The California Legislature had an active year, passing many new laws affecting health care. In particular, there was a strong focus on health care coverage, drug prescribing, public health, and mental health issues. Below is a list of the most significant new health laws of interest to physicians.

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ADA/DISCRIMINATION

AB 9 (Reyes) – Employment discrimination: limitation of actions.
The California Fair Employment and Housing Act (FEHA) makes specified employment and housing practices unlawful, including discrimination against or harassment of employees and tenants, among others. This bill extends the statute of limitations for a complaint alleging employment discrimination or harassment to be filed under the FEHA from within one year from the date on which the unlawful practice occurred, to three years. The bill specifies that the operative date of the verified complaint is the date that the intake form was filed with the Labor Commissioner.

(Amends Government Code §§12960 and 12965)

AB 51 (Gonzalez) – Employment discrimination: enforcement
Prohibits requiring job applicants or employees to waive their rights, as specified, under the California Fair Employment and Housing Act (FEHA) or other specific statutes as a condition of employment, continued employment, or the receipt of any employment-related benefit or threatening or retaliating against applicants or employees who refuse to waive these rights.

(Adds Government Code §12953, and adds Labor Code §432.6)

SB 188 (Mitchell) – Discrimination: hairstyles
Expands the definition of race under the California Fair Employment and Housing Act also include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles, and defines protective hairstyles for purposes of this section.

(Amends Education Code §212.1; and amend Government Code §12926)

ALLIED HEALTH PROFESSIONALS

AB 239 (Salas) – Community colleges: registered nursing programs
Extends operation of provisions relating to admission to community college nursing programs until January 1, 2025.

(Amends Education Code §78261.5)

AB 458 (Nazarian) – Optometrists: home residence permit
Requires an optometrist to obtain a home residence permit to engage in the practice of optometry at a home residence, as defined, except for a person engaging in the temporary practice of optometry and establishes a process for the issuance and renewal of home residence permits, including prescribing application, renewal, and delinquency fees. Requires consumer notification to patient with information on name, license, primary telephone number, and business address of the optometrist and information for filing a complaint with the Optometric Board.

(Amends Business and Professions Code §§3070.1 and 3152)
**AB 630 (Arambula) – Board of Behavioral Sciences: marriage and family therapists: clinical social workers: educational psychologists: professional clinical counselors: required notice: exemptions**

Beginning July 1, 2020, requires marriage and family therapists, educational psychologists, clinical social workers, and professional clinical counselors to provide a client with a specified written notice that a complaint about the provider may be filed with the Board of Behavioral Sciences.

(Amends Business and Professions Code §§ 4980.01, 4996.14, 4996.15, and 4999.22, and adds Business and Professions Code §§ 4980.32, 4989.17, 4996.75, and 4999.71)

**AB 779 (Low) – Acupuncture: place of practice: wall license**

Requires an acupuncture licensee, to apply to the Acupuncture Board to obtain a wall license for each place of practice and to renew each wall license biennially.

(Amends, repeals, and adds Business and Professions Code §§ 494961 and 4970)

**AB 1051 (Smith) – Community colleges: temporary faculty members: clinical nursing faculty**

Authorizes a community college district to employ a temporary faculty member serving as full-time clinical nursing faculty or as part-time clinical nursing faculty for up to 4 semesters or 6 quarters indefinitely.

(Amends Education Code § 87482)

**AB 1514 (Patterson) – Deaf and Disabled Telecommunications Program**

Authorizes a nurse practitioner to certify the needs of an individual who has been diagnosed by a physician and surgeon as being deaf or hard of hearing to participate in a program to provide telecommunications devices to serve the needs of individuals who are deaf or hard of hearing. This went into effect September 12, 2019.

(Amends Public Utilities Code § 2881)

**AB 1540 (Holden) – Music therapy**

Establishes that it is an unfair business practice for a person who provides music therapy, as defined, from using the title of “Board Certified Music Therapist” unless the person has completed specified education and clinical training requirements.

(Adds Business and Professions Code Chapter 10.7 (commencing with § 4650) to Division 2)

**AB 1651 (Medina) – Licensed educational psychologists: supervision of associates and trainees**

Expand the definition of “supervisor” under The Licensed Marriage and Family Therapist Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act to include a licensed educational psychologist supervising the provision of educationally related mental health services. For purposes of these provisions and the provisions in paragraph (2), the bill would define “educationally related mental health services.”
(Amends Business and Professions Code §§4980.03, 4980.43, 4980.44, 4980.48, 4989.14, 4989.54, 4996.20, 4996.23, 4999.12, and 4999.46)

**SB 334 (Pan) – Healing arts: clinical laboratory scientist**
Requires the Department of Public Health to establish a pathway program by January 1, 2022, that would authorize a licensed medical laboratory technician (MLT) to apply their work experience and training towards the completion of a clinical laboratory scientist (CLS) training program, as specified.

(Amends Business and Professions Code §1261)

**SB 630 (Stern) – Human trafficking**
Requires, commencing July 1, 2020, requires marriage and family therapists, educational psychologists, clinical social workers, and professional clinical counselors by the Board of Behavioral Sciences licensees and registrants, prior to initiating specified services, to provide a client with a specified written notice that the board receives and responds to complaints regarding services within the scope of the licensed practice and that the client may contact the board.

(Amends Civil Code §52.6)

**SB 679 (Bates) – Healing arts: therapists and counselors: licensing**
Revises and recasts requirements for an applicant for licensure as a marriage and family therapist, clinical social worker, or professional clinical counselor who holds a license in another jurisdiction of the United States as a marriage and family therapist, clinical social worker, or professional clinical counselor at the highest level of independent clinical practice that has been current, active, and unrestricted for at least 2 years.

(Amends Business and Professions Code §§4980.03, 4980.74, 4980.78, 4980.81, 4996.18, 4999.61, and 4999.62, adds §§4996.17.1 and 4996.17.2, repeals §§4980.79, 4996.17, and 4999.63 of, and repeals and adds §§4980.72 and 4999.60)

**SB 697 (Caballero) – Physician assistants: practice agreement: supervision**
CMA Position: Support
Revises the Physician Assistant Practice Act to, among other things, authorize practice agreements between physician assistants and multiple physicians, replace delegated services agreements, and remove requirements for medical chart review. Requires that the practice agreement establish policies and procedures to identify a supervising physician for a physician assistant rendering services in a general acute care hospital.

(Amends Business and Professions Code §§3500, 3501, 3502, 3502.1, 3502.3, 3509, 3516, 3518, 3527, and 3528; Repeals Business and Professions Code §§3516.5, 3521, and 3522)

**BUDGET**

**SB 78 (Committee on Budget) – Health**
Omnibus budget health trailer bill authorizing, among other things, the Department of Public Health (CDPH) to share information on screening for lead poisoning to the Department of Health Care Services to determine if children enrolled in Medi-Cal are being screened for and receiving care for lead poisoning. Makes changes to compliance deadlines related to seismic safety building standards. Creates the Minimum Essential Coverage Individual Mandate to authorize penalties and provide subsidies to ensure
that individuals are enrolled in and maintains a minimum essential coverage beginning January 1, 2020 unless they are exempted for hardship or religious reasons. Establishes the Office of the Surgeon General to raise public awareness on topics of health, including toxic stress and adverse childhood events. Makes changes related to sexually transmitted disease control and prevention program at CDPH. Makes changes to Medi-Cal program, including advancement of initiative to carve pharmacy benefits out of Medi-Cal managed care and the establishment of the Medi-Cal Drug Rebate Fund.

(SB 104 (Committee on Budget and Fiscal Review) – Health
Budget bill establishing the Health California for All Commission for the purpose of developing a plan that includes options for advancing progress toward achieving a health care delivery system in California that provides coverage and access through a unified financing system. Extends Medi-Cal eligibility for pregnant individuals for a period of one year following the last day of the individual's pregnancy. Extends eligibility for full-scope Medi-Cal benefits to individuals 19 to 25 years of age regardless of immigration status. Makes changes to DHCS program for aged and disabled persons, the Program of All-Inclusive Care for the Elderly (PACE), and the County Medical Services Program.

(SB 106 (Committee on Budget and Fiscal Review) – Budget Act of 2019
Amends the Budget Act of 2019 made appropriations for the support of state government for the 2019–20 fiscal year including to appropriations to State Department of Health and Human Services, California Health Benefits Exchange, University of California, and California State University.

(Amends the Budget Act of 2019 by amending Items 0530-001-0001, 4800-101-0001, 6440-001-0001, and 6610-001-0001, and adding Item 0530-495 to, §2.00, and amending §39.00)
**BUSINESS**

**AB 91 (Burke) – Income taxation: Loophole Closure and Small Business and Working Families Tax Relief Act of 2019**

Makes specified changes to both personal income tax and corporate tax provisions to conform to certain federal provisions from the 2017 Tax Cuts and Jobs Act.

(Amends Revenue and Taxation Code §§17052, 17140, 17140.3, 17140.4, 17276, 17276.21, 17276.22, 17560.5, 17564, 19131.5, 23711, 23711.4, 24343, 24416, 24416.21, 24416.22, 24422.3, 24652, 24654, 24673.2, and 24701; adds §§17052.1, 17144.8, 17201.2, 17271, 17563.51, 17859, 24343.1, 24451.1, and 24652.6; repeals and adds §§18031.5 and 24941.5)

**AB 263 (Burke) – Taxation: tax expenditures: information**

Requires any bill introduced on or after January 1, 2020 enacting a new tax expenditure, as defined, to describe the goals, purposes, and objectives for authorizing such expenditure and to specify performance indicators to measure its effectiveness.

(Amends, repeals, and adds Revenue and Taxation Code §41)

**AB 1361 (Obernolte) – Civil actions: satisfaction of money judgments**

Provides that payment of a portion of a money judgment, interest, or associated costs does not waive the right to appeal other portions of the judgment.

(Adds to Code of Civil Procedure §695.215)

**AB 1428, Calderon. Business practices: prepaid credit cards: refund methods.**

Requires a business, as defined, that offers a refund to a customer via a prepaid debit card, as specified, to provide the customer with at least one other method of receiving the refund.

(Adds Civil Code Title 1.3.5 (commencing with §1748.40) to Part 4 of Division 3)

**SB 41 (Hertzberg) – Civil actions: damages**

Prohibits the calculation of damages for lost earnings or impaired earning capacity resulting from personal injury or wrongful death from being reduced based on race, ethnicity, or gender.

(Adds Civil Code §3361)

**SB 639 (Mitchell) – Medical services: credit or loan**

**CMA Position: Neutral**

Subject to specified exceptions, prohibits a healing arts licensee, as defined, or employee or agent of that licensee from charging treatment or costs to an open-end credit or loan that is extended by a third party and that is arranged for, or established in, that licensee’s office more than 30 days before the date on which the treatment is rendered or costs are incurred.

(Amends, repeals, and adds Business and Professions Code §654.3)

**SB 707 (Wieckowski) – Arbitration agreements: enforcement**

Provides that the drafting party of an employment or consumer arbitration agreement is in material breach of the agreement if it fails to pay specified fees and costs associated with the arbitration
proceeding, as required by existing law. Provides employees and consumers several remedies, as specified in the event the drafting party materially breaches the agreement by failing to pay specified arbitration fees and costs.

(Amends Code of Civil Procedure §§1280 and 1281.96, and adds §§1281.97, 1281.98, and 1281.99)

CONFIDENTIAL INFORMATION

AB 25 (Chau) – California Consumer Privacy Act of 2018
Amends the California Consumer Privacy Act of 2018 which grants consumers various rights with regard to their personal information held by businesses to provide an exemption, until January 1, 2021, information collected from a natural person by a business in the course of the natural person acting as a job applicant to, an employee of, owner of, director of, medical staff member of, or contractor of that business as specified.

(Amends Civil Code §§1798.130 and 1798.145)

AB 874 (Irwin) – California Consumer Privacy Act of 2018
The California Consumer Privacy Act of 2018 defines “personal information” to mean information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household and excludes “publicly available information” from the definition of “personal information.” This bill redefines “personal information” to mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.

(Amends Civil Code §1798.140)

AB 925 (Gloria) – Protective orders: confidential information regarding minors
Authorizes a court to permit disclosure of confidential information about a minor in order to implement a civil domestic violence protective order or a civil harassment restraining order to certain individuals or entities under specified circumstances.

(Amends Code of Civil Procedure §527.6, and amends Family Code §6301.5)

AB 1130 (Levine) – Personal information: data breaches
Revises for the definition of personal information for purposes of security breach notifications to add specified unique biometric data and tax identification numbers, passport numbers, military identification numbers, and unique identification numbers issued on a government document in addition to those for driver’s licenses and California identification cards to these provisions.

(Amends Civil Code §§1798.29, 1798.81.5, and 1798.82)

AB 1355 (Chau) – California Consumer Privacy Act of 2018: Personal information
Excludes from the definition of consumer information under the California Consumer Privacy Act of 2018, consumer information that is deidentified or aggregate consumer information from the definition of personal information. Makes other changes to requirements on disclosures by businesses.
AB 1564 (Berman) – California Consumer Privacy Act of 2018: consumer request for disclosure methods
Provides that under the California Consumer Privacy Act of 2018, a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information is only required to provide an email address for submitting requests for information required to be disclosed, as specified.

(SB 370 (Umberg) – Discovery: response to inspection demands
The Civil Discovery Act requires any documents produced in response to an inspection demand to be produced as they are kept in the usual course of business or be organized and labeled to correspond with the categories in the demand. This bill would eliminate the option to produce documents as they are kept in the usual course of business, thereby requiring all documents or category of documents produced in response to a demand for inspection, copying, testing, or sampling to be identified with the specific request number to which the documents respond.

SB 377 (McGuire) – Juveniles: psychotropic medications: medical information
CMA Position: Neutral
Current law requires the Medical Board of California to review specified data provided by the DHCS and the State Department of Social Services regarding Medi-Cal physicians and their prescribing patterns of psychotropic medications and related services for dependents and wards of the juvenile court in order to determine if any potential violations of law or excessive prescribing of psychotropic medications inconsistent with the standard of care exist and, if warranted, to conduct an investigation. This bill requires, by September 1, 2020, the forms developed by the Judicial Council to include a request for authorization by the child or the child’s attorney to release the child’s medical information to the Medical Board of California in order to ascertain whether there is excessive prescribing of psychotropic medication inconsistent with a specified standard of care.

DEATH AND ORGAN DONATION

AB 785 (Bloom) – Parentage
Requires a gamete bank to collect and maintain, in addition to information already collected, any other contact information provided by the donor at the time of the donation and records of gamete screening and testing.

AB 1223 (Arambula) – Living organ donation
CMA Position: Support
Requires a private or public employer to grant an employee an additional unpaid leave of absence, as specified, for the purpose of organ donation.

(Amends Education Code §§89519.5 and 92611.5, amends Government Code §19991.11, adds Insurance Code §§910110.8 and 10233.8, and amends Labor Code §1510)

**DEPENDENT PERSONS**

**AB 218 (Gonzalez) – Damages: childhood sexual assault: statute of limitations**
Expands the definition of childhood sexual abuse, which would instead be referred to as childhood sexual assault and increases the time limit for commencing an action for recovery of damages suffered as a result of childhood sexual assault.

(Amends Code of Civil Procedure §§340.1 and 1002; and amends Government Code §905)

**AB 267 (Chu) – Employment of infants: entertainment industry**
Expands the requirement for a certification from a physician and surgeon for infants employed in the entertainment industry to cover any employment in the entertainment industry, as defined, rather than just motion pictures.

(Amend Labor Code §§1286 and 1308.8)

**AB 379 (Maienschein) – Youth athletics: concussion and sudden cardiac arrest prevention protocols**

*CMA Position: Support*
Expands the definition of "youth sports organization" for purposes of existing law requiring these organizations to follow specified protocols with respect to concussions and other head injuries for persons 17 years of age or younger to participate in youth sports.

(Amends Health and Safety Code §124235, and amends the heading of Article 2.5 (commencing with §124235) of Chapter 4 of Part 2 of Division 106)

**AB 439 (Stone) – Juveniles: competency**
Deletes requirement for a determination that a minor has a developmental disability and is eligible for services by a regional center director before the placement of a minor who is incompetent in a state-operated developmental center or community facility. Effective July 31, 2019.

(Amends Welfare and Institutions Code §709)

**AB 809 (Santiago) – Public postsecondary education: child development programs: priority enrollment: Title IX protection: pregnancy and parental status**

*CMA Position: Support*
Requires public postsecondary institutions to post on their websites, and to provide through on-campus health clinics, notification of protections under Title IX for pregnant students and parenting students.

(Amends Education Code §66281.7, and adds §66061)
AB 1336 (Smith) – Child health and safety fund
Expands the list of child health and safety concerns that may be funded by monies from the Child Health and Safety Fund to include pedestrian safety, sleep suffocation, and sports-related concussions.

(Amends Welfare and Institutions Code §18285)

AB 1373 (Patterson) – Adoption
Allows a stepparent adoption in which the child was born during the marriage or domestic partnership through a gestational surrogacy process, as specified, to use the same procedure as a stepparent adoption in which one of the spouses or partners gave birth to the child during the marriage or domestic partnership.

(Amends Family Code §§8617, 9000.5, and 9306)

AB 1817 (Committee on Judiciary) – Family law omnibus
Makes technical changes to the Family Code, including clarifying the timeframe for challenging a presumed parents’ parentage.

(Amends Family Code §§970, 216, 297.1, 298, 298.6, 304, 306.5, 400, 422, 781, 1102, 1615, 1816, 2024.7, 2033, 2034, 2040, 2102, 2104, 2106, 2124, 2610, 3011, 3012, 3025.5, 3027.5, 3041, 3042, 3044, 3047, 3048, 3105, 3110.5, 3111, 3115, 3118, 3180, 3192, 3651, 3664, 3691, 3751, 4014, 4053, 4059, 4063, 4076, 4205, 4251, 4325, 4330, 4331, 4351, 4400, 5246, 5601, 5603, 5611, 6228, 6275, 6302, 6303, 6306, 6320.5, 6323, 6343, 6345, 6380, 6381, 6383, 6389, 6404, 6454, 6750, 6752, 6924, 6929, 6930, 7120, 7541, 7554, 7572, 7573.5, 7574, 7577, 7580, 7611, 7613, 7613.5, 7630, 7635.5, 7643, 7645, 7646, 7662, 7664, 7665, 7667, 7822, 7825, 7851, 7882, 7901, 7911.1, 7950, 7960, 7962, 8602, 8545, 8603, 8604, 8606.5, 8613.7, 8619.5, 8620, 8625, 8632.5, 8700, 8700.5, 8712, 8715, 8730, 8800, 8801, 8801.3, 8801.5, 8811, 8814, 8814.5, 8908, 8920, 9000, 9011, 9203, 9205, 9208, 10005, 10014, 17000, 17212, 17300, 17309.5, 17400, 17400.5, 17404, 17404.1, 17406, 17416, 17422, 17430, 17433, 17450, 17514, 17518, 17520, 17522, 17525, 17528, 17530, 17550, 17552, 17600, 17602, 17703, 17801, 17803, 20026, and 20034)

DRUG PRESCRIBING AND DISPENSING

AB 149 (Cooper) – Controlled substances: prescriptions
CMA Position: Sponsor
Delays implementation of requirement under AB 1753 (Low 2018) for prescription forms for controlled substance prescriptions to have a uniquely serialized number until January 1, 2021. In the meantime, this bill ensure that physicians can use prescription pads obtained before or after January 1, 2019. Also requires the serialized number to be able to be used as a barcode that can be scanned by dispensers.

(Amends Health and Safety Code §§9970, 216, 297.1, 298, 298.6, 304, 306.5, 400, 422, 781, 1102, 1615, 1816, 2024.7, 2033, 2034, 2040, 2102, 2104, 2106, 2124, 2610, 3011, 3012, 3025.5, 3027.5, 3041, 3042, 3044, 3047, 3048, 3105, 3110.5, 3111, 3115, 3118, 3180, 3192, 3651, 3664, 3691, 3751, 4014, 4053, 4059, 4063, 4076, 4205, 4251, 4325, 4330, 4331, 4351, 4400, 5246, 5601, 5603, 5611, 6228, 6275, 6302, 6303, 6306, 6320.5, 6323, 6343, 6345, 6380, 6381, 6383, 6389, 6404, 6454, 6750, 6752, 6924, 6929, 6930, 7120, 7541, 7554, 7572, 7573.5, 7574, 7577, 7580, 7611, 7613, 7613.5, 7630, 7635.5, 7643, 7645, 7646, 7662, 7664, 7665, 7667, 7822, 7825, 7851, 7882, 7901, 7911.1, 7950, 7960, 7962, 8602, 8545, 8603, 8604, 8606.5, 8613.7, 8619.5, 8620, 8625, 8632.5, 8700, 8700.5, 8712, 8715, 8730, 8800, 8801, 8801.3, 8801.5, 8811, 8814, 8814.5, 8908, 8920, 9000, 9011, 9203, 9205, 9208, 10005, 10014, 17000, 17212, 17300, 17309.5, 17400, 17400.5, 17404, 17404.1, 17406, 17416, 17422, 17430, 17433, 17450, 17514, 17518, 17520, 17522, 17525, 17528, 17530, 17550, 17552, 17600, 17602, 17703, 17801, 17803, 20026, and 20034)

AB 528 (Low) – Controlled substances: CURES database
CMA Position: Support
Requires a dispensing pharmacy, clinic, or other dispenser to report information to CURES no more than one working day after a controlled substance is dispensed, except as specified. Adds Schedule V controlled substances to be reported to CURES. Effective January 1, 2021. Makes change to check CURES in response to implementation issues and administrative burdens, including but not limited to delegate access and clarification on exemptions, raised by providers effective July 1, 2021.

(Amends Business and Professions Code §§209; and amends, repeals, and adds Health and Safety Code §§991164.1, 11165.1, 11165.4, and 11165.4)
AB 690 (Aguiar-Curry) – Pharmacies: relocation: remote dispensing site pharmacy: pharmacy technician: qualifications

Authorizes relocation of a pharmacy that is destroyed or severely damaged as a result of a natural disaster or due to events that led to a declared federal, state, or local emergency, if no changes are made to the management and control, or ownership, of the pharmacy, and all applicable laws and regulations are followed. Requires Board of Pharmacy to be notified of the relocation immediately upon identification of the new location. Specifies the qualifications for a registered pharmacy technician to work at a remote dispensing site pharmacy.

(Amends Business and Professions Code §§4062 and 4132)

AB 714 (Wood) – Opioid prescription drugs: prescribers

CMA Position: Support

Amends requirement implemented under AB 2760 (Wood 2018) which requires a prescriber, as defined, to offer a prescription for naloxone hydrochloride or another drug approved by the FDA for the complete or partial reversal of opioid depression to a patient when certain conditions are present and to provide education on overdose prevention and the use of naloxone hydrochloride or another drug to the patient and specified others, except as specified. Clarifies that the law only applies when prescribing an opioid or a benzodiazepine. Applies if an opioid medication is prescribed within a year from when a benzo is dispensed to a patient. Clarifies that required education is specific to opioid overdose prevention. Allows for patient to decline the education. Does not apply when medications are administered in a facility or when medications are prescribed to a patient who is terminally ill.

(Amends Business and Professions Code §§740 and 741)

AB 743 (Eduardo Garcia) – Pupil health: self-administration of prescribed asthma medication

CMA Position: Neutral

Requires a school district to accept a written statement provided by a physician or surgeon relating to a pupil carrying and self-administering inhaled asthma medication, from a physician or surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in this state. The bill requires that written statement to be provided in both English and Spanish and to include the name and contact information for the physician or surgeon. Provides immunities for school nurses and other school personnel for acts or omissions relating to a pupil self-administering inhaled asthma medication.

(Amends Education Code §49423.1)

AB 824 (Wood) – Business: preserving access to affordable drugs

CMA Position: Support

Provides that an agreement resolving or settling, on a final or interim basis, a patent infringement claim, in connection with the sale of a pharmaceutical product, is to be presumed to have anticompetitive effects if a nonreference drug filer receives anything of value, as defined, from another company asserting patent infringement and if the nonreference drug filer agrees to limit or forego research, development,
manufacturing, marketing, or sales of the nonreference drug filer’s product for any period of time, as specified and subject to various exceptions.

(Adds Health and Safety Code Division 114.01 (commencing with §134000))

**AB 919 (Petrie-Norris) – Alcoholism and drug abuse recovery or treatment programs**
Requires laboratories or certified outpatient treatment programs that lease, manage, or own housing that is offered to individuals using the laboratory or outpatient treatment services to maintain separate housing contracts stating that payment for the housing is the patient's responsibility and does not depend on insurance benefits. Requires alcoholism or drug abuse recovery or treatment facilities to only offer discounted post-discharge housing and specified transportation services under specified conditions.

(Adds Health and Safety Code §§11831.6 and 11831.7, and adds §11831.65)

**AB 973 (Irwin) – Pharmacies: compounding**
Requires the compounding of drug preparations by a pharmacy for furnishing, distribution, or use to be consistent with standards established in the pharmacy compounding chapters of the current version of the United States Pharmacopeia-National Formulary, including relevant testing and quality assurance. Authorizes the Board of Pharmacy to adopt regulations to impose additional standards for compounding drug preparations.

(Adds Business and Professions Code §4126.8)

**AB 1264 (Petrie-Norris) – Medical Practice Act: dangerous drugs: appropriate prior examination**

*CMA Position: Support*
Specifies that an appropriate prior examination for purposes of prescribing, dispensing, or furnishing prescription drugs does not require a synchronous interaction between the patient and the licensee and can be achieved through the use of telehealth, as specified, provided that the licensee complies with the appropriate standard of care.

(Amends Business and Professions Code §2242)

**AB 1723 (Wood) – Pharmacy: clinics: purchasing drugs at wholesale**

*CMA Position: Support*
Current law authorizes certain clinics to purchase drugs at wholesale for administration or dispensing, under the direction of a physician and surgeon, to patients registered for care at the clinic, including, among others, a clinic operated by a primary care community or free clinic, operated on separate premises from a licensed clinic, that is open no more than 20 hours per week. This bill increases the number of hours the above-specified clinic is authorized to be open to not more than 40 hours per week and benefit from the ability to purchase drugs at wholesale.

(Amends Business and Professions Code §4180)
AB 1803 (Committee on Health) – Pharmacy: health care coverage: claims for prescription drugs sold for retail price

The Pharmacy Law requires a pharmacy to inform a customer at the point of sale for a covered prescription drug whether the retail price is lower than the applicable cost-sharing amount for the prescription drug, except as specified, and, if the customer pays the retail price, requires the pharmacy to submit the claim to the customer’s health care service plan or health insurer. This bill makes the provision requiring the pharmacy to submit the claim to the health care service plan or health insurer operative on January 1, 2020.

(Amends, repeals, and adds Business and Professions Code §4079; repeals Business and Professions Code §4079.5)

SB 569 (Stone) – Controlled substances: prescriptions: declared local, state, or federal emergency

CMA Position: Neutral

Authorizes a pharmacist, during a declared local, state, or federal emergency pursuant to which the Board of Pharmacy issues a notice that the board is waiving the application of the provisions of the Pharmacy Law, to fill a prescription for a controlled substance for use by a patient who cannot access medications as a result of the declared emergency, regardless of whether the prescription form meets specified requirements.

(Adds Health and Safety Code §11159.3)

SB 655 (Roth) – Pharmacy

Makes revisions to the Pharmacy Law including, but not limited to issues related to pharmacy technicians, wholesaler licenses, and pharmacist licensure.

(Amends Business and Professions Code §§4115.5, 4163, and 4200; Amends, repeals, and adds Business and Professions Code §4400; and add Business and Professions Code §4211)

ELDER LAW

AB 426 (Maienschein) – In-Home Supportive Services program

CMA Position: Support if Amended

Prohibits licensed health care professionals, as specified, from charging an applicant for or recipient of in-home supportive services (IHSS) a fee for the completion of the specified IHSS certification form.

(Amends Welfare and Institutions Code §12309.1)

AB 1287 (Nazarian) – Universal assessments: No Wrong Door system

Requires that the master plan for aging developed pursuant to Executive Order N-14-19 consider the efficacy of utilizing a No Wrong Door System, specifies the purpose of the No Wrong Door system, and directs the Master Plan for Aging Stakeholder Advisory Committee to seek specified stakeholder input.

(Adds Welfare and Institutions Code Chapter 13 (commencing with §9800) to Division 8.5)
SB 304 (Hill) – Criminal procedure: prosecutorial jurisdiction in multi-jurisdictional elder abuse cases
Provides that, subject to agreement by district attorneys, for specified financial elder abuse felony offenses, if more than one felony is committed in more than one jurisdictional territory, any jurisdiction where at least one of the offenses occurred has jurisdiction over any of the offenses as well as any offenses properly joinable with that offense.
(Add Penal Code §784.8)

SB 314 (Dodd) – Elders and dependent adults: abandonment
Extends the remedies provided in the Elder Abuse and Dependent Adult Civil Protection Act to plaintiffs in cases of abandonment, as defined, when the defendant has been found guilty of guilty of recklessness, oppression, fraud, or malice in the commission of that abuse.
(Amends Welfare and Institutions Code §15657)

EDUCATION

AB 241 (Kamlager-Dove) – Implicit bias: continuing education: requirements
CMA Position: Neutral
Requires all continuing education courses for a physician and surgeon to contain curriculum that includes specified instruction in the understanding of implicit bias in medical treatment by January 1, 2022. Requires associations accrediting continuing education courses to develop standards to comply with these provisions.
(Amends Business and Professions Code §§2190.1 and 3524.5, and adds Business and Professions Code §2736.5)

AB 845 (Maienschein) – Continuing education: physicians and surgeons: maternal mental health
CMA Position: Neutral
Requires the Medical Board, in determining the continuing education requirements for physicians and surgeons, to consider including a course in maternal mental health and to update any curriculum to account for new research.
(Adds Business and Professions Code §2196.9)

EMERGENCY SERVICES

AB 453 (Chau) – Emergency medical services: training
Requires Emergency Medical Technician-I (EMT-I), Emergency Medical Technician-II (EMT-II), and Emergency Medical Technician- Paramedic (EMT-P) training standards established pursuant to the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act to include a training component on how to interact effectively with persons with dementia and their caregivers.
(Amends Health and Safety Code §§1797.170, 1797.171, and 1797.172)
SB 156 (Nielsen) – Health facilities: emergency medical services
Requires the Department of Public Health to issue a special permit allowing a general acute care hospital to offer emergency stabilization services at a location that is neither inside nor contiguous to the hospital provided that the applicant hospital meet specified requirements, including locating the services in the town of Paradise and serving the same area previously served by Feather River Hospital for up to 6 years.
(Adds and repeals Health and Safety Code §1251.6)

SB 438 (Hertzberg) – Emergency medical services: dispatch
Prohibits a public agency from delegating, assigning, or contracting for “911” emergency call processing services for the dispatch of emergency response resources unless the delegation or assignment is to, or the contract or agreement is with, another public agency. Exempts certain arrangements in place on or before January 1, 2019 under specified conditions.
(Amends Government Code §53110; Adds Government Code §53100.5; and adds Health and Safety Code §§1797.223 and 1798.8)

HEALTH CARE COVERAGE

AB 45 (Mark Stone) – Inmates: medical care: fees
Prohibits the Secretary of the Department of Corrections and Rehabilitation or a sheriff, chief or director of corrections, or chief of police from charging an inmate of the state prison or a city or county jail a fee for durable medical equipment or medical supplies, as defined.
(Amends Penal Code §5008.2, adds §§ 4011.3 and 5007.9, and repeals and adds §§4011.2 and 5007.5)

AB 174 (Wood) – Health care
CMA Position: Support
Until January 1, 2023, requires the California Health Benefit Exchange Board to develop and prepare biannual public reports, as specified, to inform the California Health and Human Services Agency, the Legislature, and the public about the enrollment process for the individual market assistance program.
(Amends Corporations Code §5922; and adds and repeals Government Code §100509)

AB 290 (Wood) – Health care service plans and health insurance: third-party payments
CMA Position: Oppose
Requires a health care service plan or health insurer to accept payments from specified third-party entities without a financial interest and requires financially interested entities, as defined, making a third-party premium payment to provide assistance in the manner specified and to disclose to the plan or insurer the name of the enrollees or insureds on whose behalf a third-party premium payment will be made. Requires health plans and insurers to provide regulators with information regarding premium payments by financially interested entities and reimbursement to providers and sets forth standards governing reimbursement of financially interested providers. Establishes a reimbursement rate for financially interested providers that provide services to enrollees or insureds on whose behalf premium payments are made by financially interested entities and establishes a dispute resolution process to determine if the reimbursement amounts are appropriate.
(Adds Health and Safety Code §§1210, 1367.016, and 1385.09; and adds Insurance Code §§10176.11 and 10181.8)

**AB 414 (Bonta) – Health care coverage: minimum essential coverage**

**CMA Position: Support**

On or before March 1, 2022, and annually thereafter, requires the Franchise Tax Board to report to the Legislature specified information regarding the Minimum Essential Coverage Individual Mandate, the Individual Shared Responsibility Penalty, and state financial subsidies paid for health care coverage.

(Adds Revenue and Taxation Code §61050)

**AB 577 (Eggman) – Health care coverage: maternal mental health**

**CMA Position: Support**

Requires a health care service plan or health insurer to provide for the completion of maternal mental health services, as specified, by a terminated or nonparticipating provider if the enrollee or insured presents written documentation of being diagnosed with a maternal mental health condition, as defined, from the individual's treating health care provider.

(Amends Health and Safety Code §1373.96; and amends Insurance Code §10133.56)

**AB 651 (Grayson) – Air ambulance services**

Requires a health care service plan contract or a health insurance policy issued, amended, or renewed on or after January 1, 2020, to provide that if an enrollee or insured receives covered services from a noncontracting air ambulance provider, the individual shall pay no more than the in-network cost-sharing amount for the same covered services received from a contracting air ambulance provider.

(Amends Government Code §76000.10; adds Health and Safety Code §1371.55; and adds Insurance Code §10126.65)

**AB 731 (Kalra) – Health care coverage: rate review**

Requires health plans and insurers offering a contract or policy in the large group market to file specified information with the appropriate regulator 120 days before implementing a rate change. Requires health plans and insurers to disclose with a rate filing specified information by geographic region for individual, grandfathered group, and non-grandfathered group contracts and policies. Eliminates separate reporting and disclosure requirements for health plans that exclusively contract with no more than two medical groups. Specifies that failure of a plan or insurer to provide required information will result in the filing being an unjustified rate. Authorizes specified large group contract holders to apply to the regulator to review a noticed rate change and to determine if it is unreasonable or not justified.

(Amends Health and Safety Code §§1374.21, 1385.01, 1385.02, 1385.045, and 1385.07; Amends, repeals, and adds Health and Safety Code §1385.03; Adds Health and Safety Code §1385.046; Amends Insurance Code §§10181, 10181.2, 10181.3, 10181.7, and 10199.1; and adds Insurance Code §10181.31)

**AB 744 (Aguiar-Curry) – Health care coverage: telehealth**

**CMA Position: Sponsor**

Requires that a contract issued, amended, or renewed on or after January 1, 2021 between a health care service plan or health insurer and a health care provider specify that the plan or insurer reimburse a provider for services provided via telehealth on the same basis and to the same extent that plan or insurer is responsible for reimbursing the same services provided in-person. Prohibits plans and insurers from
limiting coverage for telehealth services to third-party corporate telehealth providers. Specifies that covered services provided via telehealth must not be subject to higher copayment or coinsurance than for the same services provided in-person and that covered services provided via telehealth are subject to the deductible and annual or lifetime dollar limits as services provided in-person. Specifies that face-to-face contact between a health care provider and a patient is not required under the Medi-Cal program for any health care services provided by asynchronous store and forward.


AB 929 (Luz Rivas) – California Health Benefit Exchange: data collection
CMA Position: Neutral
Requires the California Health Benefit Exchange board, if it requires qualified health plan to make reports, to make public plan-specific data on cost reduction efforts, quality improvements, or disparity reductions. Requires qualified health plans to provide specified enrollee data and other information on quality measures to the board, as specified. Requires the board to engage in specified health oversight activities related to Exchange operations.

(Amends Government Code §100508, and adds Government Code §§100503.7 and 100503.8)

AB 954 (Wood) – Dental services: third-party network access
CMA Position: Support
Authorizes a health care service plan or health insurer that issues, sells, renews, or offers a plan contract or policy covering dental services, including a specialized health care service plan contract or specialized policy of health insurance, or a contracting entity, as defined, to grant a third party access to a provider network contract or access to services or discounts provided pursuant to that provider network contract if certain criteria are met.

(Adds Health and Safety Code §1374.193; and adds Insurance Code §10120.4)

AB 1309 (Bauer-Kahan) – Health care coverage: enrollment periods
CMA Position: Support
Requires a health care service plan and a health insurer, for policy years beginning on or after January 1, 2020, to provide individuals a special enrollment period for individual plans offered through the Exchange, as specified, and specifies the effective date of coverage for plan selections made during the special enrollment period. For individual plans offered outside of the Exchange, specifies the annual open enrollment period for policy years beginning on or after January 1, 2020.

(Adds Health and Safety Code §1399.848; and adds Insurance Code §10965.4)

AB 1802 (Committee on Health) – Health care service plans
Specifies that the obligation of a health care service plan to comply with specified claims payment provisions is not deemed to be waived if the plan requires its medical groups, independent practice associations, or other contracting entities to pay claims for covered services.

(Amends Health and Safety Code §§1358.20, 1368.015, 1368.02, 1371, and 1373.65)
SB 129 (Pan) – Health care coverage reporting

**CMA Position: Support**

Expands existing requirements on health care service plans and health insurers to report the number of covered lives for certain lines of business to include reporting for all lines of business. Requires health care service plans and health insurers providing coverage through multiple employee welfare arrangements report enrollment information as specified. Requires regulators to publicly report this information.

(Amends Health and Safety Code §1348.95; and amends Insurance Code §10127.19)

SB 260 (Hurtado) – Automatic health care coverage enrollment

**CMA Position: Neutral**

Beginning no later than July 1, 2021, requires the Exchange to enroll an individual in the lowest cost silver plan or another plan, as specified, upon receiving the individual’s electronic account from an insurance affordability program and to provide such an individual with specified notice. Requires a specified health care service plans and insurers to provide specified notice to enrollees or subscribers regarding the transfer of information about enrollees or subscribers who cease to retain coverage and, beginning January 1, 2021, requires plans and insurers to transfer specified information to the Exchange.

(Adds Government Code §100503.4; amends Health and Safety Code §1366.50; and amends Insurance Code §10786)

SB 343 (Pan) – Health care data disclosure

Eliminates certain alternative reporting requirements for a health plans or insurers that exclusively contract with no more than two medical groups as well as for health facilities that receive a preponderance of revenue from associated comprehensive group practice prepayment health care service plans. Eliminates authorization for hospitals to report specified data on a group basis but authorizes specified health facilities operated under a common management report to report specified information as a group.

(Amends Health and Safety Code §§1385.03, 1385.045, 1385.07, 128735, 128740, and 128760; and amends Insurance Code §10181.45)

SB 407 (Monning) – Medicare supplement benefit coverage

Extends the annual open enrollment period to purchase a Medicare supplement contract or policy by 30 days and requires a health plan or health insurer to notify an enrollee or policyholder of specified rights prior to the open enrollment period. Excludes outpatient prescription drug benefits as a new or innovative benefit and requires the portion of the premium attributed to new or innovative benefits to be identified as specified.

(Amends Health and Safety Code §§1358.91 and 1358.11; and amends Insurance Code §§10192.91 and 10192.11)

SB 583 (Jackson) – Clinical trials.

Expands required coverage for clinical trials under a health plan contract or health insurance policy to include coverage for specified clinical trials relating to the prevention, detection, or treatment of a life-threatening disease or condition, as defined. Prohibits a plan contract or insurance policy from, among other things, discriminating against an enrollee or insured for participating in an approved clinical trial.

(Repeals and adds Health and Safety Code §§1370.6; repeals and adds Insurance Code §10145.4)
SB 600 (Portantino) – Health care coverage: fertility preservation

CMA Position: Support if Amended
Requires that, when a covered treatment may cause iatrogenic infertility to an enrollee, standard fertility preservation services are a basic health care service. Does not apply to Medi-Cal managed care plans or any entity contracting with DHCS that delivers health care services.

(Adds Health and Safety Code §1374.551)

HEALTH CARE FACILITIES AND FINANCING

AB 204 (Wood) – Hospitals: community benefits plan reporting
Requires the Office of Statewide Health Planning and Development (OSHPD) to annually prepare and make public a report on community benefits, as specified. Authorizes OSHPD to impose fines on hospitals that fail to adopt, update, or submit community benefit plans. Requires hospitals to report specified additional information, including the economic value of community benefit, the methodology used to determine costs, and the how needs identified in the community are being addressed.

(Amends Health and Safety Code §§127345, 127350, and 127360 of, and to add Section 127346)

AB 737 (Eggman) – Residential care facilities for the elderly: licensing and regulation
Specifies that existing application requirements for licensure as a residential care facility for the elderly apply to entities and agents signing on behalf of entities as well as to persons. Requires applicants for licensure to provide additional information regarding any entity that is an applicant or any entity which hold a beneficial ownership interest of 10 percent or more in the facility.

(Amends Health and Safety Code §1569.15)

AB 962 (Burke) – Hospitals: procurement contracts
Requires a licensed hospital with operating expenses of $50,000,000 or more, and a licensed hospital with operating expenses of $25,000,000 or more that is part of a hospital system, to annually submit a report to the Office of Statewide Health Planning and Development on its minority, women, LGBT, and disabled veteran business enterprise procurement efforts, as specified.

(Adds Health and Safety Code Chapter 2.17 (commencing with §1339.85) to Division 2)

AB 1095 (Eduardo Garcia) – Desert Healthcare District
Makes specified changes to the terms of office for certain members appointed to the Desert Healthcare District's board of directors.

(Amends Health and Safety Code §32499.2)

AB 1037 (Gipson) – Martin Luther King, Jr. Community Hospital: clinics: licensure and regulation: exemption
CMA Position: Support
Expands existing clinic licensing exemption to include any clinic operated by a nonprofit corporation that provides health care services within any zip code that is located within six miles of the physical location of
the Martin Luther King, Jr. Community Hospital, is located in the Los Angeles County Service Planning Area 6 and meets other specified requirements.

(Amends Health and Safety Code §1206; amends Welfare and Institutions Code §14165.50)

**AB 1695 (Carrillo) – Health facilities**
Requires a licensee of a skilled nursing facility, as defined and subject to specified exemptions, to provide specified notice to all residents of the facility and their representatives at least 90 days prior to the finalization of a sale, transfer of operation, or other change or transfer of ownership interests. Requires that a prospective transferee, as a prospective licensee, retain employees employed by the licensee as specified.

(Adds Health and Safety Code §91267.61 and 1267.62)

**SB 227 (Leyva) – Health and care facilities: inspections and penalties**
Requires periodic inspections of specified health facilities to include reviews of compliance with the nurse-to-patient ratios and staff assignment regulations and requires the Department of Public Health to assess administrative penalties for violations as specified.

(Amends Health and Safety Code §91279 and 1280.3)

**SB 322 (Bradford) – Health facilities: inspections: employee reporting**
Provides an employee of a health facility or the employee’s representative the right to discuss possible regulatory violations or patient safety concerns with a Department of Public Health inspector privately during the course of an investigation or inspection by the department.

(Amends Health and Safety Code §1278.5)

**INSURANCE**

**AB 567 (Calderon) – Long-term care insurance**

CMA Position: Support
Establishes the Long-Term Care Insurance Task Force in the Department of Insurance and requires the task force to make recommendations for establishing a statewide long-term care insurance program in a report as specified.

(Adds and repeals Insurance Code §10234.75)

**AB 1065 (Berman) – Insurance transactions: notice: electronic transmission**
Ensures that specified notices including those regarding the cancellation, expiration, and replacement of insurance policies shall not be denied legal effect or enforceability solely because they are in electronic form.

(Amends and repeals Civil Code §1633.3; and Insurance Code repeals and amends §38.6)

**AB 1813 (Committee on Insurance) – Insurance**
Makes a number of noncontroversial or technical amendments to various provisions of the Insurance Code, including updates to the rules governing insurance broker advertising.
(Amends Insurance Code §§677, 678, 922.41, 1215.8, 1764.1, 10086, 10103.2, 12968, 12969, and 13550, amends, repeals, and adds §1726, adds §900.3, and repeal §1746)

SB 534 (Bradford) – Insurers: minority, women, LGBT, veteran, and disabled veteran business enterprises
Requires specified insurers report to the Insurance Commissioner on their minority, women, LGBT, veteran, and disabled veteran-owned business procurement efforts, as specified.
(Adds Insurance Code Article 10.2 (commencing with §927) to Chapter 1 of Part 2 of Division 1)

SB 740 (Mitchell) – Insurance: unclaimed life insurance
Provides standards for identifying a deceased individual whose death may require an insurer to pay benefits or proceeds to beneficiaries in accordance with the terms of a life insurance policy, annuity contract, or retained asset account, for locating those beneficiaries, and for providing those beneficiaries with appropriate claims forms or instructions to make a claim.
(Adds Insurance Code Article 12 (commencing with §10509.940) to Chapter 5 of Part 2 of Division 2)

SB 784 (Committee on Health) – Medicare supplement benefit coverage
Makes conforming in California law to the requirements and standards that apply to Medicare supplement contracts and policies, for the purpose of complying with federal law.
(Amends Health and Safety Code §§1358.91 and 1358.11, adds §1358.92; and amends Insurance Code §§10192.91, 10192.11, 10192.17, and 10192.20, and adds §10192.92)

MEDI-CAL

AB 115 (Committee on Budget) – Medi-Cal: managed care organization provider tax
Establishes a managed care organization provider tax, as specified, that becomes effective and operative on the effective date of the federal approval necessary for receipt of federal financial participation, as specified.
(Repeals and adds Welfare and Institutions Code Article 6.8 (commencing with §14199.60) of Chapter 7 of Part 3 of Division 9)

AB 678 (Flora) – Medi-Cal: podiatric services
CMA Position: Support
Prohibits the requirement of prior authorization for podiatric services provided by a doctor of podiatric medicine if a physician and surgeon rendering the same services would not be required to obtain prior authorization.
(Repeals and adds Welfare and Institutions Code §14133.07)

AB 781 (Maienschein) – Medi-Cal: family respite care
Specifies that pediatric day health care services covered under Medi-Cal may be provided at any time of the day and on any day of the week, so long as the total number of authorized hours is not exceeded. Authorizes pediatric day health care services to be covered for up to 23 hours per calendar day.
(Amends Welfare and Institutions Code §14132.10)
**AB 1004 (McCarty) – Developmental screening services**
Requires, consistent with federal law, that screening services provided as an EPSDT benefit include developmental screening services for individuals zero to 3 years of age, inclusive, requires Medi-Cal managed care plans to ensure that contracted providers render those services as specified, and requires the Department of Health Care Services to adjust a Medi-Cal managed care plan’s capitation rate as specified. Until July 1, 2023, requires an external quality review organization (EQRO) to review and report annually on Medi-Cal managed care plan metrics for developmental screenings.

(Adds Welfare and Institutions Code §§14132.195 and 14301.3, and adds and repeals §14197.07)

**AB 1088 (Wood) – Medi-Cal: eligibility**
Requires the Department of Health Care Services to seek a Medicaid state plan amendment or waiver to implement changes to allow individuals who become ineligible for Medi-Cal benefits because of the state’s payment of the individual’s Medicare Part B premiums to remain eligible for the Medi-Cal program if their income and resources otherwise meet all eligibility requirements.

(Adds Welfare and Institutions Code §14005.401)

**AB 1128 (Petrie-Norris) – Program of All-Inclusive Care for the Elderly**
Exempts primary care clinics, entities providing adult day health care, and home health agencies from licensure by the State Department of Public Health if they are approved by the Department of Health Care Services to operate exclusively as part of a PACE organization. Authorizes these facilities to provide services to individuals who are being assessed for eligibility to enroll in the PACE program for not more than 60 calendar days after an individual submits an application for enrollment.

(Amends Health and Safety Code §§1206 and 1738; Amends and repeals Health and Safety Code §§1231.5 and 1734.5; Amends, repeals, and adds Health and Safety Code §1580.1; and amends Welfare and Institutions Code §14592)

**AB 1494 (Aguiar-Curry) – Medi-Cal: telehealth: state of emergency**
**CMA Position: Support**
Provides that neither face-to-face contact nor a patient’s physical presence on the premises of an enrolled community clinic, as defined, is required for services provided by the clinic to a Medi-Cal beneficiary during or immediately following a proclamation declaring a state of emergency and authorizes the Department of Health Care Services to apply this provision to services provided by another other specified providers under the same circumstances. Requires that telehealth services and other specified services be reimbursable when provided by specified entities during or immediately following a state of emergency.

(Adds Welfare and Institutions Code §§14132.723 and 14132.724)

**AB 1642 (Wood) – Medi-Cal: managed care plans**
**CMA Position: Support if Amended**
Requires a Medi-Cal managed care plan to provide to the Department of Health Care Services with specified information in its request for the alternative access standards and to demonstrate to the department how the Medi-Cal managed care plan arranged for the delivery of Medi-Cal covered services to Medi-Cal enrollees. Requires Medi-Cal managed care plans with approval to use alternative access
standards to assist enrollees to access care as specified. Expands the types of sanctions the Department may impose on Medi-Cal managed care plans.

(Amends Welfare and Institutions Code §§14132.275, 14186.4, 14197, 14197.05, 14302.1, 14409, 14456.5, 14712, 14713, and 14715; Adds Welfare and Institutions Code §§14197.04 and 14197.7; and repeals Welfare and Institutions Code §14304)

**AB 1705 (Bonta) – Medi-Cal: Emergency Medical Transportation Services**

Requires the Department of Health Care Services to implement, subject to any necessary federal approvals, and no sooner than July 1, 2021, the Public Provider Intergovernmental Transfer Program for eligible providers of emergency medical transportation services, as defined, to receive supplemental payments, as specified. Requires the IGT program to replace the existing certified public expenditures program used to fund supplement payments to providers of specified emergency medical services. Exempts eligible providers from the quality assurance fee and add-on increase, as specified.


**SB 289 (Archuleta) – Medi-Cal: home- and community-based services: military**

**CMA Position: Support**

Requires the retention of placement on the waiting list for, or the reenrollment in, specified home- and community-based services (HCBS) waiver programs for an individual who is a dependent child or spouse of an active duty military service member and who transfers out of state with the military service member on official military orders, if the individual subsequently reestablishes residence in this state, as specified.

(Add Welfare and Institutions Code §14132.993)

**SB 165 (Atkins) – Medical interpretation services**

Requires the Department of Health Care Services to establish a pilot project, as specified, to evaluate the provision of medical interpretation services to limited English proficient (LEP) Med-Cal enrollees currently while conducting a study to assess and make recommendations on the provision of these services to LEP Medi-Cal enrollees.

(Amends Welfare and Institutions Code §§14146 and 14146.5)

**MEDICAL CANNABIS**

**AB 420 (Lackey) – The California Cannabis Research Program**

**CMA Position: Support**

Specifies that the California Cannabis Research Program is hosted by the Center for Medicinal Cannabis Research and authorizes the program to cultivate cannabis for its use in research pursuant to applicable federal and state laws and regulations. Expands purview of the program, provides funding, and authorizes controlled clinical trials to focus on testing methods for detecting harmful contaminants in cannabis.

(Amends Health and Safety Code §11362.9)
AB 1529 (Low) – Cannabis vaporizing cartridges: universal symbol

Implements the labeling requirements of Adult Use of Marijuana Act by requiring a cannabis cartridge or integrated cannabis vaporizer, as defined, to bear an established universal symbol that is not smaller than ¼ inch wide by ¼ inch high and would require that the symbol be engraved, affixed with a sticker, or printed in black or white.

(Adds Business and Professions Code §26122)

SB 223 (Hill) – Pupil health: administration of medicinal cannabis: school sites

Enacts Jojo’s Act authorizing the governing board of schools maintaining kindergarten or any of grades 1 to 12 to adopt a policy that allows a parent or guardian of a pupil to possess and administer medicinal cannabis, as defined, at a school site to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996. Excludes cannabis in a smokable or vapeable form.

(Adds Education Code §49414.1)

SB 600 (Portantino) – Health care coverage: fertility preservation

CMA Position: Support if Amended

Current law requires every health care service plan contract to provide enrollees with basic health care services, except as specified. Current law defines basic health care services to include, among other things, physician services and hospital inpatient and ambulatory care services. Current law requires specified group health care service plan contracts issued, amended, or renewed on or after January 1, 1990, to offer coverage for the treatment of infertility, as defined, except in vitro fertilization. This bill would clarify that, when a covered treatment may cause iatrogenic infertility to an enrollee, standard fertility preservation services are a basic health care service and are not within the scope of coverage for infertility treatment, as described above. The bill would state that these provisions are declaratory of existing law.

(Adds Health and Safety Code §1374.551)

MENTAL HEALTH

AB 46 (Carrillo) – Individuals with mental illness: change of term

Replaces references to derogatory terms in current law referring to persons with mental disorders and mental defects with more culturally sensitive terms when referring to individuals with mental illness. The bill would make those changes throughout various provisions of law.

(Amends Harbors and Navigation Code §4005; amends Penal Code §§1026, 1367, 2625, 2960, 2962, 2966, 2968, 2970, 2972, 2974, 2978, 4011.6, 4497, 4497.10, and 6102; amends Probate Code §6100.5; amends Revenue and Taxation Code §253; and amends Welfare and Institutions Code §§4242, 5213, and 5300)

AB 1352 (Waldron) – Community mental health services: mental health boards

Makes changes to the mental health board under the Bronzan-McCorquodale Act to state that a mental health board serves in an advisory role to the governing body, and would require the board to review and evaluate the local public mental health system and advise the governing body on community mental health services delivered by the local mental health agency or local behavioral health agency, as applicable.

(Amends Welfare and Institutions Code §§604, 604.2, 604.3, 604.5, and §848)
SB 389 (Hertzberg) – Mental Health Services Act
CMA Position: Support
Amend the Mental Health Services Act (MHSA) to authorize the counties to use MHSA moneys to provide services to persons who are participating in a presentencing or post-sentencing diversion program or who are on parole, probation, post-release community supervision, or mandatory supervision.

(Amends Welfare and Institutions Code §5813.5)

SB 40 (Wiener) – Conservatorship: serious mental illness and substance use disorders
Authorizes the court to establish a temporary conservatorship for a period of 28 days or less if the court is satisfied that the person is presently incapable of caring for the person’s own health and well-being due to a serious mental illness and substance use disorder, as specified. Changes the definition of “frequent detention for evaluation and treatment” for purpose of these conservatorship provisions to mean 8 or more detentions in a 12-month period.

(Amends Welfare and Institutions Code §§5451, 5452, 5453, 5456, 5462, 5463, and 5555 of, and to add Section 5465.5)

SB 557 (Jones) – Criminal proceedings: mental competence: expert reports
Make all documents submitted to a court pursuant to any required evaluations prior to an order for a defendant to undergo outpatient treatment or be committed to a facility presumptively confidential, except as otherwise provided by law.

(Adds Penal Code §1369.5)

PUBLIC HEALTH

SB 159 (Weiner) – HIV: Preexposure and postexposure prophylaxis
Authorizes a pharmacist to initiate and furnish HIV pre-exposure prophylaxis (PrEP) and postexposure prophylaxis (PEP) as specified. Pharmacists must complete training that is approved by the Board of Pharmacy. Permits pharmacists to furnish at least 30 days and up to a 60-day supply if specified conditions are met. Pharmacists must notify the patient’s provider and if the patient does not have a provider or the patient refuses to consent, the pharmacist must provide a list of providers for ongoing care. Prohibits plans and insurers from subjecting anti-retroviral drugs that are medically necessary for prevention of HIV/AIDS, including PrEP and PEP, to prior authorization or step therapy, except as specified.

(Amends Vehicle Code §2802)

AB 262 (Gloria) – Local health officers: communicable diseases
Requires a local health officer, during an outbreak of a communicable disease, or upon the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public’s health, to notify and update governmental entities within the health officer’s jurisdiction about certain communicable diseases that may affect them, if action or inaction on the part of the governmental entity might affect outbreak response efforts.

(Amends Health and Safety Code §120175.5)
AB 381 (Reyes) – Postsecondary education: sexual assault and sexual violence prevention training: intimate partner and dating violence.

**CMA Position: Support**

Identifies domestic violence centers as an eligible type of on-campus or community-based organization to receive state funds for student financial assistance to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, including resources for the accused.

(Amends Education Code §67386)

AB 392 (Weber) – Peace officers: deadly force

Redefines the circumstances under which a homicide by a peace officer is deemed justifiable to include when the officer reasonably believes, based on the totality of the circumstances, that deadly force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person, or to apprehend a fleeing person for a felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless the person is immediately apprehended.

(Amends Penal Code §§196 and 835a)

AB 521 (Berman) – Physicians and surgeons: firearms: training

**CMA Position: Support**

Under current law the University of California has the authority to establish and administer a Firearm Violence Research Center to research firearm violence. The bill would, upon adoption of a specified resolution by the Regents of the University of California, require the center to develop multifaceted education and training programs for medical and mental health providers on the prevention of firearm related injury and death, as specified.

(Amends Penal Code §14232, adds the heading of Chapter 1 (commencing with §14230) to Title 12.2 of Part 4, and adds Chapter 2 (commencing with §14235) to Title 12.2 of Part 4)

AB 960 (Maienschein) – CalWORKs: homeless assistance

**CMA Position: Support**

Removes the requirement that a person in the business of renting properties in the CalWORKS program have a history of renting properties in order to receive payments and authorizes payments to a housing provider with which the families requesting assistance have executed a valid lease, sublease, or shared housing agreement.

(Amends Welfare and Institutions Code §11450)

AB 1735 (Bauer-Kahan) – Evidence: privileges: human trafficking caseworker-victim privilege

Allows a human trafficking victim’s current caseworker to claim the privilege, even if that caseworker was not the victim’s caseworker at the time the confidential communication was made, thereby expanding the scope of the privilege.

(Amends Evidence Code §§1038, 1038.1, and 1038.2, and adds §1038.3)
AB 1767 (Ramos) – Pupil suicide prevention policies
Requires the governing board or body of a local educational agency that serves pupils in kindergarten and grades 1 to 6, inclusive, to, before the beginning of the 2020–21 school year, adopt, and update as prescribed, a policy on pupil suicide prevention that specifically addresses the needs of high-risk groups. Requires this policy to be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young pupils.

(Amends Education Code §215)

SB 22 (Leyva) – Rape kits: testing
Requires a law enforcement agency to either submit sexual assault forensic evidence to a crime lab or ensure that a rapid turnaround DNA program is in place, as specified, and require a crime lab to either process the evidence or transmit the evidence to another crime lab for processing, as specified. Because this bill would impose a higher level of service on local law enforcement agencies in processing that evidence, it would impose a state-mandated local program.

(Amends Penal Code §§680, 680.3, and 13823.14)

SB 172 (Portantino) – Firearms: Suicide Prevention
Authorizes the temporary transfer of a firearm without a firearms dealer’s participation to a person who is 18 years of age or older for safekeeping to prevent it from being used to attempt suicide, as specified. The bill authorizes the loan of a firearm without a firearms dealer’s participation under other specified circumstances and if certain conditions are met, as specified.

(Add Health and Safety Code Article 9.9 (commencing with §1567.90) to Chapter 3, Article 2 (commencing with §1568.095) to Chapter 3.01, and Article 2.7 (commencing with §1569.280) to Chapter 3.2, Division 2; adds Penal Code heading of Article 1 (commencing with §1568.01) to Chapter 3.01 of Division 2; and amends §§17060, 25100, 25105, 25200, 26835, 29805, and 31700, and adds §§27881, 27882, and 27883; and amends Welfare and Institutions Code §4684.53)

SB 180 (Chang) – Gene therapy kits: advisory notice and labels
CMA Position: Support
Prohibits, except as permitted by federal law, a person from selling a gene therapy kit in this state, as defined, unless the seller includes a notice on the seller’s internet website in a conspicuous location that is displayed to the consumer prior to the point of sale, and on a label on the package, in plain view and readily legible, stating that the kit is not for self-administration.

(Adds Business and Professions Code Chapter 37 (commencing with §22949.50) to Division 8)

SB 200 (Monning) – Drinking water
CMA Position: Support
Establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long terms. Authorizes the State Water Resources Control Board to provide for the deposit into the fund of certain moneys and would continuously appropriate the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients.
(Amends Health and Safety Code Government Code §53082.6, amends §§939719, 100827, 116275, 116385, 116530, 116540, and 116686, and adds Chapter 4.6 (commencing with §116765) to Part 12 of Division 104; and adds Public Utilities Code Chapter 7 (commencing with §8390) to Division 4.1)

**SB 230 (Caballero) – Law enforcement: use of deadly force: training: policies**

Requires, by no later than January 1, 2021, each law enforcement agency to maintain a policy that provides guidelines on the use of force, using de-escalation techniques and other alternatives to force when feasible, specific guidelines for the application of deadly force, and factors for evaluating and reviewing all use of force incidents, among other things. Requires each agency to make their use of force policy accessible to the public.

(Aadds Government Code Chapter 17.4 (commencing with §7286) to Division 7 of Title; and add Penal Code §13519.10)

**SB 276 & 714 (Pan) – Immunizations: medical exemptions**

**CMA Position: Sponsor**

Standardizes medical exemption certification form. Physicians must use the standardized form, must conduct a physical examination of the child, and provide a basis for the medical exemption. Requires CDPH to develop an electronic form for use and monitor, review, and revoke medical exemptions as specified.

(Amends Health and Safety Code §§120370, 120375, and 120440 of, and to add §§120372 and 120372.05)

**PROFESSIONAL LICENSING AND DISCIPLINE**

**AB 1622 (Carrillo) – Family Physicians**

Addresses inconsistencies in law that restricted access to family physicians, including but not limited to California Children Services Program, Reproductive Rights Law Enforcement Act, and the Song-Brown Health Care Workforce Training Act. Expands family physician to mean a primary care physician.

(Amends Business and Professions Code §§1682 and 2746.2; Amend Government Code §6254.18; Amend Health and Safety Code §§1339.7, 1367.695, 101560, 123515, 127900, 128205, and 151001; Amend Insurance Code §10123.84; Amend Labor Code §1308.8; Amend Penal Code §13776; Amend Welfare and Institutions Code §§14088 and 14134.5)

**SB 425 (Hill) – Health care practitioners: licensee’s file: probationary physician’s and surgeon's certificate: unprofessional conduct**

**CMA Position: Neutral**

Requires all health care facilities and "other entities" to report any written allegations of sexual abuse or misconduct made against a licensee by a patient within 15 days of receiving the complaint. Eliminates requirement that summary of the physician’s central file provided by the Medical Board be “comprehensive.” Requires Medical Board to disclose a probationary license certificate and underlying statement of issues for 10 years from a license issuance to public inquiries and on the MBC website. Includes any failure, without good cause, to attend and participate in an interview by the Medical Board as unprofessional conduct.

(Amends Business and Professions Code §§800, 2221, and 2234, and adds §805.8)
SB 786 (Committee on Business, Professions and Economic Development) – Healing arts

Makes non-substantive changes to the law that requires the Medical Board of California, the Osteopathic Medical Board of California, the California Board of Podiatric Medicine, and the Physician Assistant Board to disclose to an inquiring member of the public specified information regarding any enforcement action taken against a licensee.


REPORTING REQUIREMENTS

AB 1 (Cooper) – Youth athletics: California Youth Football Act

CMA Position: Support

Requires, on and after January 1, 2021, a youth sports organization, as defined, that conducts a tackle football program to comply with certain requirements and expresses legislative findings and declarations relating to youth football and specifically relating to player safety.

(Adds Health and Safety Code Article 2.7 (commencing with §124240) to Chapter 4 of Part 2 of Division 106)

AB 35 (Kalra) – Worker safety: blood lead levels: reporting

Requires the State Department of Public Health to consider a report from a laboratory of an employee's blood lead level at or above 20 micrograms per deciliter to be injurious to the health of the employee and to report that case within 5 business days of receiving the report to the Division of Occupational Safety and Health. Provides that the above-described report would constitute a serious violation and subject the employer or place of employment to an investigation, as provided, by the division, and would require the division to make any citations or fines imposed as a result of the investigation publicly available on an annual basis.

(Amends Health and Safety Code §105185; and adds Labor Code §147.3)

AB 189 (Kamlager-Dove) – Child abuse or neglect: mandated reporters: autism service personnel

Adds qualified autism service providers, qualified autism service professionals, and qualified autism service paraprofessionals, as defined, to the list of individuals who are mandated reporters under the Child Abuse and Neglect Reporting Act.

(Amends Penal Code §11165.7)
AB 538 (Berman) – Sexual assault: medical evidentiary examinations and reporting

Authorizes the form for the recording of medical and physical evidence data disclosed by a victim of sexual assault or attempted sexual assault to be issued as a paper version or as an electronic version, or as both the paper and electronic version.

(Amends Health and Safety Code §91281; and amends Penal Code §§91203.1h, 13823.5, 13823.7, 13823.9, 13823.93, 13823.95, 13823.11, and 13823.13)

REPRODUCTIVE HEALTH

AB 922 (Burke) – Reproductive Health and research: oocyte procurement

Requires, until January 1, 2024, individuals who provide human oocytes for research to be compensated for their time, discomfort, and inconvenience in the same manner as other research subjects, as prescribed and determined by a human subject research panel or institutional review board. Establishes the Research Participants Undergoing Oocyte Retrieval for Medical Research Purposes Bill of Rights and would require the bill of rights to contain specified information relating to the rights of a research participant providing human oocytes. Requires a physician and surgeon to obtain written and oral informed consent prior to providing a procedure for ovarian retrieval, including a signed acknowledgment of the bill of rights. Makes other related amendments.

(Amend Health and Safety Code §§9125330, 125340, and 125341; Adds Health and Safety Code §§9125331 and 125356; Repeal and add Health and Safety Code §125355)

SB 24 (Leyva) – Public health: public university student health centers: abortion by medication techniques

CMA Position: Support

Requires, on and after January 1, 2023, student health care services clinic on California State University or University of California campuses to offer abortion by medication techniques as specified. Establishes the College Student Health Center Sexual and Reproductive Health Preparation Fund.

(Adds Education Code Chapter 5.5 (commencing with §99250) to Part 65 of Division 14 of Title 3)

SB 464 (Mitchell) – California Dignity in Pregnancy and Childbirth Act

CMA Position: Neutral

Requires a hospital that provides perinatal care, and an alternative birth center or a primary clinic that provides services as an alternative birth center, to implement an implicit bias program, as specified, for all health care providers involved in perinatal care of patients within those facilities. Requires specified health care providers to complete training as specified.

(Amends Health and Safety Code §§91262.6 and 102875, and adds Article 4.6 (commencing with §123630) to Chapter 2 of Part 2 of Division 106)
WORKERS’ COMPENSATION

SB 537 (Hill) – Workers' Compensation: treatment and disability
Requires Director of the Division of Workers’ Compensation to issue a report to the Legislature comparing potential payment alternatives for providers to the official medical fee schedule and publish utilization data for specified physicians. Requires, beginning July 1, 2021, every medical provider network to post on its website a roster of participating providers. Prohibits an entity other than the requesting provider from altering or amending a request for authorization for medical treatment prior to the submission of request. Requires an entity that provides physician or ancillary network service to provide a payor with a written disclosure of the reimbursement amount paid to the provider with a rate sheet if a contracted reimbursement rate is more than 20% below the official medical fee schedule as specified.
(Amends Labor Code §6409.1)

SB 542 (Stern) – Workers’ compensation
Provides, until January 1, 2025, that in the case of certain state and local firefighting personnel and peace officers, the term “injury,” for the purposes of workers’ compensation, includes post-traumatic stress, that develops or manifests itself while the injured person is in the service of the department or unit, as specified.
(Adds and repeals Labor Code §3212.15)

WORKFORCE & OFFICE SAFETY ISSUES

AB 5 (Gonzalez) – Worker status: employees and independent contractors
CMA Position: Support if Amended
Codifies the California Supreme Court’s decision in Dynamex Operations West., Inc. v. Superior Court of Los Angeles (2018) and creates a presumption for the purposes of specified statutes, subject to exemptions for certain professions, that a person providing labor or services for remuneration shall be considered an employee rather than an independent contractor unless the hiring entity satisfied a three-factor test, as specified.
(Amends Labor Code §3351, and adds §2750.3; and Unemployment Insurance Code amends §§606.5 and 621)

AB 61 (Ting) – Gun violence restraining orders
Authorizes, commencing September 1, 2020, an employer, a coworker, or an employee or teacher of a secondary or post-secondary school, to file a petition a court for a gun violence restraining order against an individual. Requires coworkers to have substantial and regular interactions with the subject for at least one year and receive approval from the employer to petition for restraining order. Requires employees and teachers of a school where the subject attended in the last six months to obtain approval from a school administrator.
(Amends, repeals, and adds Penal Code §§18150, 18170, 18190)

AB 203 (Salas) – Occupational safety and health: Valley Fever
Requires construction employers engaging in specified work activities or vehicle operation in counties where Valley Fever is endemic to provide training on Valley Fever to all employees, as specified.
(Adds Labor Code §6709)

**AB 333 (Eggman) – Whistleblower protection: county patients' rights advocates**

Extends specified whistleblower protections to county patients' rights advocates providing services related to mental health advocacy.

(Amends Welfare and Institutions Code §§5550, and adds §§5525)

**AB 1554 (Gonzalez) – Employers: dependent care assistance program: notice to employees**

Requires an employer to notify an employee who participates in a flexible spending account of any deadline to withdraw funds before the end of the plan year, as specified.

(Adds Labor Code §2810.7)

**AB 1805 (Committee on Labor and Employment) – Occupational safety and health**

Amends the definition of “serious injury or illness” and “serious exposure” for purposes of reporting serious occupational injury or illness to the Division of Occupational Safety and Health and for purposes of establishing the division's duty to investigate employment accidents and exposures.

(Amends Labor Code §§6302 and 6309)

**SB 142 (Wiener) – Employees: lactation accommodation**

Adds further requirements to existing lactation accommodation requirements for employers to provide a lactation room or location with certain features, as specified. Expands worker protections for lactation accommodation requests.

(Amends Labor Code §§1030, 1031, and 1033, and adds §1034)

**SB 688 (Monning) – Failure to pay wages: penalties**

Authorizes the Labor Commissioner to issue a citation to recover amounts owed if it determines that an employer has paid a wage less than the contracted wage, as specified.

(Amends Labor Code §1197.1)

**SB 778 (Committee on Labor, Public Employment and Retirement) – Employers: sexual harassment training: requirements**

Extends the deadline for specified employers to provide sexual harassment prevention training to January 1, 2021 and specifies when such training must be conducted.

(Amends Government Code §12950.1)