

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES
LEGISLATIVE SUMMARY
2006**

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LEGISLATIVE SUMMARY 2006

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SB 1759	Ashburn	902	Health: Background Checks: Fees: Inspections

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ADMINISTRATION

AB 2541 Matthews (Chapter 861)
CLAIMS AGAINST THE STATE

AB 2541, sponsored by The California Coalition Against Sexual Assault & A Woman's Place of Merced County, requires a state agency that awards a grant to a nonprofit service organization to make payment to the recipient of the grant on the date required by the grant, and within 45 days of the state agency's receipt of an undisputed invoice, or the state agency will be subject to late payment penalties. This bill defines "grant" as, "a signed final agreement between any state agency and a local government agency or organization authorized to accept grant funding for victim services or prevention programs administered by any state agency."

AUDITS AND INVESTIGATIONS

AB 530 Plescia (Chapter 543)
MEDI-CAL: WITHHOLDING PAYMENT OR SUSPENSION: HEARING

AB 530, sponsored by the California Disposable Medical Supply Coalition, requires the California Department of Health Services (CDHS) to develop a "meet and confer" process, as specified, for Medi-Cal providers who wish to discuss a temporary withhold of payments or a temporary suspension sanction, whereby they can provide information and evidence that may impact the department's enforcement action.

AB 2986 Mullin (Chapter 286)
CONTROLLED SUBSTANCES: PRESCRIPTION REQUIREMENTS

AB 2986, sponsored by the Office of the Attorney General, conforms the California Department of Justice Controlled Substance Utilization Review and Evaluation System program to the requirements of the recently enacted "National All Schedules Prescription Electronic Reporting Act of 2005." The conforming changes will include adding certain controlled substances to California's database and increasing the frequency by which these drugs are reported to the database.

HEALTH INFORMATION AND STRATEGIC PLANNING

County Health Services and Local Public Health Assistance

AB 2059 Berg (Chapter 348)
COUNTY MEDICAL SERVICES PROGRAM

AB 2059, sponsored by the County Medical Services Program (CMSP) Governing Board, will: 1) indefinitely extend provisions authorizing county participation in the CMSP and authorizing counties to establish the CMSP Governing Board (Board); 2) repeal the currently inoperative version of the

statute for a CMSP Advisory Council; 3) waive for an additional year the State's obligation to provide up to \$20.2 million to the CMSP; 4) clarify the Board's authority to contract with the CDHS and 5) make various changes related to the administration of the CMSP.

SB 1277 Alquist (Chapter 398)
EMERGENCY CARE AND SERVICES: REIMBURSEMENT

SB 1277, sponsored by the California Chapter of the American College of Emergency Physicians, requires the CDHS to adopt a "single" fee schedule to establish a uniform, reasonable, level of reimbursement for use when a county contracts with the State for the administration of the Hospital Services Account (HSA) and the Physician Services Account (PSA) funds that are allocated to Emergency Medical Services providers through the Emergency Medical Services Appropriation Contract Back Program. SB 1277 includes a provision to fund the development and implementation of the fee schedule by allocating up to 10 percent in administrative funds from the HSA and PSA accounts.

Center for Health Statistics

AB 1102 Hancock (Chapter 816)
MARRIAGE

AB 1102, sponsored by the California Association of Clerks and Election Officials, revises marriage laws to update and clarify procedures for processing marriage licenses and certificates. It also creates stricter regulations for the issuance of confidential marriage licenses in order to minimize fraud as well as increase the proficiency of notary publics who are authorized to issue confidential marriage licenses.

AB 2105 Emmerson (Chapter 463)
HUMAN REMAINS: PERMITS: TRANSPORTATION

AB 2105, sponsored by the San Bernardino County Sheriff/Coroner Gary Penrod and the California State Sheriff's Association, allows transportation of human remains out of California to an out-of-state licensed funeral establishment without a death certificate or permit for disposition, upon authorization of the coroner, if the remains are found within 50 miles of the California border and the nearest licensed funeral establishment is within 20 miles of the border in the adjacent state. The coroner is required to file a death certificate with the local registrar within 72 hours after the remains are found.

SB 1364 Battin (Chapter 60)
MARRIAGE LICENSES: ADDRESS INFORMATION

SB 1364, sponsored by the California Judges Association, allows an applicant or witness to a marriage license and certificate of registry to use his or her mailing address instead of a residential address.

LEGAL SERVICES, OFFICE OF

AB 1302 Horton, J. (Chapter 713)
OFFICE OF ADMINISTRATIVE LAW: REGULATIONS

AB 1302, sponsored by the Office of Administrative Law, does the following: 1) defines an “emergency” for purposes of adopting an emergency regulation; 2) requires an agency to send advanced notice of a proposed emergency action to every person who has filed a request for notice; 3) requires the Office of Administrative Law (OAL) to post notice of the filing of an emergency regulation on its web site and accept public comments regarding the filing for five calendar days of OAL’s ten day review period; 4) requires a finding of emergency to substantially demonstrate the need for the regulations to effectuate the statute being implemented, interpreted or made specific and to address only the demonstrated emergency; and 5) allows a regulation adopted as an emergency to remain in effect no longer than 180 days and provides for two readoption periods of up to 90 days each.

AB 1994 Leslie (Chapter 100)
HEALTH RECORDS: MINORS: ACCESS

AB 1994, sponsored by the California Association of Marriage and Family Therapists, extends the liability exemption to a provider’s refusal to allow copying of a minor patient’s records, because access to the records would be detrimental to the minor patient’s physical safety or psychological well being or to the provider’s relationship with the patient.

AB 2282 Oropeza (Chapter 772)
FEDERALLY QUALIFIED HEALTH CENTERS

AB 2282, sponsored by the California Primary Care Association, amends state law to provide a safe harbor for California Federally Qualified Health Centers (FQHCs) to participate in financial arrangements, only to the extent sanctioned or permitted by federal law. Under this bill, FQHCs could accept goods, services, donations, loans, or any combination thereof, pursuant to a contract, lease, grant, loan or other agreement, if that agreement contributes to the ability of the health center to maintain or increase the availability or enhance the quality of services provided to a medically underserved population. The transaction must also meet the requirements of the federal safe harbor for FQHCs from federal anti-kickback statutes and regulations relating to federal health care programs.

SB 162 Ortiz (Chapter 241)
STATE DEPARTMENT OF PUBLIC HEALTH

SB 162, sponsored by the Health Officers Association of California, establishes a Department of Public Health (DPH) within the existing Health and Human Services Agency and statutorily transfers responsibilities from the CDHS to the new DPH, effective July 1, 2007. This bill renames CDHS as the Department of Health Care Services. This bill also creates a Public Health Advisory Committee that would operate until June 30, 2011, to provide expert advice and make recommendations on the development of policies and programs that seek to prevent illness and promote the public's health. The bill provides that the reorganization from one department to two departments must be budget neutral.

SB 1307 Poochigian (Chapter 249)
MEDICAL INFORMATION: CONFIDENTIALITY

SB 1307, sponsored by the Trust & Estates Section of the State Bar of California, allows a health care agent to access their principal's medical information, if the information is needed in order for the agent to carry out his/her duties to make health care decisions for the principal. In addition to the formal designation of the personal representative, this bill clarifies that physicians and other health care providers are required to disclose medical information when compelled to do so by an agent.

SB 1430 Alquist (Chapter 874)
LOCAL PANDEMIC AND EMERGENCY HEALTH PREPAREDNESS ACT

SB 1430, sponsored by the Health Officers Association of California, permits health care providers to disclose patient medical information, without the patient's consent, to local health departments attempting to prevent or control disease, injury, or disability. SB 1430 authorizes the director of CDHS and local health officers to declare a health emergency whenever there is an imminent and proximate threat of the introduction of a communicable disease, chemical agent, biologic agent, toxin or radioactive agent. It also authorizes local health officers: 1) to issue an order to isolate individuals for up to two hours if necessary to prevent human exposure to biological, chemical, toxic, or radiological agents; and 2) during an outbreak or imminent threat of an outbreak of communicable disease, to require all health care providers to disclose to them their inventories of medical supplies, equipment, pharmaceuticals, vaccines, and other products.

SB 1534 Ortiz (Chapter 801)
PUBLIC BENEFITS

SB 1534, sponsored by the author, authorizes counties, cities, and hospital districts to provide public benefits to a population made ineligible for federal public benefits by Section 411 of the federal Personal Responsibility and Work Opportunity Act of 1996 (8 U.S.C. Section 1621 et seq.).

SB 1636 Ackerman (Chapter 62)
TRADE SECRETS

SB 1636, sponsored by the Intellectual Property Law Section of the California State Bar, amends the Uniform Trade Secrets Act to provide that in actions claiming misappropriation of a trade secret, costs that the court may award to the prevailing party shall include a reasonable sum to cover the services of expert witnesses, who are not regular employees of any party. The costs of the case by the prevailing party must be actually incurred and reasonably necessary and must be used in preparation for trial or arbitration and/or during trial or arbitration.

LEGISLATIVE AND GOVERNMENTAL AFFAIRS

AB 1807 Committee on Budget (Chapter 74)
HEALTH BUDGET TRAILER BILL

AB 1807 would implement the provisions of the State Budget for fiscal year 2006-2007, as it pertains to programs administered by the CDHS, Department of Mental Health, Department of Developmental Services, and the Managed Risk Medical Insurance Board. This bill repeals the current fee methodology for health facilities, specifies the fees for the 2006-07 Fiscal Year and, sets forth the new "right-sized" fee methodology and annual reporting requirements for proposed fees starting with the 2007-08 Fiscal Year; provides late payment penalties for health facilities; establishes the Licensing and Certification Program Fund; deletes application and renewal fees for hemodialysis technicians, certified nurse assistants, and home health aides; requires health facilities to pay for the criminal clearance fingerprint processing costs for certified nurse assistants; delineates the allocation process for \$16 million provided in the Budget Act of 2006 to local health departments for emergency preparedness; allows local registrars and county recorders to continue printing informational certified copies of birth and death records until the records are available for printing from the statewide database; delays the date in which perforated security paper must be used for issuing informational certified copies of birth and death records to coincide with pending federal regulations; changes the licensing of drug and medical device manufacturers from annually to biennially; establishes fees for follow-up inspections of radioactive material facilities and x-ray machines; allows CDHS to collect fees annually and issue permits biennially for large quantity medical waste generators and off-site medical waste treatment facilities; allows CDHS to recover costs for conducting all follow-up inspections required of large quantity medical waste generators; revises the cost of an annual permit fee for offsite medical waste treatment facilities; allows expenditure from the Genetic Disease Testing Fund for the expansion of the Genetic Disease Branch Screening Information System to include cystic fibrosis and biotinidase deficiency; makes changes to implement the evidence of citizenship requirements for Medi-Cal applicants and beneficiaries that are required by the federal Deficit Reduction Act of 2005; corrects a technical problem in the law which established a moratorium on all Adult Day Health

Care centers; adds provisions to allow CDHS to maintain an allocation program to fund county outreach and enrollment activities to enroll and retain eligible children in the Medi-Cal and Healthy Families programs; adds provisions for conducting outreach activities for the enrollment of special populations into Medi-Cal managed care; allows Medicaid waiver programs such as Family Planning, Access, Care and Treatment, California Children Services, and Genetically Handicapped Persons Program to participate in supplemental rebates; revises reimbursement methodology for durable medical equipment and requires CDHS to review utilization of services to determine if there is inappropriate use resulting from these revisions; revises reimbursement methodology for hearing aids and hearing aid accessories; removes specified podiatry services from prior authorization; adds intent language related to adequacy of funding to existing law that sets forth performance standards for county processing of eligibility determinations and annual redeterminations; requires CDHS to pay each Program of All-Inclusive Care for the Elderly organization at no less than 90 percent of the fee-for-service equivalent cost; exempts the State for Fiscal Year 2006-07 from its statutory obligation to provide up to \$20.2 million annually to the CMSP; refers an audit request to the Bureau of State Audits of the CDHS clinical laboratory oversight programs; provides an allocation of \$24,803,000 in Proposition 99 funds for uncompensated health care; requires CDHS to provide a percent comparison regarding reimbursement rates paid under Medi-Cal to the federal Medicare program; authorizes the California Health and Human Services Agency (CHHS) to implement a plan to improve the state's ability to respond to a public health emergency and requires CHHS to report to the Legislature on 1) the state's progress on acquisition of medical equipment and supplies for healthcare surge capacity and 2) a plan for the new health care delivery response system.

LICENSING AND CERTIFICATION

AB 225 Negrete McLeod (Chapter 698)
ELECTRONIC PRESCRIPTION INFORMATION

AB 225, sponsored by the Los Angeles Care Health Plan, allows for the provision of non-monetary remuneration, in the form of hardware, software, information technology or training services, if it is necessary and used solely to receive and transmit electronic prescription information in accordance with standards set forth in the Medicare Prescription Drug, Improvement and Modernization Act of 2003. This bill is contingent on the promulgation of federal regulations.

AB 774 Chan (Chapter 755)
HOSPITALS: FAIR PRICING POLICIES

AB 774, sponsored by Health Access, requires general acute care hospitals, psychiatric hospitals and special hospitals to maintain written policies about discount payment and charity care for financially qualified patients as a condition of licensure. This bill requires hospitals to submit a copy of their

discount payment and charity care policies, eligibility procedures, review process, and the application for charity care or discounted payment to the Office of Statewide Health Planning and Development. This bill requires CDHS to enforce the bill's provisions and to ensure that any overpayments made by patients pursuant to the policy are returned to the patients.

AB 1316 Salinas (Chapter 314)
HOSPITAL DISTRICTS: RULES: INDEMNIFICATION

AB 1316, sponsored by the Association of California Health Care Districts, provides hospital districts with the authority to enter into an agreement whereby a hospital district could provide unconditional indemnification to non-employee members of its medical staff involved in litigation arising out of peer review committee activities.

AB 2373 Aghazarian (Chapter 775)
AUTOMATED DRUG DELIVERY SYSTEM

AB 2373, sponsored by Medication Technologies, Inc., expands the definition of, and uses for, an automated drug delivery system (ADDS) in order to permit their use in long-term care facilities. This bill requires CDHS to review a facility's medication training, storage, and security. CDHS must also review a facility's procedures to ensure that adequate training and safeguards are in place to ensure that drugs delivered are appropriate for the patient. This bill permits CDHS to revoke a facility's authorization to use an ADDS if CDHS determines a facility is not in compliance with the provisions of this bill.

AB 2564 Matthews (Chapter 889)
HEALTH FACILITIES: CRIMINAL RECORD CLEARANCES

AB 2564, sponsored by the California Association of Health Facilities and the American Diabetes Association, exempts consultants who are registered nurses (RNs), licensed vocational nurses (LVNs), occupational therapists (OTs), or speech-language pathologists (SLPs) from the current requirement to obtain a new criminal record clearance (CRC) each time they are hired by a Intermediate Care Facility/ Developmentally Disabled (ICF/DD), ICF/DD-Habilitative (ICF/DD-H), and ICF/DD-Nursing (ICF/DD-N), as long as their licenses are in good standing, including a CRC obtained by their licensing boards. This bill also allows blood glucose testing by direct care staff (DCS) in ICF/DD-H and ICF/DD-N facilities.

AB 2745 Jones (Chapter 794)
HOSPITALS: DISCHARGE PLANS: HOMELESS PATIENTS

AB 2745, sponsored by the author, requires hospitals to participate in regional planning meetings to improve the post-hospital transition of homeless patients. Each hospital must develop a document for public review by January 1, 2008, that is a compilation of recommendations from the regional plan meetings. This bill also prohibits hospitals from transferring homeless patients from one county to another

county if the purpose of the transfer is to provide the patient with supportive services within the other county, unless prior notification is given to and authorization is received from the organization that will provide the supportive services.

SB 739 Speier (Chapter 526)
HOSPITALS: INFECTION CONTROL

SB 739, sponsored by the author, establishes the Hospital Infectious Disease Control Program, and places certain requirements on CDHS and hospitals for the surveillance and prevention of healthcare associated infections (HAIs). This bill requires CDHS to establish an HAI Advisory Committee by July 1, 2007 and to make recommendations for the program based on guidelines from the Centers for Disease Control and Prevention and other national sources. This bill also establishes criteria for hospitals to report HAI process data to CDHS to be made available to the public. Certain other requirements are specified in the bill for hospitals that participate in the California Hospital Assessment and Reporting Taskforce, and hospitals that use central venous catheters.

SB 896 Runner, G. (Chapter 303)
INMATES: HEALTH CARE SERVICES

SB 896, sponsored by the author, makes technical changes to law enacted last year by SB 159 (Runner, Chapter 481, Statutes of 2005). This bill allows “other public agencies,” in addition to local sheriffs and police chiefs, to contract with hospitals for emergency health care for “local law enforcement patients.” This bill also requires the Inmate Health Care and Medical Provider Fair Pricing Working Group to address the issue of a disproportionate share of inmates being treated at any one hospital or system of hospitals when it is a result of the rate provisions of Penal Code (PC) Section 4011.10 (enacted by SB 159). This bill contains an urgency clause.

SB 1130 Committee on Budget and Fiscal Review (Chapter 528)
HUMAN SERVICES

SB 1130 is a clean-up bill that corrects technical, grammatical, and drafting errors in AB 1808 (the 2006-07 Human Services budget trailer bill). SB 1130 re-designates the Special Deposit Fund within CDHS’ Licensing and Certification Program as a separate fund in the State Treasury. This bill also contains other provisions, but they do not impact CDHS.

SB 1248 Alquist (Chapter 530)
LONG-TERM HEALTH CARE FACILITIES: RESIDENTS RIGHTS

SB 1248, sponsored by California Advocates for Nursing Home Reform, extends the Code of Federal Regulations as they pertain to resident’s rights to all residents of skilled nursing facilities and intermediate care facilities regardless of Medi-Cal or Medicare certification status.

SB 1301 Alquist (Chapter 647)
HEALTH FACILITY REPORTING AND INSPECTION REQUIREMENT

SB 1301, sponsored by the Congress of California Seniors, relates to licensed general acute care hospitals. The bill defines “adverse events” and specifies timelines for the reporting of adverse events; requires CDHS to do on-site inspections for adverse events and complaints within specified timelines and to conduct an “unannounced” inspection of adverse events, follow-up onsite inspections and to do an annual survey until the facility has demonstrated that the adverse event has been resolved; requires CDHS to display the outcome of inspections, investigations, compliance histories and substantiated adverse events on its Internet website; requires an assessment of civil penalties for failure to report adverse events; requires the modification of the staffing and systems analysis to include a report of adverse event information; requires CDHS to review and consider amending regulations regarding the reporting of “unusual circumstances” to be more clear and specific in its requirements; prohibits CDHS from releasing health care professionals and health care workers names when releasing information to the public; and requires CDHS to take into account the special circumstances of small and rural hospitals when enforcing the provisions of this bill.

SB 1312 Alquist (Chapter 895)
HEALTH CARE FACILITIES

SB 1312, sponsored by the Congress of California Seniors, removes the current exemption in state law from periodic state licensure inspections for long-term care facilities that meet federal certification standards; requires CDHS to identify all state law standards for the staffing and operation of long-term health care facilities to ensure maximum effectiveness of inspections; provides CDHS with a monetary penalty enforcement system for all acute care settings; and makes technical changes to recent law regarding the creation of CDHS’s Licensing and Certification Program Fund in the State Treasury.

SB 1759 Ashburn (Chapter 902)
HEALTH: BACKGROUND CHECKS: FEES: INSPECTIONS

SB 1759, an Administration-sponsored bill, prohibits applicants for licensure or certification from having direct contact with clients or residents in health care facilities until completion of a criminal background clearance, if specified conditions are met. This provision applies to all licensees subject to CDHS licensure, including facilities and direct care workers in those facilities. This bill requires any person or entity licensed by CDHS to disclose, in their application, any final administrative action taken against a previous license, certificate or registration, and allows CDHS to consider these previous actions when determining whether to grant or deny a license or certification. The bill also allows CDHS to contact other agencies to determine if an applicant has had any final administrative action taken against them by another department or agency, thus assisting CDHS in deciding whether or not to license or issue a certificate to an applicant.

Additionally, SB 1759 increases the fees CDHS may charge for Registered Environmental Health Specialists. The application fees increase from \$69 to \$95, the examination from \$60 to \$126 and the Biennial renewal fee increases from \$87 to \$175.

MEDICAL CARE SERVICES

California Partnership for Long-Term Care

SB 1810 Dunn (Chapter 312)
LONG-TERM CARE INSURANCE

SB 1810, sponsored by the author, requires long-term care insurance companies, as a condition of approval for a rate increase for a block of business, to automatically provide a minimum level of benefits, equal to the sum of the premiums paid or 30 times the amount of the daily nursing home benefit (whichever is greater), to any policyholder who is no longer able to pay his/her premiums only if the premium amount has increased over the life of the policy by a specific percentage, and other conditions exist. Additionally, this bill removes a sunset provision in existing law, which will enable the Department of Insurance to continue conducting an actuarial review of all pricing assumptions before the sale of a long-term care insurance policy, along with setting conditions for rate increase requests.

Medi-Cal Managed Care

AB 2379 Chan (Chapter 775)
MEDI-CAL: MANAGED CARE

AB 2379, sponsored by the American Academy of Pediatrics, the California Children's Hospital Association, and the Children's Specialty Care Coalition, will extend the September 1, 2008, sunset date for the prohibition against California Children Services covered services being incorporated into most Medi-Cal managed care plan contracts to September 1, 2012.

AB 2667 Baca (Chapter 758)
HEALTH CARE PROVIDERS AND INSURERS: CONSIDERATIONS

AB 2667, sponsored by Health Access California, will authorize the CDHS and the California Public Employees Retirement System (CalPERS), when contracting for health care benefits or services, to evaluate the historical performance of potential contractors, including the entity's history of providing or arranging to provide health care services or benefits and whether the entity is of reputable and responsible character. The bill would require the Department of Managed Health Care and the Insurance Commissioner, with regard to their respective licensing responsibilities, to make similar evaluations.

AB 2918 Wolk (Chapter 905)
MEDI-CAL: COUNTY ORGANIZED HEALTH SYSTEMS

AB 2918, sponsored by Partnership Health Plan of California, will allow a county board of supervisors to authorize such a commission to provide health care delivery systems for other individuals or groups, including, but not limited to, public agencies, private businesses, and uninsured or indigent persons. The bill will also prohibit such commissions from using Medi-Cal program funds or reserves to fund these lines of business.

SB 458 Speier (Chapter 906)
HEALTH CARE: COUNTY ORGANIZED HEALTH SYSTEMS

SB 458, sponsored by the author, allows a county board of supervisors to authorize such a commission to provide health care delivery systems for other individuals or groups, including, but not limited to, public agencies, private businesses, and uninsured or indigent persons. SB 458 also allows existing County Organized Health Systems to offer health coverage to non-Medi-Cal enrollees in other counties. Further, the bill will prohibits such commissions from using Medi-Cal program funds or reserves to fund these lines of business.

SB 1245 Figueroa (Chapter 482)
HEALTH CARE COVERAGE: CERVICAL CANCER SCREENING TEST

SB 1245, sponsored by the author, amends both the Health and Safety Code and the Insurance Code to mandate that the annual cervical screening test provided by a health care service plan or a health insurance policy must include the human papillomavirus (HPV) screening test, as specified.

Medi-Cal Operations

AB 1920 Chan (Chapter 270)
MEDI-CAL: HOSPITAL FUNDING

AB 1920, sponsored by the California Association of Public Hospitals and Health Systems will require that stabilization funding continue to be allocated for services provided during the 2006-07 project year in the same manner it was allocated in the 2005-06 project year, under the *Medi-Cal Hospital/Uninsured Care Demonstration Project Act*.

AB 3070 Chan (Chapter 327)
MEDI-CAL: DEMONSTRATION PROJECT: HOSPITAL FUNDING

AB 3070, sponsored by the author, will make technical and clarifying changes to the Medi-Cal Hospital/Uninsured Care Demonstration Project Act enacted through the passage of Senate Bill (SB) 1100 (Chapter 560, Statutes of 2005).

SB 559 Torlakson (Chapter 394)
HEALTH FACILITIES: ACUTE CARE HOSPITALS: PERMITS

SB 559, sponsored by Children's Hospital of Oakland, authorizes the Director of the CDHS to issue a single consolidated license to Children's Hospital Oakland and John Muir Medical Center, Concord campus. The bill also clarifies that payments to Children's Hospital Oakland shall not be used for eligibility purposes for John Muir Medical Center regarding the private disproportionate share hospital funding calculations under the *Medi-Cal Uninsured Hospital Demonstration Act*.

SB 1448 Kuehl (Chapter 76)
HEALTH CARE: MEDI-CAL: UNINSURED PERSONS

SB 1448, sponsored by the author, establishes the Health Care Coverage Initiative Act to implement that portion of California's new section 1115 *Medi-Cal Hospital/Uninsured Care Demonstration* that relates to the extension of health care coverage to low-income persons who currently are uninsured. The Act will be implemented only to the extent that federal financial participation is available.

SB 1520 Ducheny (Chapter 665)
MEDI-CAL: HOSPITAL FUNDING DEMONSTRATION PROJECT

SB 1520, sponsored by the University of California, requires the CDHS to adjust the Disproportionate Share Hospital program allocations and Safety Net Care Pool payments to designated public hospitals within the same hospital system, if such adjustments are requested by the governmental entity that owns and operates the hospitals within the hospital system. CDHS will be required to adjust the payments to individual hospitals only if the net effect of the requested adjustments for those hospitals is zero.

Medi-Cal Policy

AB 132 Nunez (Chapter 2)
MEDI-CAL: PRESCRIPTION DRUG BENEFIT

AB 132, sponsored by the author, requires CDHS, beginning on January 12, 2006, and concluding 15 calendar days later, to provide prescription drug benefits for those individuals eligible for coverage under both Medi-Cal and Medicare programs (dual eligibles), under any one of three specified conditions: 1) the pharmacy has been incorrectly denied payment by the patient's Medicare Drug Plan; 2) the pharmacy cannot submit a claim to Medicare solely due to incomplete or inaccuracy patient enrollment information; or 3) the Medicare Drug Plan indicates that the patient's copayment amounts are higher than the copayment amounts established by Medicare. The bill authorizes the Governor to extend coverage beyond the close of the initial 15-day period for up to an additional 15-calendar-day period. The bill appropriated \$127.5 million from the General Fund for

emergency coverage beginning January 12, 2006. It also appropriated \$22.5 million from the General Fund for emergency coverage authorized under the Budget Act of 2005.

AB 813 Nunez (Chapter 24)
MEDI-CAL: EMERGENCY DRUG BENEFITS

AB 813, sponsored by the author, extends the CDHS emergency prescription drug coverage through January 31, 2007, to individuals eligible for coverage under both Medi-Cal and Medicare programs (dual eligibles). In extending this program, CDHS will implement prepayment utilization controls (i.e., treatment authorization requests) before allowing pharmacists to submit claims for payment. This emergency coverage is allowed under any one of four specified conditions: 1) the pharmacy has been incorrectly denied payment by the patient's Medicare Drug Plan; 2) the pharmacy cannot submit a claim to Medicare solely due to incomplete or inaccurate patient enrollment information; 3) the Medicare Drug Plan indicates that the patient's copayment amounts are higher than the copayment amounts established by Medicare; or 4) a request for prior authorization is required and sought by the pharmacist, but the pharmacy has not received a timely response. Pharmacists will be required to show proof of submissions to either the Medicare Drug Plan or the beneficiary's prescribing physician. [See also AB 132 (Nunez) and SB 1233 (Perata)].

AB 959 Frommer (Chapter 162)
MEDI-CAL: HEALTH FACILITIES: REIMBURSEMENT

AB 959, sponsored by the California State Association of Counties, expands the definition of various facility types that may participate in two different Medi-Cal supplemental payment programs. The two supplemental payment programs provide additional federal funds without the need to increase General Fund expenditures. This bill contains an urgency clause.

AB 1591 Chan (Chapter 719)
MEDI-CAL: NURSE PRACTITIONERS

AB 1591, sponsored by the California Association for Nurse Practitioners, authorizes all certified nurse practitioners to bill the Medi-Cal program directly for their services and defines "certified" to mean certified by a national specialty board.

AB 1745 Chan (Chapter 330)
MEDI-CAL: PEDIATRIC PALLIATIVE CARE BENEFIT

AB 1745, sponsored by the Children's Hospice and Palliative Care Coalition, requires the CDHS to develop, implement and evaluate a pilot project waiver to provide a pediatric palliative care benefit, which includes those services that are available through the Medi-Cal hospice benefit, as well as certain other services to be determined. The pilot project will be implemented only to

extent that federal financial participation is available. AB 1745 appropriates \$75,000 from the General Fund to CDHS for the purpose of implementing the pilot project. These funds are to be used to fund staff positions to execute, plan, manage and develop the pilot project.

AB 1851 Coto (Chapter 331)
HEALTHY FAMILIES PROGRAM: APPLICATION ASSISTANCE

AB 1851, sponsored by the California Association of Health Plans, allows health, dental or vision plans participating in the Healthy Families (HF) program to continue providing application assistance directly to HF applicants upon referral from a government agency, school or school district, providing other requirements specified in law are met. This is accomplished by repealing the sunset date of January 1, 2006.

AB 1948 Montanez (Chapter 332)
MEDI-CAL: HEALTHY FAMILIES PROGRAM: CHDP PROGRAM

AB 1948, sponsored by Maternal and Child Health Access, requires CDHS to conduct or contract for a technological feasibility study report (FSR) of using the existing electronic Child Health and Disability Prevention Program Gateway pre-enrollment application to simultaneously pre-enroll and apply for Medi-Cal or Healthy Families over the Internet without the need to submit a follow up paper application. The bill requires the FSR to be completed and submitted to the fiscal and health policy committees of the Legislature by March 1, 2008.

AB 2631 Laird (Chapter 792)
MEDI-CAL: INJECTABLE DRUGS: UTILIZATION

AB 2631, sponsored by the author, requires the CDHS to complete Medi-Cal utilization policy for physician-administered injectable drugs and implementation requirements for reimbursement within 180 days following notice of approval of the drug by the U.S. Food and Drug Administration (FDA). If CDHS is unable to do so, the bill requires CDHS to apply the utilization guidelines provided by the FDA to the use of that physician-administered drug and to make a miscellaneous code available for providers to use for submitting claims.

AB 2757 Evans (Chapter 795)
PRIMARY CARE CLINICS

AB 2757, sponsored by the Planned Parenthood Affiliates of California and the California Family Health Council, allows a primary care clinic laboratory operating within a network of primary care clinics to establish a "central" lab and bill CDHS for moderate and high complexity clinical laboratory tests for patients within the clinic network. The bill requires these central labs to obtain all applicable state and federal certifications. AB 2757 also allows CDHS to implement any necessary utilization controls or other cost-control measures to ensure medically necessary services are appropriately rendered.

AB 2837 Baca (Chapter 581)
MEDI-CAL: LOCAL EDUCATIONAL AGENCY SERVICES

AB 2837, sponsored by the Los Angeles Unified School District, requires the Commission on Teacher Credentialing to issue two new credentials, beginning January 1, 2007, to speech pathologists. The bill also authorizes school districts, through the LEA Medi-Cal Billing Option Program, to the extent federal financial participation is available, to bill for speech pathology services by a credentialed individual. The bill also removes obsolete provisions regarding LEA services. This bill contains an urgency clause.

AB 2877 Frommer (Chapter 720)
PRESCRIPTION DRUGS: IMPORTATION: PROCUREMENT

AB 2877, sponsored by the author, requires the CDHS to develop a website that provides price comparisons of various drugs from pharmacies in California. The bill requires the Department of General Services (DGS) to develop strategies for the State to achieve savings through greater use of generic drugs, and it requires DGS to provide the Legislature with additional information on implementation of drug contracting.

AB 2885 Plescia (Chapter 95)
MEDI-CAL: BENEFITS: PRESCRIBED DRUGS

AB 2885, sponsored by CDHS, specifies that drugs used to treat erectile dysfunction or any off-label uses of those drugs are covered benefits only to the extent that federal financial participation is available for those drugs.

AB 2911 Nunez (Chapter 619)
STATE DISCOUNT PRESCRIPTION DRUG PROGRAM

AB 2911, sponsored by the OuRx Coalition, establishes the California Discount Prescription Drug Program (CDPDP) within CDHS for the purpose of using drug manufacturer and pharmacy discounts to reduce prescription drugs prices for uninsured and underinsured Californians. The bill requires CDHS to negotiate drug discount agreements with drug manufacturers, and authorizes any licensed pharmacy and any drug manufacturer to participate in the CDPDP. The bill also establishes eligibility criteria and application procedures for eligible Californians to participate in the CDPDP.

AB 2950 Daucher (Chapter 131)
MEDI-CAL BILLING REDUCTIONS

AB 2950, sponsored by the Los Angeles Unified School District, removes claim payment reductions in Medi-Cal programs, which do not have State General Fund match.

AB 2968 Leno (Chapter 830)
MEDI-CAL COMMUNITY-LIVING SUPPORT BENEFIT

AB 2968, sponsored by the San Francisco Department of Public Health and San Francisco Mayor's Office, requires CDHS to develop and implement a program to provide a community-living support benefit to Medi-Cal beneficiaries residing in City and County of San Francisco who would otherwise be homeless, living in shelters or institutionalized. The benefit will be implemented only to the extent that federal financial participation is available and the City and County of San Francisco provides county funds for State administration and to match federal funds for services provided under the waiver.

SB 437 Escutia (Chapter 328)
HEALTH CARE COVERAGE

SB 437, sponsored by the 100% Campaign, modifies the Medi-Cal and Healthy Families programs by allowing self-certification of income, implementing a Healthy Families Presumptive Eligibility program, implementing a Medi-Cal to Healthy Families Presumptive Eligibility program, and by implementing a WIC automated enrollment gateway system.

SB 676 Ashburn (Chapter 525)
MEDI-CAL: PHARMACY REIMBURSEMENT

SB 676, sponsored by the California Association for Health Services at Home and the California Pharmacists Association, authorizes CDHS to establish budget neutral per diem or bundled reimbursement rates under the Medi-Cal program for eligible pharmacies that provide home infusion supplies and services.

SB 912 Ducheny (Chapter 8)
MEDI-CAL: PROVIDER REIMBURSEMENT

SB 912, sponsored by the California Medical Association, reinstates Medi-Cal fee-for-service provider payment levels, effective fourteen days after the bill is chaptered. The bill leaves the payment reduction in place for Medi-Cal managed care plans. This bill contains an urgency clause.

SB 1233 Perata (Chapter 7)
MEDI-CAL: PRESCRIPTION DRUG BENEFIT

SB 1233, sponsored by the author, extends CDHS's emergency prescription drug coverage, as authorized by AB 132 (Chapter 2, Statutes of 2006) through February 15, 2006, inclusive, to individuals eligible for coverage under both Medi-Cal and Medicare programs (dual eligibles). This emergency coverage is allowed under any one of three specified conditions: 1) the pharmacy has been incorrectly denied payment by the patient's Medicare Drug Plan; 2) the pharmacy cannot submit a claim to Medicare

solely due to incomplete or inaccurate patient enrollment information; or 3) the Medicare Drug Plan indicates that the patient's copayment amounts are higher than the copayment amounts established by Medicare. The bill authorizes the Governor to extend coverage beyond February 15, 2006, for three periods of up to 30 days each, and would prohibit coverage after May 16, 2006. The bill modifies a previous appropriation of \$127.5 million from the General Fund to make funds available for the entire period of emergency coverage beginning January 12, 2006. This bill contains an urgency clause.

SB 1469 Cedillo (Chapter 657)
MEDI-CAL: ELIGIBILITY JUVENILE OFFENDERS

SB 1469, sponsored by the author, requires county juvenile detention facilities (beginning January 1, 2008), immediately following the issuance of an order scheduling the release date of a ward from a juvenile detention facility, to provide information to the appropriate county welfare department, if the ward's parent or guardian gives their permission, and to work with the juvenile's family to establish Medi-Cal eligibility. The bill requires county welfare departments to expedite the application process if the release day is within less than 45 days, and to provide the ward's information to the Healthy Families Program if the ward is not Medi-Cal eligible. The bill also requires CDHS to provide eligible wards with documentation of Medi-Cal eligibility immediately upon release from a detention facility, and to work with probation officers and counties to develop the policies and procedures necessary to implement the requirements of this bill.

SB 1528 Bowen (Chapter 666)
MEDI-CAL: COVERED SERVICES: PREGNANCY

SB 1528, sponsored by the author, provides that home infusion treatments with tocolytic agents for pregnant women are covered under the Medi-Cal program, subject to utilization controls and clinical guidelines or protocols as outlined in peer-reviewed professional journals.

SB 1569 Kuehl (Chapter 672)
HUMAN SERVICES: IMMIGRANTS

SB 1569, sponsored by the California Immigrant Welfare Collaborative and the San Francisco District Attorney's Office, provides that non-citizen victims of trafficking, domestic violence, and other serious crimes are eligible for public social services to the same extent as refugees, including cash assistance, Medi-Cal, and employment social services, as well as Healthy Families Program benefits. These benefits are to be paid from State funds to the extent federal funding is unavailable. This bill requires the adoption of regulations to implement its requirements by July 1, 2008 and exempts emergency regulations from review by the Office of Administrative Law. The emergency regulations authorized by this bill would remain in effect for 180 days.

SB 1755 Chesbro (Chapter 691)

MEDI-CAL: ADULT DAY HEALTH CARE SERVICES

SB 1755, sponsored by the California Association for Adult Day Services, authorizes CDHS to make significant reforms to the Adult Day Health Care (ADHC) program under Medi-Cal. SB 1755 provides a set of definitions relating to ADHC services; revises the standards for participant eligibility and medical necessity criteria in receiving ADHC services; sets forth new standards for the participant's personal health care provider and the ADHC center staff physician; requires ADHC centers to provide a set of core services to every participant every day of attendance; and restructures the rate methodology to a prospective cost-based process requiring audited cost reporting.

Payment Systems

SB 1403 Scott (Chapter 61)

MEDI-CAL: DENTAL RESTORATION DOCUMENTATION REQUIREMENTS

SB 1403, sponsored by the author, will specify that for any beneficiary who is less than four years of age, or who, regardless of age, has a developmental disability, as defined, that radiographs or photographs indicating decay on any tooth surface shall be considered sufficient documentation to establish the medical necessity for treatment provided.

PREVENTION SERVICES

AIDS, Office of

SB 699 Soto (Chapter 20)

AIDS: HIV REPORTING

SB 699, sponsored by the AIDS Healthcare Foundation, the Health Officers Association of California and the Los Angeles County Board of Supervisors, amends existing statutes and enacts a new statute in the California Health and Safety (H&S) Code to require name-based HIV reporting. SB 699 amends current statutes that currently prohibit release of an HIV-infected person's name. SB 699 increases penalties for negligent, willful, and malicious disclosure of HIV test results, and codifies current procedures for investigation of potential or actual breaches of confidentiality by local health departments (LHDs) and CDHS. SB 699 requires CDHS to promulgate emergency regulations within one year. SB 699 also makes other minor amendments to current statute to update HIV/AIDS-related terminology.

Border Health

AB 3021 Nunez (Chapter 621)
CALIFORNIA-MEXICO RELATIONS

AB 3021, sponsored by the author, establishes the California-Mexico Border Relations Council (Council) to consist of specified state officials. This bill requires the Council to coordinate activities relating to cross-border programs, initiatives, projects and partnerships that exist within state government. This bill also requires the Council to submit a report to the Legislature annually on its activities.

Chronic Disease and Injury Control

AB 1144 Harman (Chapter 470)
PLAYGROUND SAFETY STANDARDS

AB 1144, sponsored by the California Park and Recreation Society, sunsets the existing state playground safety standards on January 1, 2008. As of that date, the bill requires that California playgrounds open to the public conform to national playground standards set by the American Society for Testing and Materials and playground safety guidelines developed by the United States Consumer Product Safety Commission.

AB 1433 Emmerson (Chapter 413)
PUPIL HEALTH: ORAL HEALTH ASSESSMENT

AB 1433, sponsored by the California Dental Association, requires every kindergarten or first grade pupil attending a public school to present proof, by May 31st of each school year, of an oral health assessment by a licensed dentist or other licensed or registered dental health professional no earlier than 12 months prior to the date of initial enrollment. Parents or guardians of the pupil may be excused from the requirements for specified reasons. The bill requires public schools to send a notification of the assessment requirement to the parent or guardian of the pupil and to send a report of the completed assessments to the public health department of the county in which the school is located. The bill also requires the Office of Oral Health in CDHS to conduct an evaluation of the requirements of the bill and discuss, in a report to the Legislature by January 1, 2010, any improvements in the oral health of children as a result of those requirements.

AB 1535 Nunez (Chapter 437)
SCHOOL INSTRUCTIONAL GARDENS: PUPIL NUTRITION

AB 1535, sponsored by the author, retains administration of the Instructional School Garden Program within the California Department of Education (CDE) and would add criteria for the application and distribution of school garden grants to school districts, charter schools, and county offices of education. This bill also requires the Superintendent of Instruction to convene an

interagency workgroup that includes, but is not limited to, CDE, CDHS, the California Department of Food and Agriculture, and the California Integrated Waste Management Board.

AB 1749 Horton, J. (Chapter 501)
CIGARETTES AND TOBACCO PRODUCTS

AB 1749, sponsored by the Board of Equalization, amends the California Cigarette and Tobacco Products Licensing Act of 2003. It repeals the January 1, 2010, sunset date of the existing law, which extends the operation of the licensing program indefinitely. It requires manufacturers and importers of smokeless tobacco to obtain a license and all licensed tobacco manufacturers and importers to submit monthly reports to the State Board of Equalization identifying licensed distributors that received tobacco products and the wholesale cost of the products. This bill also changes license fees and increases fines for violations of the existing California Cigarette and Tobacco Products Licensing Act of 2003; allows the sale of “blunt wraps” only if they have appropriate labels for tobacco products as required by federal law (but will not allow retail advertising of “blunt wraps” within two feet of candy, snacks, or nonalcoholic beverages or less than four feet above the floor); and amends the Revenue and Taxation Code definition of cigarettes to exclude “little cigars”.

AB 2067 Oropeza (Chapter 736)
SMOKING: ENCLOSED SPACES OF BUILDINGS

AB 2067, sponsored by the author, clarifies that the current state smoking ban applies to lobbies, lounges, waiting areas, elevators, stairwells, and restrooms at places of employment or if they are structurally a part of a public covered parking lot or building to which the parking lot is attached.

AB 2226 Garcia (Chapter 235)
DIABETES SCREENING

AB 2226, sponsored by the author, requires that each school district provide a type 2 diabetes information sheet developed by the California Department of Education to the parent or guardian of all incoming 7th grade pupils.

AB 2384 Leno (Chapter 236)
NUTRITION: HEALTHY FOOD PURCHASE PILOT PROGRAM

AB 2384, sponsored by the California Food Policy Advocates, requires CDHS, in consultation with the California Department of Food and Agriculture, to develop a “Healthy Food Purchase” pilot program to increase the sale and purchase of fresh fruits and vegetables in low-income communities. The program shall include two core components: 1) strategies aimed at small grocers in targeted low-income neighborhoods to increase the offerings of fresh fruits and vegetables in those communities; and 2) strategies aimed at food stamp recipients to increase their purchase of fresh fruits and vegetables by making those products more affordable.

AB 2560 Ridley-Thomas (Chapter 334)
PUBLIC SCHOOL HEALTH CENTER SUPPORT PROGRAM

AB 2560, sponsored by the California School Health Centers Association, requires CDHS, in cooperation with the California Department of Education, to create a Public School Health Center Support Program that would provide technical assistance to facilitate and encourage the establishment, retention, and expansion of health centers in public schools, establish standardized data collection procedures, and track preventive health measures implemented by school health centers. The bill also requires a biennial update to the Legislature, on or before January 1, 2009, containing specified information about school health centers.

AB 2695 Goldberg (Chapter 476)
DOMESTIC VIOLENCE: PROBATION CONDITIONS

AB 2695, sponsored by the Women's Foundation of California and the Los Angeles County Sheriffs Department, extends the sunset date on the \$400 mandatory fine to convicted batterers from January 1, 2007 to January 1, 2010 and seeks to enhance worker protection from domestic violence.

SB 1668 Bowen (Chapter 813)
CHILD DEATH: REVIEW TEAMS

SB 1668, sponsored by the author, clarifies the confidentiality provisions of records made available by child death review teams (CDRTs) by specifying that records exempt from disclosure to third parties pursuant to state or federal law (e.g., Health Insurance Portability and Accountability Act) shall remain exempt from disclosure when in possession of a CDRT. In addition, the bill requires CDRTs to make available to the public findings, conclusions, and recommendations of the team, no less than once every year.

SB 1851 Ortiz (Chapter 485)
CANCER: INFORMED CONSENT

SB 1851, sponsored by the Medical Board of California, requires physicians and surgeons to provide a copy of CDHS' informed consent summary to women upon a diagnosis of breast cancer. Prior law required distribution of the summary prior to biopsy and treatment. The bill allows the provider the option to give the summary prior to screening or biopsy, as appropriate. The bill also requires CDHS and the Medical Board of California (MBC) to post both the breast and prostate summaries on their Internet web sites and requires CDHS to give a copy of any summary revisions to MBC.

Communicable Disease Control

AB 576 Wolk (Chapter 329)
IMMUNIZATIONS

AB 576, sponsored by the California Coalition for Childhood Immunizations and the American Academy of Pediatrics, District IX, allows health care providers to maintain access to patient data in an immunization registry whenever a parent has declined record sharing. Access to this data is restricted to providers within the practice or medical organization and the public health system, and only for the purposes of patient care or protecting the public health. This bill also permits CDHS to enter into agreements to securely exchange confidential immunization information with other states. CDHS is required to submit a sustainability plan for full funding of a statewide immunization information system to the Legislature by January 31, 2008.

AB 699 Chan (Chapter 589)
VACCINES: INFLUENZA

AB 699, sponsored by the Health Officers Association of California, requires that all manufacturers and distributors of influenza vaccine and certain health plans report influenza vaccine inventory, orders, shipments and related information to CDHS upon request. The bill also requires local entities, which possess influenza vaccine, with the exception of physician practices, to cooperate with the local health officer upon request in determining local inventories of influenza vaccine.

AB 2280 Leno (Chapter 771)
SEXUALLY TRANSMITTED DISEASES

AB 2280, sponsored by the AIDS Healthcare Foundation, expands the use of expedited partner therapy, which is currently authorized for partners of Chlamydia patients, to also treat gonorrhea or other sexually transmitted disease infections.

AB 2870 De La Torre (Chapter 800)
CORRECTIONAL INSTITUTIONS: COMMUNICABLE DISEASES

AB 2870, sponsored by the Los Angeles County Board of Supervisors, expands current law relating to the testing of inmates and others in custody for human immunodeficiency virus (HIV) to include hepatitis B virus and hepatitis C virus. It also adds prosecutors, among others, to the list of persons who may request testing for exposure to such diseases.

SB 409 Kehoe (Chapter 26)
EMERGENCY HEALTH CARE SERVICES: APPROPRIATIONS

SB 409, sponsored by the author, is an urgency measure that appropriates \$5,451,000 current year funding to support emergency preparedness

activities in CDHS. It also appropriates \$1,622,000 to the Emergency Medical Services Authority for personal protective equipment. It exempts the funds appropriated from State Contract Act requirements.

Drinking Water and Environmental Management

AB 371 Goldberg (Chapter 541)
WATER RECYCLING

AB 371, sponsored by the Water Reuse Association, requires CDHS to provide consultation to the Department of Water Resources in the development of plumbing design safety standards for buildings with potable and recycled water systems on or before July 1, 2008. AB 371 also requires a recycled water producer to notify the Department of Transportation and the Department of General Services if the producer intends to use recycled water for state landscape irrigation.

AB 1953 Chan (Chapter 853)
LEAD PLUMBING

AB 1953, sponsored by the East Bay Municipal Utilities District, reduces the allowable amount of lead content to one-quarter percent (0.25%) for plumbing products used in California for delivering water for human consumption.

AB 2335 Saldana (Chapter 166)
MEDICAL WASTE

AB 2335, sponsored by San Diego County, redefines the term “infectious agent,” and clarifies requirements on records retention, storage, and required treatment methods of medical waste.

SB 1305 Figueroa (Chapter 64)
MEDICAL WASTE MANAGEMENT ACT

SB 1305, sponsored by Alameda County, defines home-generated sharps waste and adds home-generated sharps waste to the list of exclusions from the definition of medical waste. SB 1305 also prohibits a person from placing such waste in certain types of containers used for the collection of solid waste, green waste, or other recyclable materials on or after September 1, 2008. SB 1305 clarifies that home-generated sharps waste must be placed in an approved sharps container and managed only at specified locations.

SB 1557 Ducheny (Chapter 671)
COACHELLA VALLEY WATER DISTRICT: NONPOTABLE WATER

SB 1557, sponsored by the Coachella Valley Water District, authorizes the Coachella Valley Water District Board (CVWDB) to require the use of nonpotable water for uses where potable water is not required within the service area of the CVWDB, provided that certain conditions are satisfied.

Environmental & Occupational Disease Control

AB 1681 Pavley (Chapter 415)
LEAD-CONTAINING JEWELRY

AB 1681, sponsored by The Center for Environmental Health, provides that beginning September 1, 2007, a person shall not manufacture, ship, or sell children's jewelry, unless it meets certain lead level restrictions. Beginning March 1, 2008, similar restrictions apply for jewelry that is marketed and sold to persons over the age of six.

AB 2861 Ridley-Thomas (Chapter 477)
LEAD ABATEMENT

AB 2861, sponsored by the Office of the Los Angeles City Attorney and the Healthy Homes Collaborative, increases penalties for a second or subsequent violation of creating a lead hazard in a location or premises. Such a violation would become a misdemeanor, punishable by a fine of up to \$5,000, or by imprisonment for up to six months in the county jail or by both the fine and imprisonment.

SB 1379 Perata (Chapter 559)
BIOMONITORING

SB 1379, sponsored by the Breast Cancer Fund and Commonweal, requires CDHS, in collaboration with the California Environmental Protection Agency (Cal/EPA), to establish the California Environmental Contaminant Biomonitoring Program (CECBP). SB 1379 also directs CDHS to provide public access to information and to report to the Legislature and the public regarding biomonitoring findings.

Food, Drug and Radiation Safety

AB 1382 Nakanishi (Chapter 145)
PRESCRIPTION LENSES

AB 1382, sponsored by the California Optometric Association, makes it illegal for any person to market contact lenses by representing that they may be obtained without confirmation of a valid prescription.

AB 2214 Tran (Chapter 610)
ASIAN FOOD: STUDY

AB 2214, sponsored by the author, requires CDHS to conduct a study to determine methods that would allow specified Asian foods (Banh Chung, Banh Tet, and moon cakes) to meet existing food safety standards relating to retail sale at traditional Asian ceremonies and cultural events.

AB 2720 Spitzer (Chapter 220)
RADIOLOGIC TECHNOLOGY

AB 2720, sponsored by the Society of Nuclear Medicine (Pacific Southwest Chapter), authorizes a nuclear medicine technologist to perform a computerized tomography (CT) scan on a dual mode machine (machines in which both a CT and a positron emission tomography (PET) scan can be performed), if certain conditions are met, including supervision standards. The bill also authorizes a certified radiologic technologist to perform a PET scan on a dual mode machine, subject to specified conditions and supervision requirements.

SB 144 Runner, G. (Chapter 23)
RETAIL FOOD

SB 144, sponsored by the California Association of Environmental Administrators, replaces the existing retail food safety law with a new body of law, the California Retail Food Code (CRFC). SB 144 also contains new mandates that would require CDHS to: 1) provide technical assistance and training to local environmental health agency staff, and 2) evaluate each of the 62 local agency food safety programs at least once every three years. These new mandates would only take effect if and when an appropriation is made to enable CDHS to provide these new services. SB 144 requires CDHS to review food safety plans and variance requests submitted by industry and would allow for collection of fees to recover the cost of these services.

SB 611 Speier (Chapter 592)
MEAT AND POULTRY RECALLS

SB 611, sponsored by the Health Officers Association of California, requires meat or poultry suppliers, distributors, brokers, or processors to immediately notify CDHS and all their customers when these firms receive or will receive recalled product that meets specified U.S. Department of Agriculture (USDA) criteria. SB 611 requires these businesses to provide CDHS with an electronic list of all their customers that have or will receive any of the recalled meat or poultry. This bill authorizes CDHS to notify local health officers and environmental health directors of the recalled product within their jurisdiction and the local agencies may notify the public regarding the recalled products.

SB 1670 Aanestad (Chapter 537)
RADIOLOGIC TECHNOLOGY

SB 1670, sponsored by the California Orthopedic Association, updates existing laws relating to permit requirements for individuals who administer X-rays for medical purposes. The bill allows X-ray technicians (XTs) to perform digital radiography, provided that they have a minimum of 20 hours of instruction in digital technology, and requires limited permit XTs and certified radiologic technologists (CRTs) to devote continuing education hours to

digital radiologic technology. The bill also requires that XT applicants, as specified, have at least 50 hours of education in radiological protection and safety and requires schools providing instruction in radiologic technology to include 20 hours of instruction in digital radiography, with certain exemptions.

Laboratory Science

AB 2156 Niello (Chapter 319)
CLINICAL LABORATORIES

AB 2156, sponsored by the California Clinical Laboratories Association, standardizes the licensure requirements for histocompatibility laboratory directors, defines “autoverification” for clinical laboratory tests, and authorizes specified personnel to perform activities to assist in the specialty of pathology.

SB 169 Migden (Chapter 14)
CERTIFIED PHLEBOTOMY TECHNICIANS

SB 169, sponsored by the author, extends the deadline for unlicensed persons performing phlebotomy (i.e., the drawing of blood from a vein, artery or by skin puncture) to be certified by CDHS. Existing law would require these persons to be certified on or before April 9, 2006, if they were employed by clinical laboratories on or before April 9, 2003. This bill extends that deadline to January 1, 2007, provided that the application has been submitted to CDHS by July 1, 2006.

SB 246 Figueroa (Chapter 480)
HUMAN MILK

SB 246, sponsored by the author, exempts hospitals that collect, process, store, or distribute mother’s milk exclusively for her own child from tissue bank licensure requirements, and requires that such hospitals shall comply with the Human Milk Banking Association of North America (HMBANA) standards. The bill provides that CDHS shall review the process for the collection, storage, and distributing of human milk as part of CDHS’s current hospital licensing practice.

PRIMARY CARE AND FAMILY HEALTH

AB 1667 Saldana (Chapter 414)
PUPIL HEALTH: INDIVIDUALS WITH EXCEPTIONAL NEEDS

AB 1667, sponsored by the California School Nurse Association, establishes more defined parameters by which unlicensed assistive personnel could assist pupils with specialized physical health care services and requires supervision from a credentialed school nurse or licensed physician, in consultation with the pupil’s treating physician.

AB 1859 Leslie (Chapter 268)
PLACER COUNTY INTEGRATED HEALTH SERVICES PILOT PROJECT

AB 1859, sponsored by Placer County, allows Placer County to continue a program for the funding and delivery of services and benefits through an integrated, comprehensive County Health and Human Services Program (CHHSP) until January 1, 2011.

AB 2051 Cohn (Chapter 856)
DOMESTIC VIOLENCE

AB 2051, sponsored by Equality California, establishes the *Equality in Prevention and Services for Domestic Abuse Fund* and assess an additional fee to same-sex couples upon registration for Domestic Partnership with the Secretary of State. This bill requires CDHS to make available to the Secretary of State an existing domestic violence (DV) brochure that would be distributed to same-sex partners with their Certificate of Domestic Partnership. As funds become available, CDHS will also be required to develop a new lesbian, gay, bisexual, transgender (LGBT) DV brochure for same-sex Domestic Partnership registrants.

AB 2084 Karnette (Chapter 857)
DOMESTIC VIOLENCE SHELTER-BASED PROGRAMS

AB 2084, sponsored by California Partnership to End Domestic Violence, replaces *The Domestic Violence Centers Act* with *The Domestic Violence Shelter-Based Programs Act*. The bill authorizes counties to establish a program for reducing the incidence of domestic violence (DV) by establishing domestic violence shelter-based (DVSB) programs consistent with the provisions of the bill. The bill further authorizes counties to designate funds collected from marriage licenses fees to local DVSB programs through the Domestic Violence Programs Special Fund.

AB 2651 Jones (Chapter 335)
NEWBORNS: HEARING SCREENING

AB 2651, sponsored by the March of Dimes, requires all general acute care hospitals, with licensed perinatal services and at least 100 births per year, to participate in the California Newborn Hearing Screening Program (NHSP) and to administer a hearing screening test to all newborns, upon birth admission. General acute care hospitals with licensed perinatal services that are not approved by the California Children's Services (CCS) program and have less than 100 births per year must either provide a hearing screening test or enter into an agreement with an outpatient infant hearing screening provider who is certified by the NHSP to provide hearing screening tests. Parents could waive the test if it violates their beliefs. Further, the bill requires CDHS to provide hospitals with written information on the current and most effective means available to screen the hearing of newborns and infants and to provide technical consultation.

SB 1062 Bowen (Chapter 639)
CRIME VICTIMS: DOMESTIC VIOLENCE AND SEXUAL ASSAULTS

SB 1062, sponsored by the author, adds *sexual assault victims* to the Secretary of State's confidential address program and allows sexual assault victims to participate in the "Safe at Home" program, also called Cal-CAP. This bill also makes conforming and technical changes and contains chaptering amendments consistent with AB 2051 (Cohn).

SB 1260 Ortiz (Chapter 483)
REPRODUCTIVE HEALTH AND RESEARCH

SB 1260, sponsored by the author, requires a physician and surgeon, prior to conducting assisted oocyte production (AOP) or other method of ovarian retrieval for purposes of research, to provide the subject with a standardized written summary of health and consumer issues and to obtain the subject's written and oral informed consent for the procedure. The bill prohibits human oocytes or embryos from being acquired, sold, offered for sale, received, or otherwise transferred for valuable consideration for medical research or development of medical therapies, and prohibits payments to donors in excess of direct expenses.

SB 1461 Florez (Chapter 176)
HEALTH CARE: PRIMARY CARE: GRANTS IN AID

SB 1461, sponsored by the California Primary Care Association, clarifies the eligibility requirements for clinics receiving Expanded Access to Primary Care (EAPC) Program funds, and makes technical changes regarding the administration of the EAPC Program grants for uncompensated care provided by eligible clinics. This bill also deletes obsolete language and establishes the date upon which the reallocation of unused funds from the prior fiscal year would be calculated.

SB 1555 Speier (Chapter 484)
UMBILICAL CORD BLOOD BANKING: EDUCATION: PRENATAL

SB 1555, sponsored by the March of Dimes, requires CDHS to expand California's Prenatal Screening Program to include all tests that meet or exceed the current standard of care. SB 1555 also enables the California Birth Defects Monitoring Program (CBDMP) to expand storage and management of prenatal blood samples to facilitate research into the causes of genetic disorders and interventions to address the effects of these disorders. Finally, SB 1555 establishes standards governing blood banks that provide cord blood storage services. Further, upon certification of the availability of funding by the Department of Finance, this bill authorizes the Umbilical Cord Blood Community Awareness Campaign to provide awareness, assistance and information regarding umbilical cord blood banking options.

SB 1555 increases the fees associated with prenatal screening services in order to (1) expand and modernize the state prenatal screening program to include all tests that meet or exceed the current standard of care, and (2) administratively reorganize the CBDMP program and expand the capacity of the CBDMP Pregnancy Blood Bank. The bill authorizes CDHS to adopt emergency regulations and requires a report to the Legislature.

SB 1596 Runner, G. (Chapter 878)
NURSE-FAMILY PARTNERSHIP PROGRAM

SB 1596, sponsored by Nurse Family Partnerships, requires CDHS to establish and implement the Nurse-Family Partnership (NFP), which is a community-based perinatal care program providing visiting nurse services for first-time expectant, low-income mothers and their families. The bill establishes the California Families and Children Account and authorizes CDHS to accept voluntary contributions to pay for the costs of the program. The bill further authorizes the Director of the Department of Finance to determine if there are sufficient funds from private sources to fund the purposes of the bill.

PUBLIC HEALTH EMERGENCY PREPAREDNESS

AB 586 Negrete McLeod (Chapter 703)
MEDICAL DISASTER MOBILIZATION

AB 586, sponsored by the Health Officers Association of California, codifies the option of establishing a county Medical/Health Operational Area Coordinator position that may be jointly filled by the local health officer and the local Emergency Medical Services agency administrator; and requires development of a medical and health disaster plan for each Operational Area.

AB 2041 Nava (Chapter 855)
PUBLIC SAFETY: COMMUNICATIONS

AB 2041, sponsored by the author, amends the Public Safety Radio Strategic Planning Committee (PSRSPC) membership by adding CDHS, the Military Department, and the Department of Finance and removing the Department of Youth Authority. The bill defines the duties of the PSRSPC, including the development of a public safety communications system that is interoperable. The bill also provides committee meeting requirements and designates the Office of Emergency Services as chair.

2006 ENROLLED BILLS

BILL NUMBER	AUTHOR	FINAL STATUS	CHAPTER	PROGRAM*	PAGE NUMBER
AB 132	Nunez	Sign	2	MP	12
AB 225	Negrete McLeod	Sign	698	LC	6
AB 264	Chan	Veto	-----	MC	-----
AB 371	Goldberg	Sign	541	DE	23
AB 530	Plescia	Sign	543	AI	1
AB 576	Wolk	Sign	329	DC	22
AB 586	Negrete McLeod	Sign	703	EP	29
AB 699	Chan	Sign	589	DC	22
AB 774	Chan	Sign	755	LC	6
AB 813	Nunez	Sign	24	MP	13
AB 959	Frommer	Sign	162	MP	13
AB 1062	Saldana	Veto	-----	PH	-----
AB 1102	Hancock	Sign	816	CH	2
AB 1144	Harman	Sign	470	CD	19
AB 1302	Horton	Sign	713	LG	3
AB 1316	Salinas	Sign	314	LC	7
AB 1382	Nakanishi	Sign	148	FR	24
AB 1433	Emmerson	Sign	413	CD	19
AB 1535	Nunez	Sign	437	CD	19
AB 1591	Chan	Sign	719	MP	13
AB 1667	Saldana	Sign	414	PC	27
AB 1681	Pavley	Sign	415	EO	24
AB 1745	Chan	Sign	330	MP	13
AB 1749	Horton, J.	Sign	501	CD	20
AB 1840	Horton, J.	Veto	-----	MP	-----
AB 1851	Coto	Sign	331	MP	14
AB 1859	Leslie	Sign	268	PC	27
AB 1920	Chan	Sign	270	MO	11
AB 1948	Montanez	Sign	332	MP	14
AB 1953	Chan	Sign	853	DE	23
AB 1956	Horton, S.	Veto	-----	DC	-----
AB 1994	Leslie	Sign	100	LG	3
AB 2004	Yee	Veto	-----	MP	-----
AB 2041	Nava	Sign	855	EP	29
AB 2051	Cohn	Sign	856	PC	27
AB 2059	Berg	Sign	348	CA	1
AB 2067	Oropeza	Sign	736	CD	20
AB 2084	Karnette	Sign	857	PC	27
AB 2105	Emmerson	Sign	463	CH	2
AB 2108	Evans	Veto	-----	CD	-----
AB 2156	Niello	Sign	319	LB	26
AB 2214	Tran	Sign	610	FR	25
AB 2226	Garcia	Sign	235	CD	20
AB 2280	Leno	Sign	771	DC	22
AB 2282	Oropeza	Sign	772	LG	3
AB 2308	Plescia	Veto	-----	LC	-----

AB 2317	Koretz	Veto	----	PC	----
AB 2335	Saldana	Sign	166	DE	23
AB 2359	Oropeza	Veto	----	FR	----
AB 2360	Lieu	Veto	----	FR	----
AB 2373	Aghazarian	Sign	775	LC	7
AB 2379	Chan	Sign	333	MC	10
AB 2384	Leno	Sign	236	CD	20
AB 2404	Klehs	Veto	----	LG	----
AB 2499	Ruskin	Veto	----	EP	----
AB 2541	Matthews	Sign	861	AD	1
AB 2560	Ridley-Thomas	Sign	334	CD	21
AB 2564	Matthews	Sign	889	LC	7
AB 2584	De La Torre	Veto	----	EP	----
AB 2631	Laird	Sign	792	MP	14
AB 2639	Levine	Veto	----	MP	----
AB 2651	Jones	Sign	335	PC	27
AB 2667	Baca	Sign	758	MC	10
AB 2695	Goldberg	Sign	476	CD	21
AB 2720	Spitzer	Sign	220	FR	25
AB 2732	Baca	Veto	----	PS	----
AB 2742	Nava	Veto	----	PC	----
AB 2745	Jones	Sign	794	LC	7
AB 2757	Evans	Sign	795	MP	14
AB 2837	Baca	Sign	581	MP	15
AB 2861	Ridley-Thomas	Sign	477	EO	24
AB 2870	De La Torre	Sign	800	DC	22
AB 2877	Frommer	Sign	720	MP	15
AB 2885	Plescia	Sign	95	MP	15
AB 2911	Nunez	Sign	619	MP	15
AB 2918	Wolk	Sign	905	MC	10
AB 2927	Leno	Veto	----	LG	----
AB 2950	Daucher	Sign	131	MP	15
AB 2968	Leno	Sign	830	MP	16
AB 2986	Mullin	Sign	286	AI	1
AB 3021	Nunez	Sign	621	BH	19
AB 3070	Chan	Sign	327	MO	11
SB 144	Runner, G.	Sign	23	FR	25
SB 162	Ortiz	Sign	241	LG	4
SB 169	Migden	Sign	14	LB	26
SB 187	Soto	Veto	----	DE	----
SB 212	Lowenthal	Veto	----	CD	----
SB 246	Figueroa	Sign	480	LB	26
SB 409	Kehoe	Sign	26	DC	23
SB 437	Escutia	Sign	328	MP	16
SB 458	Speier	Sign	906	MC	11
SB 559	Torlakson	Sign	394	MO	11
SB 611	Speier	Sign	592	FR	25
SB 676	Ashburn	Sign	525	MP	16
SB 699	Soto	Sign	20	AS	18
SB 739	Speier	Sign	526	LC	8

SB 840	Kuehl	Veto	----	MP	----
SB 849	Escutia	Veto	----	EO	----
SB 896	Runner, G.	Sign	303	LC	8
SB 912	Ducheny	Sign	8	MP	16
SB 1062	Bowen	Sign	639	PC	28
SB 1130	SBFR Comm.	Sign	528	LC	8
SB 1197	Soto	Veto	----	PS	----
SB 1208	Ortiz	Veto	----	CD	----
SB 1220	Migden	Veto	----	DC	----
SB 1223	Scott	Veto	----	PC	----
SB 1233	Perata	Sign	7	MP	16
SB 1245	Figueroa	Sign	482	MC	11
SB 1248	Alquist	Sign	530	LC	8
SB 1260	Ortiz	Sign	483	PC	28
SB 1277	Alquist	Sign	398	CA	2
SB 1288	Cedillo	Veto	----	MP	----
SB 1301	Alquist	Sign	647	LC	8
SB 1305	Figueroa	Sign	64	DE	23
SB 1307	Poochigian	Sign	249	LG	4
SB 1312	Alquist	Sign	895	LC	9
SB 1353	Romero	Veto	----	PS	----
SB 1364	Battin	Sign	60	CH	2
SB 1379	Perata	Sign	559	EO	24
SB 1398	Chesbro	Veto	----	MC	----
SB 1403	Scott	Sign	61	PS	18
SB 1414	Migden	Veto	----	MP	----
SB 1427	Chesbro	Veto	----	MP	----
SB 1430	Alquist	Sign	874	LG	4
SB 1448	Kuehl	Sign	76	MO	12
SB 1461	Florez	Sign	176	PC	28
SB 1469	Cedillo	Sign	657	MP	17
SB 1471	Kuehl	Veto	----	PC	----
SB 1534	Ortiz	Sign	801	LG	4
SB 1555	Speier	Sign	484	PC	28
SB 1520	Ducheny	Sign	665	MO	12
SB 1528	Bowen	Sign	666	MP	17
SB 1532	Bowen	Veto	----	FR	----
SB 1534	Ortiz	Sign	801	LG	4
SB 1557	Ducheny	Sign	671	DE	24
SB 1569	Kuehl	Sign	672	MP	17
SB 1596	Runner, G.	Sign	878	PC	29
SB 1616	Kuehl	Veto	----	MP	----
SB 1636	Ackerman	Sign	62	LG	5
SB 1668	Bowen	Sign	813	CD	21
SB 1670	Aanestad	Sign	537	FR	26
SB 1755	Chesbro	Sign	691	MP	18
SB 1759	Ashburn	Sign	902	LC	9
SB 1810	Dunn	Sign	312	LT	10
SB 1822	Bowen	Veto	----	LB	----
SB 1851	Ortiz	Sign	485	CD	21

*See Program Assignments and Acronyms on Page 33.

PROGRAM ASSIGNMENTS AND ACRONYMS

PROGRAM	CODE
Administration	AD
Audits and Investigation	AI
AIDS, Office of	AS
Border Health, Office of	BH
Budget Office	BO
County Health Services	CA
Chronic Disease and Injury Control	CD
Center for Health Statistics	CH
Civil Rights, Office of	CR
Communicable Disease Control	DC
Drinking Water and Environmental Management	DE
Environmental and Occupational Disease Control	EO
Emergency Preparedness (Bioterrorism)	EP
Fiscal Forecasting	FF
Food, Drug and Radiation Safety	FR
Information Technology Services	IT
Legislative and Governmental Affairs	LA
Laboratory Science	LB
Licensing and Certification	LC
Legal Services	LG
Long-Term Care, Office of	LT
Medi-Cal Managed Care	MC
Multicultural Health, Office of	MH
Medi-Cal Operations	MO
Medi-Cal Policy	MP
Public Affairs, Office of	PA
Primary Care and Family Health	PC
Prevention Services (Public Health)	PH
Office of Medi-Cal Procurement	PR
Payment Systems	PS
Women's Health, Office of	WH

SIGN MESSAGES

(Sign and Veto messages follow this index in numeric order.) [only in hardcopy]

<u>BILL#</u>	<u>AUTHOR</u>	<u>SUBJECT</u>	<u>DIV</u>
AB 774	Chan	Hospitals: Fair Pricing Policies	LC
AB 2105	Emmerson	Human Remains: Permits: Transportation	CH
AB 2667	Baca	Health Care Providers and Insurers: Considerations	MC
SB 144	Runner, G.	Retail Food	FR
SB 699	Soto	AIDS: HIV Reporting	AS
SB 912	Ducheny	Medi-Cal: Provider Reimbursement	MP
SB 1245	Figueroa	Health Care Coverage: Cervical Cancer Screening	MC
SB 1260	Ortiz	Reproductive Health and Research	PC
SB 1305	Figueroa	Medical Waste Management Act	DE
SB 1403	Scott	Medi-Cal: Dental Restoration Doc Requirements	PS
SB 1448	Kuehl	Health Care: Medi-Cal: Uninsured Persons	MO
SB 1759	Ashburn	Health: Background Checks: Fees: Inspections	LC

VETO MESSAGES

<u>BILL#</u>	<u>AUTHOR</u>	<u>SUBJECT</u>	<u>DIV</u>
AB 264	Chan	Health Care Services Plan: Pediatric Asthma	MC
AB 1062	Saldana	Medical Experiment: Biomonitoring Research	PH
AB 1840	Horton, J.	Health Care: Employer Coverage: Disclosure	MP
AB 1956	Horton, S.	Communicable Diseases: Reporting	DC
AB 2004	Yee	Medi-Cal: Juveniles: Incarceration	MP
AB 2108	Evans	Vehicles: Child Passengers	CD
AB 2308	Plescica	Ambulatory Surgical Centers: Licensure	LC
AB 2317	Koretz	Postpartum Mood and Anxiety Disorders	PC
AB 2359	Oropeza	Radiation Technology	FR
AB 2360	Lieu	Medical Devices: Ultrasound	FR
AB 2404	Klehs	State Government: Reports: Declarations	LG
AB 2499	Ruskin	Emergencies: State Computer Emergency Data	EP
AB 2584	De La Torre	Emergency/Disaster Exercises: Infec. Diseases	EP
AB 2639	Levine	Medi-Cal: Adult Day Health Care	MP
AB 2732	Baca	Medi-Cal: Fiscal Intermediary Services	PS
AB 2742	Nava	Family Planning: Medi-Cal: Family PACT Program	PC
AB 2927	Leno	Public Records	LG
SB 187	Soto	Drinking Water: Contaminants	DE
SB 212	Lowenthal	Lapses of Consciousness: Reports to DMV	CD
SB 840	Kuehl	Single-Payer Health Care Coverage	MP
SB 849	Escutia	Environmental Health Data Tracking	EO
SB 1197	Soto	Notice of Decedent's Death	PS
SB 1208	Ortiz	Tobacco Products	CD
SB 1220	Migden	Vaccines: Influenza	DC
SB 1223	Scott	Hearing Aids	PC
SB 1288	Cedillo	Medi-Cal: Minors: Drug and Alcohol Treatment	MP
SB 1353	Romero	Medi-Cal: Provider Enrollment	PS
SB 1398	Chesbro	Medi-Cal: Managed Care: Reimbursement	MC
SB 1414	Migden	California Fair Share Health Care Act	MP
SB 1427	Chesbro	Medi-Cal: Federally Qualified Health Centers	MP
SB 1471	Kuehl	Sex Education Programs: Requirements	PC
SB 1532	Bowen	Household Substances: Packaging	FR
SB 1616	Kuehl	Juveniles: Incarceration: Medi-Cal: SSI: SSDI	MP
SB 1822	Bowen	Organ, Tissue, & Bone Marrow Donor Programs	LB