

County Welfare Directors Association 2000 Chaptered & Vetoed Legislation Report



Index of Subjects	Page
Adult Services	5
Budget & Appropriations	6
CalWORKs & Food Stamps.....	7
Child Care & Development.....	8
Children's Issues.....	9
Medi-Cal & Healthy Families.....	13
Miscellaneous	14
Vetoed Legislation	16

Index of Bills by Bill Number	Page
AB 93 (Cedillo) Medi-Cal Program: Eligibility Determinations.....	16
AB 212 (Aroner) Child Care and Development	8
AB 480 (Ducheny) Personal Income Tax.....	6
AB 499 (Aroner) Medi-Cal: Assisted Living Demonstration Project	13
AB 559 (Nakano) Elder Abuse: Punishment.....	5
AB 686 (Aroner) Dependent Children: Termination of Jurisdiction.....	9
AB 878 (Cardenas) Health: Youth Pregnancies: Challenge Grants.....	9
AB 1015 (Gallegos) Healthy Families: Eligibility	13
AB 1098 (Romero) Health.....	13
AB 1233 (Aroner) Cal-Works Program.....	7
AB 1235 (Ashburn) Foster Care: Provider Reimbursement Rates	16
AB 1241 (Rod Pacheco) Crime Prevention: Child Abuse Reporting.....	9
AB 1716 (Rob. Pacheco) Dependency Proceedings: Paternity.....	9
AB 1722 (Gallegos) Medi-Cal: Eligibility	16
AB 1731 (Shelley) Long-Term Health Care Facilities.....	5
AB 1740 (Ducheny) 2000-01 Budget Act	7
AB 1748 (Zettel) Immunizations: Disclosure of Information.....	14
AB 1819 (Shelley) Elder Abuse	5
AB 1846 (Lowenthal) Senior Housing.....	5

AB 1873	(Wiggins)	School to Career Opportunities.....	14
AB 1896	(Jackson)	Long-Term Care	16
AB 1910	(Migden)	Children and Family Health Programs	15
AB 1974	(Migden)	Healthy Families Program	17
AB 1986	(Wiggins)	Child Care and Development	17
AB 1987	(Steinberg)	Dependent Children: Siblings.....	9
AB 2011	(Wayne)	Family Day Care Homes: Licensing Visits	17
AB 2012	(Shelley)	Foster Care Providers: Educational Support.....	17
AB 2037	(Corbett)	Children: Alcohol or Drug Exposed or HIV Positive.....	9
AB 2059	(Vincent)	Peace Officers: Welfare Fraud Investigators.....	7
AB 2063	(Zettel)	Elder Abuse: Evidence	5
AB 2080	(Granlund)	Medi-Cal: Long-Term Care Services.....	5
AB 2107	(Scott)	Elder Abuse	5
AB 2130	(Corbett)	Family Health Insurance Coverage	9
AB 2136	(Maldonado)	Respite Care.....	17
AB 2137	(Maldonado)	Caregiver Background Checks: Fee Waiver	18
AB 2160	(Cunneen)	Child Care and Development Reimbursement	18
AB 2210	(Ashburn)	Foster Care.....	18
AB 2307	(Davis)	Relative Caregiver Training	10
AB 2315	(Mazzoni)	Children of Incarcerated Parents	18
AB 2316	(Mazzoni)	Children of Incarcerated Women: Study.....	10
AB 2375	(Honda)	Juveniles: Special Education.....	18
AB 2392	(Corbett)	Special Education: Foster Parents.....	19
AB 2415	(Migden)	Healthy Families and Medi-Cal Eligibility	13
AB 2453	(Runner)	Pupil Records.....	10
AB 2464	(Kuehl)	Child Custody: Modification.....	10
AB 2518	(Washington)	Drug Endangered Children	19
AB 2623	(Rod Pacheco)	Criminal Background Checks	14
AB 2706	(Cunneen)	Wraparound Programs.....	10
AB 2778	(Jackson)	Child Care Facilities	8
AB 2799	(Shelley)	Public Records: Disclosure	14
AB 2876	(Aroner)	Omnibus Social Services Trailer Bill.....	7
AB 2877	(Thomson)	Omnibus Health Trailer Bill.....	7
AB 2885	(Cardenas)	Supplemental Local Law Enforcement Funding	7
AB 2899	(Committee)	Medi-Cal.....	13

AB 2900	(Gallegos)	Medi-Cal: Eligibility	13
AB 2921	(Committee)	Minors: Adoption: Dependent Children	10
SB 43	(Johnston)	Employment Training Panel	14
SB 87	(Escutia)	Medi-Cal: Eligibility	13
SB 147	(Alpert)	Medi-Cal: Eligibility	19
SB 288	(Peace)	IHSS Program: Administration	6
SB 546	(Solis)	Unemployment Compensation.....	19
SB 745	(Escutia)	Mental Health: Contracts: Disputes	13
SB 962	(Escutia)	Public Assistance Payments by Direct Deposit.....	7
SB 1004	(Escutia)	Child Day Care.....	8
SB 1338	(Figueroa)	Community Challenge Grant Program Evaluation	15
SB 1343	(Monteith)	Parole: Child Abuse	11
SB 1352	(Alpert)	Children: Youth Pilot Program.....	11
SB 1368	(Brulte)	Child Abandonment: Newborns	11
SB 1452	(Wright)	Child Welfare: Mental Health.....	11
SB 1611	(Bowen)	Juvenile Justice Commissions and Court Orders.....	11
SB 1619	(Alpert)	Playground Safety.....	8
SB 1641	(Bowen)	Guardians and Conservators.....	19
SB 1703	(Escutia)	Child Care.....	8
SB 1716	(Ortiz)	Child Custody: Allegations of Sexual Abuse.....	11
SB 1742	(Hughes)	Adult Abuse.....	6
SB 1896	(Ortiz)	Community Care Facilities: Small Family Homes	12
SB 1946	(McPherson)	Kinship Supportive Services Program.....	12
SB 1951	(Costa)	Child Abuse: Probation Officers	12
SB 2103	(Committee)	Food Stamp Program: Application Form	8
SB 2043	(Schiff)	Termination of Parental Rights: Notice.....	20
SB 2050	(Speier)	Children's Health Care Programs	20
SB 2091	(Ortiz)	Children: Foster Care	20
SB 2092	(Schiff)	Conservatorship: Minors	20
SB 2157	(Schiff)	Post-adoption Contact Agreements	12
SB 2160	(Schiff)	Dependent Children: Detention Hearings.....	12
SB 2161	(Schiff)	Children: Placement.....	12
SB 2193	(Soto)	Medi-Cal.....	20
SB 2194	(Soto)	Medi-Cal: Eligibility	13



ADULT SERVICES

- AB 559 (Nakano)**
Chapter 214
- Elder Abuse: Punishment:** Increases the misdemeanor fine for criminal negligence involving the abuse of elder or dependent adults in violation of Welfare and Institutions Code Section 368(b)(1) – involving circumstances or conditions likely to produce great bodily harm or death – from up to \$1,000 to up to \$6,000.
- AB 1731 (Shelley)**
Chapter 451
- Long-Term Health Care Facilities:** Increases state enforcement authority over nursing homes, increases fines for serious violations and provides quality awards to well-run facilities.
- AB 1819 (Shelley)**
Chapter 559
- Elder Abuse:** Requires specified peace officers to complete an elder and dependent abuse training course consisting of specific curricula and certified by the Commission on Peace Officer Standards and Training (POST). Also requires the Attorney General, in conjunction with the Health and Human Services Agency, to establish a statewide elder and dependent adult abuse awareness media campaign.
- AB 1846 (Lowenthal)**
Chapter 797
- Senior Housing:** Establishes a Senior Housing and Information and Support Center within the California Department on Aging to serve as an information clearinghouse for seniors and their families. Requires the Department of Aging, in consultation with the California Commission on Aging, to develop and distribute information on "aging in place."
- AB 2063 (Zettel)**
Chapter 97
- Elder Abuse: Evidence:** Seeks to protect elder and dependent adults against abuse by allowing the admission of prior acts of abuse when a defendant is accused of abusing an elder or a dependent adult, subject to various evidentiary restrictions.
- AB 2080 (Granlund)**
Chapter 800
- Medi-Cal: Long-Term Care Services:** Requires a resident of a nursing facility, or the agent who manages the resident's assets, to pay the facility any share of cost for which the resident is responsible under the Medi-Cal program. The California Association of Health Facilities, which sponsored this bill, reports that the theft or diversion of share of cost funds is a particular problem for nursing home residents, who often rely on others to manage their money.
- AB 2107 (Scott)**
Chapter 442
- Elder Abuse:** Strengthens the law protecting elders who purchase insurance and financial products and clarifies the definition of financial abuse for the purpose of the Elder Abuse and Dependent Civil Protection Act (Act).
- SB 288 (Peace)**
Chapter 445
- IHSS Program: Administration:** Specifies the composition of the in-home supportive services advisory committees counties are required to establish under AB 1682, Honda (Chapter 90, Statutes of 1999). Specifically, the bill: (1) Requires at least one member (in counties with

fewer than 500 IHSS recipients) and at least two members (in counties with 500 or more IHSS recipients) to be a current or former provider of IHSS services; (2) permits representatives of advocacy organizations for persons with disabilities or seniors to be appointed, as well as persons from community-based organizations that advocate for home care employees; (3) prohibits the county board of supervisors from appointing more than one county employee; (4) exempts from the above, any county that established a governing body for its public authority before July 1, 2000; and (5) permits only one advisory committee per county to be eligible for state administrative funding.

SB 1742 (Hughes)
Chapter 813

Adult Abuse: Amends current law relating to financial abuse of elder adults. Enables trained peace officers to issue a declaration that an elder adult is unable to manage his or her financial resources or to resist fraud or undue influence, that there exists significant danger that the elder person would lose all or a portion of his/her property as a result of the fraud or undue influence, and that there is probable cause to believe a crime is being committed against that elder person. In specified counties, the public guardian could then take charge of the elder person's property immediately, without first determining whether a conservator should be appointed and whether the public guardian would apply for the appointment. The public guardian provisions apply only to counties that have the following: (1) a financial abuse specialist team; (2) sufficient law enforcement trained in assessing competence; and (3) a law enforcement unit dedicated to investigation of elder financial abuse and enforcement of laws applicable to elder abuse.

The court would be required to quash the certification if it finds that there was an insufficient basis for the certification to have been issued. The bill provides that if the public guardian takes possession of an elder person's property, he or she must attempt to find an agent to manage the elder person's estate.

BUDGET & APPROPRIATIONS



AB 480 (Ducheny)
Chapter 114

Personal Income Tax: Allows a refundable credit for the costs of employment-related child and dependent care that are incurred by persons who maintain a household in California during the taxable year. The credit is based on a percentage of the nonrefundable federal child and dependent care credit and decreases as income increases.

AB 1740 (Ducheny)
Chapter 52

2000-01 Budget Act: Enacts the state budget for the 2000-01 fiscal year.

AB 2876 (Aroner)
Chapter 108

Social Services Budget Trailer Legislation: Enacts budget related statute concerning the Departments of Aging, Rehabilitation, Alcohol and

Drug Programs, Employment Development, Social Services and to the Health and Human Services Agency Data Center.

AB 2877 (Thomson)
Chapter 93

Health Budget Trailer Legislation: Enacts budget-related statute concerning the Departments of Health Services, Developmental Services, Mental Health, and Managed Care and to the Managed Risk Medical Insurance Board, the Emergency Medical Services Authority, and the Organization of Area Boards.

AB 2885 (Cardenas)
Chapter 100

Supplemental Local Law Enforcement Funding: Appropriates \$242.6 million for local law enforcement programs. Of these funds, \$121.3 million is for continued funding of the Citizens Option for Public Safety (COPS) program, and \$121.3 million is to be used for a juvenile justice initiative to be administered by the Board of Corrections.



CALWORKS & FOOD STAMPS

AB 1233 (Aroner)
Chapter 933

CalWORKs Program: Clarifies current law to allow counties to offer grant-based on-the-job training to CalWORKs participants.

AB 2059 (Vincent)
Chapter 633

Peace Officers: Welfare Fraud Investigators: Requires all welfare fraud investigators or inspectors appointed as peace officers after January 1, 2001, attend and complete a specialized investigators basic course approved by the Commission on Peace Officer Standards and Training within one year of being hired.

SB 962 (Escutia)
Chapter 795

Public Assistance Payments by Direct Deposit: Requires counties that offer direct deposit to county employees to offer an electronically based direct deposit system to recipients of public assistance. In a signing message, the Governor directed CDSS to include funding for implementation of this bill within counties' CalWORKs single allocations. However, he also directed the department not to exceed the state maintenance-of-effort requirement, stating that the Administration's policy is that the Temporary Assistance for Needy Families block grant, the Welfare-to-Work grant, and the required state expenditures toward these two programs constitute the total amount available for the CalWORKs program on an ongoing basis.

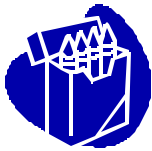
SB 2013 (Committee)
Chapter 682

Food Stamp Program: Application Form: Requires the Department of Social Services, in conjunction with affected stakeholder groups and subject to federal approval, to develop and implement a simplified and shorter application form for non-assistance food stamp cases.



CHILD CARE & DEVELOPMENT

- AB 212 (Aroner)**
Chapter 547
Child Care and Development: Targets \$15 million to local child care and development planning councils to address the retention of qualified child care employees in state-subsidized child care centers
- AB 2778 (Jackson)**
Chapter 548
Child Care Facilities: Requires the Superintendent of Public Instruction to contract with a nonprofit organization to increase child care center and family day care home financing opportunities.
- SB 1004 (Escutia)**
Chapter 549
Child Day Care: Requires CDSS to provide family day care home providers with an addendum to the notification of parents' rights form. The addendum would identify any individuals who have been excluded from the licensed family day care home or those with criminal backgrounds that may pose a risk to the health and safety of children.
- SB 1619 (Alpert)**
Chapter 550
Playground Safety: Requires CDSS to convene a working group to develop recommendations for minimum safety requirements for playgrounds at licensed child care centers.
- SB 1703 (Escutia)**
Chapter 704
Child Care: Appropriates \$42 million to the Department of Education to fund various one-time child care expenditures, including facilities, instructional materials, and equipment. Up to 30 percent of the funds may be used for grants to local planning councils and resource and referral agencies, in order to increase the capacity of non-state subsidized child care providers to service disabled children in settings that meet their developmental needs.



CHILDRENS' ISSUES

- AB 686 (Aroner)**
Chapter 911
- Dependent Children: Termination of Jurisdiction:** Requires a county welfare department to verify to the juvenile court that it provided certain information and services to a dependent minor prior to the termination of the court's jurisdiction. In addition, the measure permits the court to continue jurisdiction if it finds that required information and services were not provided, and that terminating jurisdiction will be harmful to the best interest of the child.
- AB 878 (Cardenas)**
Chapter 839
- Health: Youth Pregnancies: Community Challenge Grant Program:** Extends the Community Challenge Grant Program indefinitely, subject to the appropriation of funds for the program in the annual budget act.
- AB 1241 (Rod Pacheco)**
Chapter 916
- Crime Prevention: Child Abuse Reporting:** Makes multiple substantive and non-substantive changes to the mandatory child abuse reporting laws. The bill changes the law to expressly include "neglect" in every instance where "child abuse" is referenced; and recasts the definition of "child abuse," the list of mandated reporters, and requirements for when and how abuse is to be reported.
- AB 1716 (Robert Pacheco)**
Chapter 56
- Dependency Proceedings: Paternity:** Requires the juvenile court to consider several specified factors when making its inquiry into the paternity of a child, and to enter its findings in the minutes of the court.
- AB 1987 (Steinberg)**
Chapter 909
- Dependent Children: Siblings: (CWDA Sponsored Bill)** Requires the juvenile court to consider the existence and nature of sibling relationships in all placement, visitation and permanency hearings.
- AB 2037 (Corbett)**
Chapter 799
- Children: Alcohol or Drug Exposed or HIV Positive:** Extends eligibility for specialized services to foster children who are drug or alcohol exposed or HIV positive from up to age three to up to age five, provided certain criteria are met.
- AB 2130 (Corbett)**
Chapter 809
- Family Health Insurance Coverage:** Requires a health insurer, pursuant to a qualified medical support order, to provide a non-covered custodial parent or other person having custody of a child the same information regarding insurance coverage for the child that is provided to the covered non-custodial parent. The information is to include evidence of coverage, disclosure forms, health insurance membership or identification card. The bill also requires the insurer to notify the non-covered custodial parent if the coverage is terminated.
- AB 2307 (Davis)**
Chapter 745
- Children: Foster Care:** Directs community college districts that have a foster care education program to provide orientation and training programs for relative caregivers.

- AB 2316 (Mazzoni)**
Chapter 965
- Children of Incarcerated Parents: Study:** Requires the California Research Bureau (CRB) to conduct a study of the children of women who are incarcerated in state prisons, and that certain local agencies and school districts permit CRB to have reasonable access to specified records. States that the costs of this bill will be paid from funds appropriated for this purpose in the *2000-01 Budget Act*.
- AB 2453 (Runner)**
Chapter 67
- Pupil Records:** Authorizes foster family agencies with jurisdiction over currently enrolled or former pupils to access records of those pupils' grades, transcripts, and individualized education plans maintained by school districts or private schools.
- AB 2464 (Kuehl)**
Chapter 921
- Child Custody: Modification: Chapter 67:** Provides that any custody or visitation order issued by the juvenile court at the time the juvenile court terminates its jurisdiction shall be a final order and shall remain in effect after that jurisdiction is terminated, and shall not be modified in a proceeding in family court unless the court finds that: (1) there has been a significant change of circumstances since the juvenile court issued the order and (2) modification of the order is in the best interests of the child.
- AB 2706 (Cunneen)**
Chapter 259
- Wraparound Programs:** Expands eligibility for the wraparound child welfare services pilot programs to children who would qualify for placement in a group home with a Rate Classification Level of 10 and higher. (Prior to this change, only children who would qualify for placement in a level 12 or higher group home were eligible for the pilot.)
- AB 2921 (Committee)**
Chapter 910
- Minors: Adoption: Dependent Children:** Amends the Family Code to (1) permit adopting non-relatives and birth parents to enter into voluntary post-adoption contact agreements; (2) require notice to a birth parent of an adopted child's right, upon the child's reaching the age of 21, to ask CDSS for the name and address of the birth parent, in order to give the birth parent the opportunity to indicate whether the department should release the information; (3) add foster caregivers, adoptive parents, and health service providers to those persons to whom information about an adoption petition may be released. Also reorganizes certain provisions of the Welfare and Institutions Code relating to status review hearings for dependent children and makes technical amendments to those provisions.

- SB 1343 (Monteith)**
Chapter 314
Parole: Child Abuse: Requires that upon request of a prisoner's immediate family, they must receive notice at least 45 days prior to the release of the prisoner, including the terms of the prisoner's parole. This requirement applies to any prisoner incarcerated in state prison for specified crimes involving child abuse or any sex offense specified as being perpetrated against a minor, or upon the order of the court.
- SB 1352 (Alpert)**
Chapter 300
Youth Pilot Program: Extends until July 2004 the Youth Pilot Program, which provides integrated, comprehensive services to low-income, high-risk youth and their families. The statute that initially authorized the program would have expired July 1, 2002. This bill also specifies the parameters for the state-level evaluation of the program and eliminates a provision that requires an evaluation only if non-state funds are made available for this purpose.
- SB 1368 (Brulte)**
Chapter 824
Child Abandonment: Newborns: Provides that no parent or lawful custodian of a child 72 hours old or younger may be prosecuted for the crime of child abandonment if they voluntarily surrender physical custody of the child to an employee at a hospital emergency room. Specifies procedures for the hospital and the county child protective services program to follow when a child is surrendered, and also specifies procedures to follow when the person who has surrendered custody asks for the child to be returned.
- SB 1452 (Wright)**
Chapter 520
Child Welfare: Mental Health: Requires counties participating in Children's System of Care program to coordinate services with other programs intended to help the same population. It requires these counties to develop plans for youth aged 15-21 as they transition out of the program.
- SB 1611 (Bowen)**
Chapter 908
Juvenile Justice Commissions and Juvenile Court Orders: Authorizes a county juvenile justice commission to access court records and other confidential records to investigate possible abuses in the foster care and juvenile justice systems. The identity of the minors named in the records will be kept confidential. Also authorizes a juvenile court to include private service providers in the proceedings, in order to effectuate its orders regarding the care, custody and control of a dependent child.
- SB 1716 (Ortiz)**
Chapter 926
Child Custody Proceedings: Allegations of Sexual Abuse: Requires court-connected and private custody evaluators to participate in domestic violence training. Also authorizes the family courts to report to local child protective services agencies when conducting an investigation into serious allegations of child sexual abuse that are made during child custody hearings.
- SB 1896 (Ortiz)**
Chapter 817
Community Care Facilities: Small Family Homes: Requires CDSS and the Office of the State Fire Marshal, in consultation with the Department of Developmental Services, to disseminate departmental regulations consistent with the regulatory requirements of the California Building Standards Code for fire and life safety for community care facilities.

- SB 1946 (McPherson) Kinship Support Services:** Appropriates \$3 million to expand the Kinship Supportive Services Program (KSSP), provides that counties shall not become ineligible for grant funds if their percentage of relative placements declines, and requires CDSS to contract for a study of the cost, benefits, and effectiveness of KSSP. In signing the bill, the governor vetoed the \$3 million augmentation, indicating that funding should be considered in the context of budget negotiations.
- SB 1951 (Costa) Child Abuse: Probation Officers:** Requires the Board of Corrections to revise its annual training requirements for probation officers providing direct services to families and children to include training on child abuse identification and reporting.
- SB 2157 (Schiff) Post-adoption Contact Agreements:** Guarantees that birth parents and other relatives, including grandparents, will have the option of post-adoption contact with children being adopted by non-family members.
- SB 2160 (Schiff) Dependent Children: Detention Hearings:** Requires that counsel be appointed for children who are unrepresented in juvenile court dependency hearings, unless the court makes finding to the contrary. Also gives the appointed counsel access to all records of the dependent child maintained by specified health care providers.
- SB 2161 (Schiff) Children: Placement:** *(CWDA Sponsored Legislation):* Gives county welfare departments access to state summary criminal history information through the California Law Enforcement Telecommunications System (CLETS) for the following purposes: (1) To conduct an investigation involving a child alleged to come within the jurisdiction of the juvenile court; (2) to assess the appropriateness and safety of placing a child in the home of a relative; and (3) to locate an absent parent or guardian who is the subject of dependency court proceedings. Additionally, this bill requires that any time a county welfare department initiates a criminal background check through CLETS, the county social worker must initiate a fingerprint clearance check (through Livescan or another means) of the relative and any other person whose criminal record was obtained within five judicial days following the criminal records check.

MEDI-CAL & HEALTHY FAMILIES



- AB 499 (Aroner) Medi-Cal: Assisted Living Demonstration Project:** Requires the Department of Health Services to develop a Medi-Cal federal waiver program to test the benefits of providing an assisted living benefit to beneficiaries who are eligible for placement in a nursing facility.

- AB 1015 (Gallegos)**
Chapter 946
Healthy Families: Eligibility: Requires the Managed Risk Medical Insurance Board, commencing July 1, 2001, to expand eligibility under the Healthy Families program to parents of children who are eligible under that program, to the extent that federal financial participation is available and funds are appropriated specifically for this purpose.
- AB 1098 (Romero)**
Chapter 322
Health: Strengthens penalties for Medi-Cal fraud and abuse by increasing criminal penalties, expanding the Attorney General's use of the Grand Jury process to investigate Medi-Cal fraud, adding Medi-Cal fraud to the definition of organized crime to allow forfeiture of assets purchased with criminal profits, and creating a new crime for willful and wanton disregard of a patient's safety during fraudulent Medi-Cal laboratory schemes.
- AB 2415 (Migden)**
Chapter 944
Health Care: Healthy Families Program: Medi-Cal: Eligibility: Provides that California will continue to fund health coverage for uninsured legal immigrant children, subject to annual state budget appropriations. Previous legislation authorizing state-only coverage for this group would have sunset at the end of the 1999-00 fiscal year.
- AB 2899 (Committee)**
Chapter 858
Medi-Cal: Permits a Medi-Cal patient's attending physician to sign a prescribing order for medication made by another physician, such as an on-call doctor.
- AB 2900 (Gallegos)**
Chapter 945
Medi-Cal: Eligibility: Extends continuous eligibility to children for a 12-month period from the date of their determination of eligibility for Medi-Cal benefits, subject to the availability of federal financial participation.
- SB 87 (Escutia)**
Chapter 1088
Medi-Cal: Eligibility: Establishes requirements and procedures for providing uninterrupted health coverage through the Medi-Cal program and for reviewing Medi-Cal eligibility for beneficiaries whose CalWORKs benefits have ended.
- SB 745 (Escutia)**
Chapter 811
Mental Health: Contracts: Disputes: Requires the Department of Mental Health (DMH) to require mental health plans to enter into a memorandum of understanding meeting specified requirements with Medi-Cal managed care plans; requires the establishment of a procedure to ensure access to outpatient mental health services for foster children; and requires the Department of Health Services (DHS) to ensure that coverage is provided to Medi-Cal beneficiaries for covered medications and medical services prescribed by local mental health plan providers.
- SB 2194 (Soto)**
Chapter 435
Medi-Cal: Eligibility: Clarifies the circumstances under which a transfer of assets affects the Medi-Cal eligibility of a person who needs care in a skilled nursing facility.



MISCELLANEOUS

AB 1748 (Zettel)

Immunizations: Disclosure of Immunization: Authorizes schools, Chapter 593 child care facilities, service providers, health care plans, and county welfare departments to disclose child immunization record information from the patient's medical record to local health departments and DHS. Extends existing child immunization program disclosure authorization to county welfare departments for assessing immunization histories of dependents of CalWORKs participants.

AB 1873 (Wiggins) Chapter 793

School-to-Career Opportunities: Creates the Interagency Partnership for School-to-Career Programs as a formal collaboration among the Secretary for Education, the State Department of Education, the Chancellor's Office of the California Community Colleges and the Health and Human Services Agency, for the purpose of administering a grant program to local partnerships. Among other activities, the funds may be used to match students with work-based opportunities; use school-site mentors as liaisons between educators, business, parents, and community partners; provide technical assistance to help employers and educators design comprehensive school-to-career systems; provide technical assistance to help teachers integrate school- and work-based learning into their curricula, as well as academic and occupational subject matter; encourage active business involvement in school- and work-based activities; assist students in finding appropriate work, continuing their education or training, and linking them to other community services. While the bill sent to the Governor included a \$5 million appropriation for these grants, the Governor reduced this to \$2 million.

AB 1910 (Migden) Chapter 150

Children and Family Health Programs: Specifies the powers, duties, and responsibilities of Children and Families Commissions established by counties pursuant to the California Children and Families First Act of 1998 (Proposition 10). Specifically, the bill authorizes two alternative organizational approaches for county commissions. First, commissions can be established as independent legal entities that have the duty to file a statement with the Secretary of State as a public agency and the power to employ personnel, enter into contracts, acquire and dispose of real property, and sue or be sued. The alternative organizational approach permits counties to establish their commission as an agency of the county, having independent authority over the strategic plan required by the act and over the trust fund created by the act.

AB 2623 (Rod Pacheco) Chapter 623

Department of Justice: Criminal Background Checks: Allows the Department of Justice, upon request by an authorized local or state agency, to release conviction disposition information that has not been fingerprint-verified. When such information is provided to the agency, DOJ must: disclose that the information has not been fingerprint-verified;

compare all available identifying characteristics of the applicant with those that appear in the criminal history information; and inform the applicant that probable identification has been made, what characteristics were used, and of his or right to challenge the identification. It also requires the state or local agency to inform the applicant, when the application is denied based on the information provided by DOJ, of his or her right to appeal the decision.

AB 2799 (Shelley)
Chapter 982

Public Records: Disclosure: Revises various provisions in the Public Records Act (PRA) in order to make public records that are not otherwise exempt from disclosure available in an electronic format, if the information or record is kept in electronic format by a public agency. Requires that any response to a request for public records that includes a denial, in whole or in part, shall be in writing, and provides that PRA may not be construed to permit an agency to delay or obstruct inspection or copying of public records.

SB 43 (Johnston)
Chapter 491

Employment: Training Panel: Makes technical amendments to streamline and clarify statutes relating to the Employment Training Panel and permit more flexibility in the operation of panel programs. Among other things, the bill eliminates the sunset date for ETP, makes the Executive Director of ETP a pleasure appointment of the Governor instead of a four-year term appointment, streamlines the employer eligibility provisions for retraining contracts, and requires all training to be customized to specific requirements of one or more employers and to include general skills that trainees can use in the future.

SB 1338 (Figueroa)
Chapter 847

Health: Youth Pregnancies: Community Challenge Grant Program: Evaluation: Directs the State Department of Health Services to establish outcomes for the Community Challenge Grant Program and requires the department to conduct and submit a statewide evaluation of the program within six months of the completion of a grant cycle.

VETOED LEGISLATION



AB 93 (Cedillo)

Medi-Cal Program: Eligibility Determinations: Current law requires DHS to simplify the Quarterly Status Reports for Medi-Cal eligibility and states that the reaffirmation of eligibility is to be filed annually or at other times as established by DHS. This bill would have eliminated the authority for DHS to establish the other reporting requirements, thereby resulting in an annual reaffirmation. In his veto message, the Governor expressed concern that the bill went beyond the expansion of Medi-Cal eligibility agreed upon as part of the 2000-01 Budget Act and could result in benefits for persons no longer in need of Medi-Cal

- AB 1235 (Ashburn)** **Infant Supplemental Rate Increase:** Would have increased the supplemental rate paid for infants placed with their minor parents in foster family homes, certified foster family agency homes, or group homes. In vetoing this legislation, the Governor noted the 2.96% cost-of-living adjustment included in the *2000-01 Budget Act* for infant care supplemental rates. He also expressed concern that the bill would set a precedent for the state assuming the county share of rate increases.
- AB 1722 (Gallegos)** **Medi-Cal: Eligibility:** Would have exempted all resources, other than income, from consideration in determining eligibility for the Medi-Cal 1931(b) program, to the extent that federal financial participation is available. The Governor's veto message indicated that the bill was inconsistent with the eligibility rules agreed upon as part of the Budget Act of 1999 and related budget trailer bill legislation
- AB 1896 (Jackson)** **Long-Term Care:** Would have required the Department of Aging, in cooperation with CDSS, DHS, and the State Independent Living Council, to establish a Long-Term Care Options Program Pilot Project. Grants would be made to general acute care hospitals to establish long-term care options programs in order to provide information and assessment to assist eligible patients in making long-term care decisions. In vetoing the measure, the Governor expressed concern about the potential costs of implementing the bill.
- AB 1974 (Migden)** **Healthy Families Program:** Would have required DHS and the Managed Risk Medical Insurance Board to enter into an interagency agreement with the Employment Development Department for the purposes of conducting outreach for the Healthy Families and Medi-Cal programs. Would have required employers to notify their employees about these programs and enable employees to pay family contributions through a payroll deduction. The Governor expressed numerous concerns with this bill, including: (1) potential cost increases, (2) the need to evaluate outreach strategies in the context of the possible expansion of Healthy Families to include uninsured parents, (3) the extent to which employers might discontinue offering health benefits if their employees could opt into Healthy Families or Medi-Cal instead and (4) the costs associated with a new mandate on employers.
- AB 1986 (Wiggins)** **Child Care and Development:** Would have required the Department of Education to certify state-subsidized child care programs that meet prescribed performance standards and provide technical assistance to programs not meeting those standards. The Governor indicated that the bill was unnecessary because the department already has the authority to implement performance standards and revise those standards as it sees fit, without a statutory change.
- AB 2011 (Wayne)** **Family Day Care Homes: Licensing: Unannounced Visits:** Would have revised the requirements for site visits to licensed family day care homes by requiring that such visits be unannounced and conducted within every two-year period, and as often as necessary to ensure

compliance. In vetoing this measure, the Governor cited his desire to review the measure in the context of the budget process.

AB 2012 (Shelley) Foster Care Providers: Educational Support Requirements: Would have expanded the authority to operate Foster Youth Services programs and established new program standards and requirements. In his veto message, the Governor noted that the 2000-01 Budget Act contains \$7.6 million for these programs and the Budget Conference Committee rejected a further expansion.

AB 2136 (Maldonado) Respite Care: Would have required the Long-Term Care Council to: (1) Establish a uniform definition of respite care for future legislative change; 2) develop a minimum data set of information on family caregiver programs that provide caregiver support; and 3) improve service coordination between existing programs. This information would have been included in the California Health and Human Services Agency Long-Term Council's 2001 report to the Legislature. In vetoing this measure, the Governor noted that it included no funding for the increased workload associated with the measure and stated his desire to review the issue in the context of the budget process.

AB 2137 (Maldonado) Caregiver Background Checks: Fee Waiver: Would have waived the fees charged for criminal background checks conducted by the Department of Justice for up to 50,000 low-income recipients of services under the In-Home Supportive Services program each year from January 1, 2001 to January 1, 2003. While the Governor indicated his support for the concept of waiving background check fees for low-income workers, he questioned the fairness of waiving the fee only for this group and not low-income workers in other fields and also expressed concern about the potential cost of doing so.

AB 2160 (Cunneen) Child Care and Development: Reimbursement Rates: Would have authorized the Department of Education to increase Standard Reimbursement Rates (SRR) to support compensation increases at state contracted child care centers operating in areas where the Regional Market Rate is higher than the SRR, if the centers could demonstrate that their costs were sufficiently high to justify reimbursement at the higher rate. In vetoing the bill, the Governor cited increases to child care reimbursement rates that were included in the *2000-01 Budget Act*.

AB 2210 (Ashburn) Foster Care: Would have permitted a child protective agency that intends to place a dependent child with prospective caretakers who are willing to become adoptive parents, to disclose all available information about the dependent child to the prospective caretakers, including the child's history and background, if reunification efforts have failed. In his veto message, the Governor indicated that the bill could delay adoptions for months or years by withholding from prospective adoptive parents important health and personal information until after the family reunification process has failed.

- AB 2315 (Mazzoni)** **Children of Incarcerated Parents:** Would have required the Attorney General to convene a study group to develop a model protocol that addresses how to care for children of incarcerated parents and required probation officers to include in their presentencing report to the court a discussion of whether a defendant has children and what arrangements exist for the care of those children. In vetoing this measure, the Governor cited his desire to review the measure in the context of the budget process.
- AB 2375 (Honda)** **Juveniles: Special Education:** Would have authorized a county, upon the adoption of a resolution by its board of supervisors and upon approval of the presiding judge of the superior court, to require court appointed special advocates, probation officers, and social workers, as applicable, to take action to ensure that dependent children receive any special education and related services and any accommodations for the disabled, as applicable, to which they are entitled under state and federal law. In his veto message, the Governor wrote that the bill could create an imbalance between “the need to assess and provide educational interventions” and “the need to ensure that students involved in the juvenile system have access to the least restrictive environment,” and that the bill would result in significant costs “to process unnecessary referrals for assessment.”
- AB 2392 (Corbett)** **Special Education: Foster Parents:** Would have expanded the list of persons authorized to request assessments of pupils for special education services, given preference to foster parents over surrogate parents in making education decisions for children, and authorized the court to limit the rights of parents or guardians under specified circumstances. In vetoing the bill, the Governor expressed concern that it was overly broad, infringed upon the rights of parents and guardians to make educational decisions for their children, and imposed a reimbursable state mandate on courts.
- AB 2518 (Washington)** **Crime Prevention: Drug Endangered Children:** Would have established the California Drug Endangered Child Protection Program, a five-year pilot project providing funding to specified counties, and appropriated \$10 million General Fund to the Office of Criminal Justice Planning to fund the continued coordination of multi-agency drug endangered child response teams in seven counties.
- SB 147 (Alpert)** **Medi-Cal Eligibility:** Would have amended statute enacted as part of the 2000-01 Omnibus Health Trailer Bill (AB 2877, Thomson) to extend eligibility for no-share-of-cost Medi-Cal to former foster youth up to age 21, to specify that no means or asset tests shall be applied as a condition of receiving benefits. In his veto message, the Governor indicated that he did not believe the legislation was necessary, as DHS is already implementing the program in this manner.
- SB 546 (Solis)** **Unemployment Compensation:** Would have increased the weekly Unemployment Insurance benefit by 65 percent for most California

workers, phased in over a three-year period. The Governor vetoed the bill because it could trigger future increases in the UI tax rate and because the state is experiencing its lowest unemployment rate in decades.

- SB 1641 (Bowen)** **Guardians and Conservators:** In cases where the value of the estate of a ward or conservatee exceeds \$20,000 and the guardian or conservator is a blood relative of the ward, would have required the court to appoint legal counsel to represent the ward or conservatee and to determine a rate at which the counsel will be compensated by the estate. While he indicated support for the concept, the Governor expressed concern that that attorney's fees associated with the appointment of legal counsel could erode the value of small estates.
- SB 2043 (Schiff)** **Termination of Parental Rights: Notice:** Would have modified the procedures for providing notice to parents of a child, and any other person entitled to receive notice, of a court hearing to terminate parental rights. In his veto message, the Governor expressed concern that the termination of parental rights might become *pro forma* rather than being carefully considered.
- SB 2050 (Speier)** **Children's Health Care Programs:** Would have required DHS to (1) establish procedures for applying for Medi-Cal and Healthy Families over the Internet and (2) convene a workgroup and report to the Legislature regarding the unification of Medi-Cal and Healthy Families.
- SB 2091 (Ortiz)** **Children: Foster Care:** Subject to the availability of state and federal funds, would have established a three-county pilot for current and emancipated foster youth between the ages of 17 and 21. The pilots would include shelter and family support, mentoring services, job training, and education assistance. In vetoing the bill, the Governor expressed concern that the program would be duplicative of the existing Independent Living Program.
- SB 2092 (Schiff)** **Conservatorship: Minors:** Would have required county welfare and probation departments to notify a minor's attorney of conservatorship proceedings if the minor is a dependent or ward of the juvenile court. Would have required the county welfare department to (1) make available to the minor's attorney reports, medical records, or files of the guardianship or conservatorship proceedings and (2) develop a written protocol to ensure consideration by the court considering the petition for conservatorship. In vetoing this bill, the Governor cited concerns over creating a reimbursable mandate.
- SB 2193 (Soto)** **Medi-Cal:** Would have created a Medi-Cal public inquiry unit within DHS to ..respond to eligibility questions, change county eligibility interpretations and determinations, and alter beneficiary files. In his veto message, the Governor indicated that this bill was unnecessary because a fair hearing process already exists for Medi-Cal applicants who wish to appeal an eligibility determination.