during the Obama Administration, the measure contains a number of key provisions including prohibiting internet providers from blocking or slowing data and excluding sites or videos from the monthly data cap.

Governor Brown signed [SB 10 \(Hertzberg\)](#) into law on Tuesday, a measure that will end the cash bail system, effective October 2019, and instead replace it with risk assessments of individuals. Assembly Member Shirley Weber's [AB 931](#), a bill to require police departments to update policies around the use of police force, was shelved this week as Senate President pro Tempore Toni Atkins announced that there was not enough time in the legislative session to resolve remaining concerns. She did, however, affirm her commitment to continuing to work on the issue in next

legislative session. Also worth noting, the Legislature passed [SB 1100](#) and [SB 1177](#), which would raise the minimum age to purchase a long gun to 21 and would prohibit the purchase of more than one long gun a month, respectively.

California lawmakers also advanced [SB 100](#) by Senate President Pro Tempore Emeritus Kevin de León, a bill that would require California to obtain 100 percent of its power from clean sources by 2045. The bill also requires electric utilities and other service providers to generate 60 percent of their power from renewable sources by 2030, up from the current 50 percent goal set for that date.

Legislative leadership made announcements throughout the evening on key bills that would not proceed through the legislative session. Announcements included [SB 844](#) and [SB 845](#) by Senator Monning that would create a voluntary fee on ratepayers to finance drinking water systems in low-income communities, and [AB 813](#) by Assembly Member Chris Holden that would have connected California to other state energy grids creating a regional market system.

The Legislature also passed [SB 212](#), by Senator Hannah-Beth Jackson, to establish a comprehensive statewide stewardship program for home-generated pharmaceutical drug and sharps waste. The measure is a result of extensive negotiations between stakeholders from pharmaceutical, environmental, medical, and waste industries, and it requires pharmaceutical entities to fully fund and participate in or create a waste stewardship program to be overseen by the California Department of Resources Recycling and Recovery (CalRecycle). SB 212 is expected to establish a uniform standard in pharmaceutical and sharps waste collection and stewardship should the measure be signed into law by Governor Brown.

Additional actions taken on priority bills of interest to CHEAC Members are highlighted below. A comprehensive list of CHEAC bills detailing their status is [available here](#). CHEAC will issue a final bill chart following Governor Brown's September 30 deadline to act on bills.

### **Access to Health Services**

#### **SB 1125 (Atkins) – SUPPORT**

*To Governor*

SB 1125 by Senate President pro Tempore Toni Atkins authorizes Medi-Cal reimbursement for federally qualified health centers (FQHCs) and rural health centers (RHCs) for a maximum of two visits on the same day at a single location if: 1) after

the first visit, the patient suffers an illness or injury requiring additional diagnosis or treatment; or 2) the patient has a medical visit and a mental health visit or dental visit. The measure is sponsored by the California Health+ Advocates and the Steinberg Institute.

## **Cannabis**

### **AB 2914 (Cooley) – SUPPORT**

*To Governor*

AB 2914 by Assembly Member Ken Cooley was approved by the Legislature this week and heads to Governor Brown. The measure prohibits the sale of alcohol that includes cannabis or cannabis products. The prohibition includes alcoholic beverages that contain cannabis derived from industrial hemp, THC, or cannabinoids regardless of source.

### **AB 3067 (Chau) – SUPPORT**

*To Governor*

Assembly Member Ed Chau's AB 3067 requires advertising services to not market cannabis, cannabis products or businesses, or associated cannabis paraphernalia when an internet service, online service, or mobile application is directed to minors. Such prohibitions currently exist for alcohol, firearms and ammunition, spray paint, and tobacco. The measure was approved by the Legislature and is awaiting the Governor's action.

## **Chronic Disease Prevention and Wellness Promotion**

### **AB 1871 (Bonta) – SUPPORT**

*To Governor*

Assembly Member Rob Bonta's AB 1871 gained final approval from the Legislature and is now with Governor Brown. The measure requires charter schools to provide needy pupils with one nutritionally adequate free or reduced-price meal per school day beginning with the 2019-20 school year. The same guarantee has been in place for all needy pupils attending traditional public schools since 1975.

### **AB 3043 (Berman) – SUPPORT**

*To Governor*

AB 3043 by Assembly Member Marc Berman authorizes educational entities that participate in the federal School Breakfast Program to provide a universal breakfast program in which a nutritionally adequate breakfast is provided to every pupil at no

charge beginning with the 2019-20 school year. The measure was approved by the Legislature this week and now heads to Governor Brown.

### **Communicable Disease Control**

#### **AB 1790 (Salas) – SUPPORT**

*To Governor*

AB 1790 by Assembly Member Rudy Salas, Jr., requires CDPH to conduct a public awareness campaign to communicate with local health jurisdictions, medical providers, and the public about Valley Fever. The measure conforms to funding provided through the Budget Act of 2018 that was signed into law earlier this summer and now heads to Governor Brown.

### **Drug & Alcohol Services**

#### **AB 2384 (Arambula) – SUPPORT**

*To Governor*

AB 2384 by Assembly Member Joaquin Arambula requires all health plans and health insurers in California to cover, at minimum, at least one version of each specified FDA-approved medication assisted treatment (MAT) drugs, relapse prevention, and drugs for the reversal of opioid overdose. Health plans and insurers are also restricted from requiring prior authorization, imposing annual or lifetime coverage limits, requiring treatment at specified facilities, limiting the number of days, scope, or duration of treatment, or basing coverage on a patient's prior success or failure with such treatment. The measure now awaits the Governor's action.

#### **AB 2760 (Wood) – SUPPORT**

*To Governor*

Assembly Member Jim Wood's AB 2760 was approved by the Legislature and is with Governor Brown. The measure requires prescribers to offer a prescription for naloxone or another FDA-approved drug for reversal of opioid depression to their patients when they have a high opioid dosage amount, when they are also prescribed concurrently with benzodiazepine, or when the patient presents an increased risk for overdose. Prescribers must also provide education on overdose prevention and the use of an opioid antagonist to patients and the patients' designee(s) when providing an opioid prescription.

## **Emergency Medical Services (EMS)**

### **AB 3115 (Gipson) – OPPOSE**

*To Governor*

AB 3115, by Assembly Member Gipson, is a late gut and amend bill that closely resembles SB 944 by Senator Hertzberg. The measure seeks to codify community paramedicine programs for five years and place onerous and restrictive requirements on local EMS agencies that operate a program. The bill would make permanent changes to the State EMS Commission and would require local EMS agencies to create or modify existing emergency medical care committees with key appointments to serve as an advisory body for EMS programs. AB 3115 would also require programs to grant public providers the first right of refusal in providing community paramedicine services. CHEAC took an oppose position alongside CSAC, UCC, RCRC, EMSAAC and EMDAAC. The California Hospital Association, California Nurses Association, the California Ambulance Association, and a host of individual counties also opposed the measure. The legislature passed the measure and it now moves to the Governor for action.

## **Environmental Health**

### **AB 626 (E. Garcia) – OPPOSE**

*To Governor*

AB 626 by Assembly Member Eduardo Garcia gained final approval from the Legislature this week. The measure creates a new type of food facility defined as a “microenterprise home kitchen” in the California Retail Food Code and allows the sale of potentially hazardous food directly to consumers in private homes. These entities are provided a significant number of exemptions related to enforcement, health, and sanitation provisions. CHEAC mounted a robust opposition effort against the measure in partnership with CSAC, UCC, RCRC, and HOAC in light of food safety, enforcement, and local authority concerns. While CHEAC is supportive of economic opportunity, it is important that key public health protections are not eliminated in the process. The measure has moved to the Governor and is awaiting action.

## **Health Coverage/Health Care Reform**

### **AB 2275 (Arambula) – SUPPORT**

*To Governor*

AB 2275 by Assembly Member Joaquin Arambula requires the Department of Health Care Services (DHCS) to establish a quality assessment and performance

improvement program for all Medi-Cal managed care plans, including county-organized health systems (COHS) and geographic managed care (GMC) plans. Plans must meet minimum performance levels to improve care quality and reduce health disparities. AB 2275 is one of the few measures included in the package proposed by the Assembly Select Committee on Health Care Delivery Systems and Universal Coverage that has made it through the Legislature. The measure is now with Governor Brown.

#### **AB 2427 (Wood) – WATCH**

*To Governor*

Assembly Member Jim Wood's AB 2427 gained final approval in the Legislature this week and is now with Governor Brown. The measure requires DHCS to include a contract provision in each Medi-Cal managed care health plan contract allowing DHCS to terminate the contract if the California Attorney General determines that the plan engaged in or is actively engaged in anti-competitive conduct or practices or if DHCS determines the plan does not comply with the specified medical loss ratio. AB 2427 is also a part of the bill package proposed by the Assembly Select Committee on Health Care Delivery Systems and Universal Coverage.

#### **Health Equity**

#### **SB 918 (Wiener) – SUPPORT**

*To Governor*

SB 918 by Senator Scott Wiener requires the Homeless Coordinating and Financing Council to assume additional responsibilities including setting goals and defining outcome measures related to young people experiencing homelessness. CHEAC, along with CSAC, UCC, CWDA, and CBHDA, supported this measure. SB 918 was approved by the Legislature this week and now heads to Governor Brown.

#### **Injury Prevention**

#### **AB 1798 (Chu) – SUPPORT**

*Chapter 206, Statutes of 2018*

AB 1798 by Assembly Member Kansen Chu was signed into law this week by Governor Brown. The measure requires all school buses to be equipped with a passenger restraint system by July 2035.

## **Maternal, Child, and Adolescent Health**

### **[AB 2289 \(Weber\)](#) – SUPPORT**

*To Governor*

AB 2289 by Assembly Member Shirley Weber was approved by the Legislature this week. The measure sets forth accommodation rights of pregnant and parenting pupils and requires school districts to allow eight weeks of parental leave for such pupils. The school may not require a pregnant or parenting pupil to complete academic work or other school requirements during the parental leave, and the pregnant or parenting pupil must be provided an opportunity to make up missed work upon returning to school from leave. The measure is now with Governor Brown to be acted upon.

### **[AB 2785 \(Rubio\)](#) – SUPPORT**

*To Governor*

Assembly Member Blanca Rubio's AB 2785 was approved by the Legislature this week and is now with Governor Brown. The measure requires all California Community Colleges and the California State University to provide reasonable accommodations on all campuses for a lactating student to express breastmilk, breastfeed an infant, or address other breastfeeding needs.

## **Public Health Emergency Preparedness**

### **[AB 2576 \(Aguiar-Curry\)](#) – SUPPORT**

*To Governor*

Assembly Member Cecilia Aguiar-Curry's AB 2576 allows clinics to continue to operate with a temporary permit during a declared state of emergency. Clinics would be allowed to use a mobile clinic or pharmacy in the areas impacted by the emergency and would be able to be reimbursed for services provided during or immediately following the emergency, including when provided via telehealth or telephonically.

### **[SB 1495 \(Senate Health\)](#) – SUPPORT**

*To Governor*

SB 1495 by the Senate Health Committee was approved by the Legislature and is with Governor Brown. The measure, among other activities, extends the period of time county boards of supervisors or city councils, as appropriate, must review the need for a locally-declared health emergency from 14 days to 30 days.

## **Tobacco**

### **AB 1097 (Levine) – SUPPORT**

*To Governor*

AB 1097 by Assembly Member Marc Levine was approved by the Legislature this week and heads to Governor Brown. The measure was watered down recently to limit the prohibition on smoking and disposal of cigars and cigarettes to picnic areas of state parks and state coastal beaches. Recall, Governor Brown vetoed a similar measure by Assembly Member Levine last year that would have prohibited smoking and disposal of these products in state parks and state coastal beaches.

### **SB 835 (Glazer) and SB 836 (Glazer) – SUPPORT**

*To Governor*

Senator Steven Glazer's SB 835 bans the smoking and disposal of cigars and cigarettes at all state parks and SB 836 bans the smoking and disposal of cigars and cigarettes at all state coastal beaches. Both measures gained final approval by the Legislature this week and head to Governor Brown. Senator Glazer authored SB 386 last year, which would have banned smoking and disposal of cigars and cigarettes at all state parks and coastal beaches and was vetoed by Governor Brown.

## **Next Steps**

Governor Brown has until September 30 to sign or veto bills passed by the Legislature on or before September 1. CHEAC will issue a final bill chart after the September 30 deadline.

## **Questions**

For questions on the items highlighted above or other legislative-related inquiries, please feel free to contact the CHEAC office at (916) 327-7540.