

County Welfare Directors Association 2002 Chaptered & Vetoed Legislation Report



Index of Subjects	Page
Adult Services	4
Budget & Appropriations	5
CalWORKs & Food Stamps	6
Children's Issues	7
Medi-Cal & Healthy Families	11
Miscellaneous	12
Vetoed Legislation	14

Index of Bills by Bill Number	Page
AB 255 (Zettel) Adult Protective Services Clean-Up	4
AB 299 (Rod Pacheco) Child Abuse Reporting Requirements	7
AB 323 (Pavley) Special Education: Juvenile Courts	14
AB 364 (Aroner) Child Welfare Services	7
AB 425 (Oropeza) 2002-03 Budget Act	5
AB 428 (Shelley) State Supplementary Program Pass-Through	4
AB 442 (Committee) 2002-03 Health Budget Trailer Bill	5
AB 444 (Committee) 2002-03 Human Services Budget Trailer Bill	5
AB 670 (Strom-Martin) Animal Abuse and Neglect Reporting	7
AB 692 (Aroner) 2002-03 Human Services Budget Trailer Bill Clean-up	6
AB 843 (Chan) Medi-Cal: Newborn Children Electronic Enrollment	14
AB 886 (Simitian) Educational Representatives for Dependent Children	7
AB 915 (Frommer) Medi-Cal Provider Reimbursement	11
AB 925 (Aroner) Employment of Persons With Disabilities	4
AB 1119 (Migden) Transitional Housing Programs for Emancipated Foster Youth	7
AB 1358 (Pescetti) Child Care Facilities: Investigations	8
AB 1652 (Goldberg) Public Social Services: Relocation Assistance	14
AB 1694 (Committee) Foster Care: AB 1695 Clean-up	8
AB 1734 (Committee) Deaf and Disabled Telephone Service program	4

AB 1938	(Aroner)	Guardianships: Conservatorships: Custody.....	8
AB 1942	(Chu)	Youth Anti-Bias Pilot Program.....	14
AB 1947	(Washington)	Drug Felons: Food Stamp Eligibility.....	14
AB 1959	(Corbett)	CalWORKs: Participants in RN Training Programs.....	15
AB 1961	(Canciamilla)	Residential Care Facilities for the Elderly: Terminally Ill Patients.....	4
AB 1979	(Steinberg)	Independent Living Program.....	8
AB 2044	(Salinas)	Mental Health Realignment: Due Date of Reports.....	12
AB 2140	(Simitian)	Elder and Dependent Adult Abuse: Increased Penalties.....	4
AB 2197	(Koretz)	Medi-Cal Eligibility for Non-Disabled, HIV-Positive Persons.....	11
AB 2235	(Vargas)	IHSS Employer of Record.....	4
AB 2294	(Liu)	Foster Care Ombudsperson.....	8
AB 2305	(Mountjoy)	Medi-Cal: Information for Beneficiaries.....	15
AB 2364	(Negrete McLeod)	Medi-Cal Simplification Study.....	12
AB 2380	(Ashburn)	Children: Group Homes.....	15
AB 2386	(Keeley)	CalWORKs: Aid Eligibility: Extension.....	15
AB 2403	(Steinberg)	Foster Youth Educational Achievement.....	15
AB 2442	(Keeley)	Child Abuse Central Index.....	8
AB 2462	(Bates)	Child Witnesses to Domestic Violence.....	9
AB 2514	(Bates)	Substance Abuse-Child Welfare Review Committee.....	16
AB 2651	(Chu)	Foster Youth.....	16
AB 2652	(Chu)	Domestic Violence Courts.....	16
AB 2740	(Chan)	Children's Mental Health: County Grant Program.....	16
AB 2741	(Chan)	Children's School Readiness and Health Council.....	16
AB 2800	(Chan)	California Children and Families First Commission.....	9
AB 2874	(Florez)	Child Care Licensing.....	16
AB 2920	(Aroner)	California Center on Social Work Careers.....	17
AB 2922	(Simitian)	Personal Information: State Agency Records.....	17
AB 2972	(Aroner)	Discrimination: Homeless Youth.....	9
ACA 11	(Richman)	Infrastructure Financing.....	5
AJR 53	(Aroner)	Temporary Assistance for Needy Families Reauthorization.....	6
SB 59	(Escutia)	Healthy Families Program.....	12
SB 283	(Speier)	Healthy Families Program.....	12
SB 390	(Escutia)	Child Care and Development Programs: State Master Plan.....	17
SB 827	(Perata)	Adult Day Services.....	17
SB 900	(Ortiz)	Criminal History Information.....	12
SB 953	(Vasconcellos)	California Integrated Elder Care and Involvement Act of 2002.....	5

SB 1227	(Burton)	Housing Bond Act	12
SB 1236	(Alarcon)	Labor and Workforce Development Agency	12
SB 1264	(Alpert)	CalWORKs Eligibility	6
SB 1324	(Ortiz)	Medical Evidentiary Examinations	13
SB 1362	(Karnette)	Female Inmates: Family Visitation	17
SB 1403	(Kuehl)	60-Day Eviction Notifications	13
SB 1499	(Johnson)	Child Care Court Records	9
SB 1505	(Kuehl)	Child Welfare Worker Training	9
SB 1512	(Scott)	Interstate Compact on the Placement of Children	9
SB 1566	(Polanco)	Economic and Workforce Development Program	13
SB 1559	(Figueroa)	Child Victims of Sexual Abuse: Closed-Circuit Testimony	9
SB 1650	(Alpert)	Youth Mentoring and Development Programs	9
SB 1654	(Burton)	Governor's Office: Homelessness	17
SB 1677	(Alpert)	Surrogate Parents	10
SB 1704	(Ortiz)	Child Custody Investigations	10
SB 1745	(Polanco)	Child Protection/Law Enforcement Domestic Violence Protocols	10
SB 1751	(Burton)	Deaths of Homeless Persons	18
SB 1767	(Perata)	Medi-Cal Plan Enrollment Eligibility	18
SB 1779	(Burton)	Childhood Sexual Abuse: Statute of Limitations	10
SB 1815	(Chesbro)	Surplus Property Donation: Human Services Programs	13
SB 1831	(Peace)	Tobacco Settlement Securitization	6
SB 1911	(Ortiz)	Children's Mental Health	11
SB 1956	(Polanco)	Dependency Proceedings: Notice	11
SB 2012	(Margett)	Special Education: Interagency Agreements	11



ADULT SERVICES

- AB 255 (Zettel)**
Chapter 54
- Adult Protective Services:** CWDA-sponsored clean-up bill to SB 2199, which established the statewide APS system. The bill makes mostly technical changes to the law, enabling sharing of information with local district attorneys' offices, and expanding the list of mandated reporters to be consistent with child welfare statute.
- AB 428 (Shelley)**
Chapter 1021
- State Supplementary Program Pass-Through:** Requires the state to pass through to SSI/SSP recipients any federal cost-of-living adjustment in any year in which the state suspends its portion of the SSI/SSP COLA.
- AB 925 (Aroner)**
Chapter 1088
- Employment of Persons With Disabilities:** Revises and expands several programs for persons with disabilities who are working. This includes a requirement that the IHSS Personal Care Services Program include services provided at the workplace, to the same extent that those services are covered in the home. The bill also provides for state and local planning activities; implementation and oversight of the nondiscrimination provisions of the Workforce Investment Act; implementation of inclusive One-Stop Career Centers; and performance measurement.
- AB 1734 (Committee)**
Chapter 61
- Deaf and Disabled Telephone Services Program:** Modifies the existing Deaf and Disabled Telecommunications Program (DDTP) within the California Public Utilities Commission. Makes changes to the DDTP Administrative Committee in order to better provide program oversight.
- AB 1961 (Canciamilla)**
Chapter 109
- Residential Care Facilities for the Elderly: Terminally Ill Patients:** Permits a residential care facility for the elderly (RCFE) to obtain a waiver from the Department of Social Services to allow a person who has been diagnosed by his or her physician as being terminally ill to become a resident of the facility if that person is already receiving hospice care.
- AB 2140 (Simitian)**
Chapter 369
- Elder and Dependent Adult Abuse: Increased Penalties:** Increases penalty for a "simple battery" misdemeanor against an elder or dependent adult to up to one year in the county jail. The bill also increases the misdemeanor penalty for criminal negligence involving an elder or dependent adult in circumstances or conditions not likely to produce great bodily harm or death by increasing county jail time and fines.
- AB 2235 (Vargas)**
Chapter 1135
- IHSS Employer of Record:** Requires counties to provide documentation of progress toward establishing an employer of record for IHSS workers no later than January 15, 2003. Counties that are unable to submit such documentation would be required to provide written notice explaining the reasons for their failure to do so and describing a compliance plan to be implemented by March 15, 2003. If this written notice is not provided, the county would become the employer of record until it documents that another entity has been named the employer of record.
- SB 953 (Vasconcellos)**
Chapter 541
- California Integrated Elder Care and Involvement Act of 2002:** (1) Requires the California Health and Human Services Agency to set standards for a new

CalCareNet program, with the goal of creating an Internet site that links counties and planning service areas and provides information on long-term care services available to consumers. (2) Requires the agency to recommend to the Legislature, by January 1, 2004, standards for care navigation including suggestions for connecting consumers from acute care systems, to and through the long-term care system. (3) Requires any applicant for licensure as a psychologist, social worker, or marriage and family therapist, or for renewal of a license to complete specified educational requirements regarding aging and long-term care. (4) Requires the Superintendent of Public Instruction to make available to teachers a curriculum on human growth, human development, and financial preparedness. (5) Requests that the Governor's Office on Service and Volunteerism (GOSERV) pursue resources to develop an Elder Corps master plan to expand opportunities for engaging California's seniors, and to set standards for the effective training and supervision of volunteers. Asks GOSERV to ensure that California's portion of federal funds from the USA Freedom Corps be used to enhance senior volunteer opportunities. (6) Requests that California Community Colleges, California State University and the University of California develop standards and guidelines for the biological, social, and psychological aspects of aging. (7) Requests that the Senior Worker Advocate Office of the Employment Development Department conduct outreach to the business community directed at educating employers regarding matters relating to aging.

BUDGET & APPROPRIATIONS



ACA 11 (Richman)
Res. Chapter 185

Infrastructure Financing: Places an initiative on the November ballot that would create a source of dedicated "pay-as-you-go" financing for state and local infrastructure. Assuming annual General Fund revenue growth after 2002-03 of about 5 percent, the amount set aside for the infrastructure would be about \$950 million in 2006-07 and would grow, assuming no reductions or suspensions as prescribed in this bill, to about \$4.4 billion in 2015-2016, and would thereafter grow by \$30 million for every \$1 billion in GF revenue growth.

AB 425 (Oropeza)
Chapter 379

2002-03 Budget Act: Enacts the budget for the State of California.

AB 442 (Committee)
Chapter 1161

2002-03 Health Budget Trailer Bill: Enacts statutory changes needed to implement the portions of the budget related to health programs.

AB 444 (Committee)
Chapter 1022

2002-03 Human Services Budget Trailer Bill: Enacts statutory changes needed to implement the portions of the budget related to human services programs.

AB 692 (Aroner)
Chapter 1024

2002-03 Human Services Budget Trailer Bill Clean-up: (1) Establishes the California Savings and Asset Project to match low-income participants' savings in Individual Development Accounts (IDAs). (2) Makes technical changes to AB 444, the omnibus social services trailer bill, related to quarterly reporting for CalWORKs

and Food Stamps.

SB 1831 (Peace)
Chapter 414

Tobacco Settlement Securitization: Authorizes the sale of all or any portion of the state's tobacco assets necessary to provide the state with up to \$4.5 billion exclusive of capitalized interest and other costs. Future tobacco settlement funds received would be used to secure the payment of principal and interest on the bonds sold.



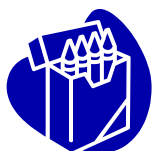
CALWORKS & FOOD STAMPS

AJR 53 (Aroner)
Res. Chapter 195

Temporary Assistance for Needy Families Reauthorization: Asks Congress to: (1) Maintain the flexibility states have in current law to spend TANF funds, provide a safety net to vulnerable children, and design the most effective ways to move people into work; (2) adjust the TANF block grant for inflation; (3) recognize states' needs to provide ongoing supportive services and child care to keep families permanently off welfare; (4) base federal child support automation penalties on the 1997-98 fiscal year, the year prior to penalties first being imposed; (5) give states the option to reinvest federal child support automation penalties back into their child support programs and automation efforts; and (6) simplify federal child support distribution rules to allow more money to go directly to families, reduce California's system procurement costs, and assist California in completing a statewide automated child support system.

SB 1264 (Alpert)
Chapter 439

CalWORKs Eligibility: Exempts scholarships and other academic awards from consideration as income or resources when determining eligibility for CalWORKs. Also provides that a 16- or 17-year-old child who graduates from high school and plans to enroll in postsecondary education, training, or a vocational education program during the next semester is exempt from CalWORKs work requirements.



CHILDRENS' ISSUES

- AB 299 (Rod Pacheco)** **Child Abuse Reporting Requirements:** Makes changes to the Child Abuse and Neglect Reporting Act related to the inclusion of documentary evidence with the report and related to cases where the alleged victim has reached the age of majority. Specifically, the bill: (1) Encourages mandated reporters to include with their reports any documentary evidence the mandated reporter possesses relating to the incident; (2) requires reporters to provide any documentary evidence upon request of the law enforcement agency investigating the child abuse report, if this evidence is not included with their report; (3) requires that a report be made even if the alleged victim has reached the age of majority; (4) requires law enforcement and child welfare agencies to cross-report all cases of suspected child abuse where the alleged victim has reached the age of majority; and (5) provides that the local law enforcement agency has jurisdiction to investigate reports of child abuse made when the victim has reached the age of majority.
Chapter 936
- AB 364 (Aroner)** **Child Welfare Services:** States the intent of the Legislature that the Department of Social Services develop a plan for reducing county child welfare services worker caseloads, and that recommendations for reducing caseloads be included in the next planned report of the Child Welfare Services Stakeholders Group.
Chapter 635
- AB 670 (Strom-Martin)** **Animal Cruelty, Abuse and Neglect:** Permits employees of county child and adult protective services agencies to receive instruction on identifying and reporting suspected incidences of animal cruelty, abuse, and neglect. Provides that known or suspected animal cruelty, abuse, or neglect may be reported to the entity or entities in that county that investigate animal abuse and neglect reports.
Chapter 134
- AB 886 (Simitian)** **Parental Authority: Educational Decisions:** Requires the court, in dependency proceedings, to appoint a responsible adult to make educational decisions for the child whenever the court specifically limits the rights of the parent or guardian to make educational decisions for the child. Provides that such appointment shall remain in effect until the child reaches 18 years of age unless the child is incompetent or chooses not to make educational decisions for himself or herself; another responsible adult is appointed to make educational decisions; the right of the parent or guardian to make educational decisions for the child is fully restored; a successor guardian or conservator is appointed; or the child is placed into long-term foster care and the foster parent is able to exercise educational rights pursuant to Education Code Section 56055.
Chapter 180
- AB 1119 (Migden)** **Transitional Housing Services for Emancipated Foster Youth:** Eliminates the requirement that a former foster youth be receiving aid payments under the Supportive Transitional Emancipation Program (STEP) in order to be eligible for Transitional Housing Program-Plus (THP-Plus) services. This will enable counties that do not offer STEP to participate in THP-Plus.
Chapter 639
- AB 1358 (Pescetti)** **Child Care: Investigations:** Requires the Department of Social Services to conduct any authorized inspection, announced site visit, or unannounced site visit
Chapter 122

of any child daycare facility only during the period beginning one hour before and ending one hour after the facility's normal business hours, or at any time child care services are being provided, with specified exception. Also requires the department to develop regulations establishing a procedure for the department to inactivate a license, in its discretion and upon the licensee's request, and would provide for inspections during the period of inactive status, as prescribed.

AB 1694 (Committee)
Chapter 918

Foster Care: AB 1695 Clean-Up: Makes a number of minor and technical changes relating to relative caregivers and non-relative extended family members in the foster care program. This bill provides clean-up to the caregiver approval process set forth in last year's AB 1695, sponsored by CWDA and DSS.

AB 1938 (Aroner)
Chapter 1118

Guardianships: Conservatorships: Study: Makes changes regarding court proceedings under the Family Code and Probate Code to determine the custody of minor children. Specifically, the bill: (1) Expressly applies Code of Civil Procedure provisions that discourage vexatious litigation to custody proceedings; (2) requires, in custody proceedings under the Family Code, a finding that parental custody would be detrimental to a child, as defined by statute, to be supported by clear and convincing evidence; (3) states that where a parent refuses to consent to adoption or revokes consent to adoption, return of the child to the birth parent or parents is subject to a finding as to whether a return to the parent or parents' custody would be detrimental to the child; (4) clarifies that a court, in terminating a guardianship, must find that termination is in the ward's best interest; (7) makes legislative findings that unwarranted petitions in guardianship proceedings are inconsistent with the goals of permanency, safety and stability; and (8) states that repeat filing of unmeritorious petitions for visitation, termination of guardianship or instruction to the guardian, or repeat filing of such petitions if intended to harass or annoy the guardian, is grounds for the court to determine that the person filing the petition is a vexatious litigant.

AB 1979 (Steinberg)
Chapter 271

Independent Living Program: Requires the Department of Social Services to develop and adopt emergency regulations, in consultation with stakeholders, for counties to meet when administering the Independent Living Program. The regulations must be achievable within existing ILP resources.

AB 2294 (Liu)
Chapter 1160

Foster Care Ombudsperson: Makes numerous changes regarding the Foster Care Ombudsperson, including expanding the term of the Ombudsperson to four years; authorizing the Director of the Department of Social Services to re-appoint the same Ombudsperson for multiple consecutive terms; and requiring the Ombudsperson to report specified data to the Legislature at regular intervals.

AB 2442 (Keeley)
Chapter 1064

Child Abuse Central Index: Creates the Child Abuse and Neglect Reporting Task Force, with the purpose of reviewing the Child Abuse and Neglect Reporting Act (CANRA) and addressing the following: (1) the value of the Child Abuse Central Index in protecting children and (2) changes needed with respect to the operation of CANRA, including but not limited to, the Child Abuse Central Index. CWDA will have a place on the task force.

AB 2462 (Bates)
Chapter 479

Child Witnesses to Domestic Violence: Provides that a child who lives in a home where domestic violence has occurred may be presumed to have sustained physical injury, regardless of whether the child has witnessed the crime, for purposes of reimbursement from the Victims of Crime Program. In a signing message, the Governor noted that while the bill codifies existing practice, he is

concerned that the victims' restitution fund is being depleted and intends to determine what steps can be taken to strengthen the solvency of the fund, including increasing fines and penalties paid by criminals into the restitution fund.

AB 2800 (Chan)
Chapter 245

California Children and Families First Commission: Amends the California Children and Families Act of 1998 to authorize the state commission to spend money allocated to it under the act to ensure that children are ready to enter school. Also authorizes the state commission to allocate funds to county commissions to carry out the provisions and purposes of the act.

AB 2972 (Aroner)
Chapter 1074

Discrimination: Homeless Youth: Creates an exception to the prohibition against age discrimination in housing by allowing age restrictions for youth under 24 years old in emergency housing programs.

SB 1499 (Johnson)
Chapter 353

Child Care Court Records: Clean-up bill for SB 819, Statutes of 2001, which requires the Department of Social Services to re-open an investigation of a licensed child care facility if it receives a court record showing that a judicial officer has determined a child may have been injured while in the care of that provider. SB 819 also required DSS to send the county welfare department a copy of the report. Because county welfare departments have no jurisdiction in these cases, CWDA requested, and the Administration agreed, that the author should be asked to carry a clean-up bill deleting that requirement. SB 1499 fulfills that request.

SB 1505 (Kuehl)
Chapter 354

Child Welfare Worker Training: Adds training in the indicators and dynamics of teen dating violence to the list of issues required to be covered in training for county child protective service (CPS) workers and other mandated reporters of child abuse.

SB 1512 (Scott)
Chapter 260

Parental Custody and Control: Makes several technical changes to statutes governing independent adoptions. Clarifies the definition of "jurisdiction" as used in the Interstate Compact on the Placement of Children (ICPC).

SB 1559 (Figueroa)
Chapter 96

Child Victims of Sexual Abuse: Closed-Circuit Testimony: Deletes the sunset date of January 1, 2003, in provisions of law which allow a minor under the age of 13 to testify by way of closed-circuit television when the testimony involves a recitation of facts, and if the testimony relates to an alleged sexual offense on or with the minor, or if the minor is a victim of a violent felony.

SB 1650 (Alpert)
Chapter 355

Youth Mentoring and Development Programs: Creates the Governor's Mentorship Partnership and makes legislative findings and declarations relative to the benefits of youth mentorship, existing programs that foster quality mentorship relationships, and desirable criteria and outcomes for existing and new mentorship programs sponsored by both public and private sources.

SB 1677 (Alpert)
Chapter 785

Surrogate Parents: Strengthens and clarifies requirements regarding surrogate parents and responsible adults who make educational decisions for children. Specifically, this bill: (1) Expands one of the conditions under which a Local Education Agency (LEA) must appoint a surrogate parent for a child that is a dependent or ward of the court, to include when the court has limited the right of the parent or guardian to make educational decisions for the child and the child has no responsible adult to represent them; (2) requires a surrogate parent to meet at least once with the child he or she represents, and allows the surrogate parent

to also meet with the child before making educational decisions, to attend the child's individualized education program meeting, to review the child's educational records before making educational decisions, to consult with persons involved in the child's education, and to sign any consent relating to individualized education program purposes; (3) requires the Department of Education to develop a model surrogate parent training module and manual; (4) requires the court-ordered social study or evaluation prepared for children in dependency proceedings to discuss, if the parent or guardian is unwilling or unable to participate in making educational decisions, whether the right of the parent or guardian to make such decisions should be limited, and if so, whether there is a responsible adult available to make such decisions; (5) requires that at each court review of the status of a dependent child in foster care, the court consider whether there should be any limitation on the right of the parent or guardian to make educational decisions for the child.

SB 1704 (Ortiz)
Chapter 305

Child Custody Investigations: Supplements the minimum requirements of a child custody full or partial court-connected evaluation, investigation, or assessment, to include any history of child abuse, domestic violence, or substance abuse by a suspected perpetrator, or any history of such abuse among family members as reported by law enforcement, medical personnel or records, therapists, or other interviews (subject to evidentiary privileges). Expands the list of individuals who are allowed access to juvenile case records to include "a court-appointed evaluator or a person conducting a court-connected child custody evaluation, investigation, or assessment" pursuant to Family Code Section 3118 [relating to evaluation of allegations of child sexual abuse].

SB 1745 (Polanco)
Chapter 187

Domestic Violence Reporting: Requires child protective services agencies, law enforcement agencies, and other specified agencies and organizations to develop, in collaboration with one another, protocols for responding to incidents of domestic violence in homes where a child resides. Counties where such protocols have already been developed are deemed to be in compliance with the law.

SB 1779 (Burton)
Chapter 149

Childhood Sexual Abuse: Statute of Limitations: Provides that the extended statute of limitations in childhood sexual abuse civil cases against a third party who is not the perpetrator of the sexual abuse extends beyond age 26 of the victim, when the third party knew, had reason to know, or was otherwise on notice, of any unlawful sexual contact by an employee, volunteer, representative or agent for unlawful sexual conduct and failed to take reasonable steps to avoid future acts of unlawful sexual conduct by that employee or agent in the future.

SB 1911 (Ortiz)
Chapter 887

Children's Mental Health: Requires the Department of Mental Health, in concert with other specified entities (including CWDA) to conduct an analysis of the increased federal funding, savings to the General Fund and the county mental health system, and program improvements that could be realized by applying for a federal Medicaid waiver or by adopting a state option to provide home- and community-based services to children with mental health care needs.

SB 1956 (Polanco)
Chapter 416

Dependency Proceedings: Notice: Revises and clarifies provisions of law regarding noticing requirements for parents, guardians, dependent children who are at least 10 years old, grandparents, counsel, tribal representatives, and other persons, of court hearings where the juvenile court is to determine, review, modify, or terminate the status of a dependent child, including hearings to implement case plans and to terminate parental rights.

SB 2012 (Margett)
Chapter 585

Special Education: Interagency Agreements: Conforms California statutes to federal laws and regulations relating to the Individuals with Disabilities Education Act in the area of interagency agreements. Specifically, this bill requires interagency agreements between state departments and the Superintendent of Public Instruction with regards to the provision of special education services, and provides that that any public agency other than an educational agency that places a disabled child or a child suspected of being disabled in a facility out of state without the involvement of the school district, special education local plan area, or county office of education in which the parent or guardian resides, assumes all financial responsibility for the child's residential placement, special education program, and related services in the other state, unless the other state or its local agencies assume responsibility.

MEDI-CAL & HEALTHY FAMILIES

**AB 915 (Frommer)**
Chapter 747

Medi-Cal Provider Reimbursement: Allows local public agencies and public health facilities to use local funds to obtain federal financial participation for supplemental Medi-Cal reimbursements for hospital outpatient services and adult day health services.

AB 2197 (Koretz)
Chapter 684

Medi-Cal Eligibility for Non-Disabled, HIV-Positive Persons: Establishes a program to provide Medi-Cal coverage for persons who are HIV-positive and enrolled in the AIDS Drug Assistance Program, and who are not considered to be disabled but would qualify for Medi-Cal if they were considered disabled. Requires these individuals to enroll in managed care plans, and states that enrollment shall be provided on a first-come, first-served basis.

AB 2364
(Negrete McLeod)
Chapter 452

Medi-Cal Simplification Study: Requires the Legislature to commission a study on how the administration of the Medi-Cal program might be simplified without encouraging fraud or lessening the safeguards in place for Medi-Cal beneficiaries. The study will focus on creating efficiency in the system while reducing costs to the program, health plans, and health care providers in the short and long term. The bill requires the contractor to consult with interested stakeholders with expertise in the administration of the Medi-Cal program, including experts representing beneficiaries, providers, and local and state government.

SB 59 (Escutia)
Chapter 800

Healthy Families Program: Requires the Managed Risk Medical Insurance Board (MRMIB) to report to the Legislature by January 30, 2004, if federal funding is attained, regarding new uses of federal State Children's Health Insurance Program funding (the funding source for California's Healthy Families program) to provide health coverage to children in vulnerable populations.

SB 283 (Speier)
Chapter 667

Healthy Families Program: Permits a participating Medi-Cal or Healthy Families program health, dental, or vision plan, until January 1, 2006, to provide application assistance directly to an applicant, under specified circumstances. Existing law allows such assistance to be provided, with a sunset date of January 1, 2003.



MISCELLANEOUS

AB 2044 (Salinas)
Chapter 648

Mental Health Realignment: Due Date of Reports: Extends the deadline for a report that the Department of Mental Health is currently required to prepare relating to the current structure and status of the financing of mental health services through Realignment, from April 1, 2002 to October 1, 2002.

SB 900 (Ortiz)
Chapter 627

Criminal History Information: Consolidates background check criteria for specified agencies for use for employment, licensing or certification purposes.

SB 1227 (Burton)
Chapter 26

Housing Bond Act: Places a \$2.1 billion housing bond act on the ballot for the November 5, 2002 statewide general election. The funds would be used to finance various existing housing and code enforcement programs, as well as additional specified programs, subject to the enactment of enabling legislation, including \$195 million for the Emergency Housing and Assistance Program, which funds emergency shelters, transitional housing, and services for homeless individuals and families and \$195 million for supportive housing projects within the Multifamily Housing Program to assist individuals and households moving from emergency shelters or transitional housing, or those who are at risk of becoming homeless.

SB 1236 (Alarcon)
Chapter 859

Labor and Workforce Development Agency: Creates the California Labor and Workforce Redevelopment Agency and creates a cabinet-level Secretary of Labor and Workforce Development.

SB 1324 (Ortiz)
Chapter 256

Medical Evidentiary Examinations: Updates existing state law regarding the establishment of hospital-based centers for training medical personnel to perform

medical evidentiary examinations of victims of physical or sexual child abuse or neglect, sexual assault, spousal abuse and elder abuse. The bill reduces the mandate for two centers, one each in northern and southern California, to a mandate for one center to serve the entire state.

SB 1403 (Kuehl)
Chapter 301

60-Day Eviction Notification: Requires landlords to give tenants 60 days' notice before evicting them under the state's "no fault" eviction law. The rule applies to tenants who have lived in a unit for one year or more. SB 1403 also makes it harder for landlords to bypass rent-control laws by evicting tenants, temporarily pulling a property off the market, and then increasing the rent for new tenants.

SB 1566 (Polanco)
Chapter 544

Economic and Workforce Development Program: Reauthorizes the California Community Colleges Economic Development Program (also known as the EdNet program) as the California Community Colleges Economic and Workforce Development Program. Extends the program's sunset date to January 1, 2008.

SB 1815 (Chesbro)
Chapter 97

Surplus Property Donation: Human Services Programs: Adds tax-exempt organizations that provide health or human services to the list of organizations to which counties may donate or lease surplus property and corrects the statutory references from nonprofit corporations to tax-exempt organizations.

VETOED LEGISLATION



- AB 323 (Pavley)** **Special Education: Juvenile Courts:** Would have required the State Department of Education in conjunction with the Department of Finance and the Legislative Analyst's Office to conduct a study to examine and assess the special education and funding needs of students who are enrolled in juvenile court schools. In his veto message, the Governor expressed his belief that current law affords the same access to special education services to students enrolled in juvenile court schools as those students enrolled in any other setting. Thus, this bill could inadvertently create a situation where students in juvenile court schools would receive benefits or services not available to students in other settings.
- AB 843 (Chan)** **Medi-Cal: Newborn Children Electronic Enrollment:** Would have required the Department of Health Services to develop and implement an electronic enrollment confirmation process for the purpose of confirming continuous 12-month Medi-Cal eligibility for newborn children born to a Medi-Cal recipient. The Governor expressed concern that the bill would lead to increased costs to administer Medi-Cal without significant increases in access to health care.
- AB 1652 (Goldberg)** **Public Social Services: Relocation Assistance:** Would have exempted private relocation assistance payments from eligibility determinations and aid payment calculations for recipients of CalWORKs, In-Home Supportive Services (IHSS), Medi-Cal, and other public assistance programs. The Governor vetoed the bill because he indicated it would have required General Fund expenditures in excess of the federal maintenance-of-effort requirement.
- AB 1942 (Chu)** **Youth Anti-Bias Pilot Program:** Would have required the Board of Corrections to establish and administer a Youth Anti-Bias Pilot Program that would administer a \$142,500 General Fund grant to reduce the incidence of hate crimes by youthful offenders. While he indicated that he supports the goals of this bill, the Governor noted that the bill would create a General Fund pressure to fund a new program similar to juvenile crime prevention programs that currently exist.
- AB 1947 (Washington)** **Public Assistance: Eligibility: Substance Abuse and Crime Prevention Act of 2000:** Would have allowed an individual convicted of a felony for the possession, use, or distribution of a controlled substance to be eligible for aid under the California Food Assistance Program and the federal Food Stamp program, provided the individual is enrolled in a drug treatment program in accordance with Proposition 36, or is appealing their conviction. Due to the current General Fund shortfall, the Governor stated that he was unable to support the expenditure of additional General Fund resources to expand eligibility for the Food Stamp program and the California Food Assistance Program.

- AB 1951 (Corbett)** **CalWORKs: Participation in Registered Nursing Training Programs:** Would have allowed Alameda, Santa Clara, San Diego and Ventura counties to implement an optional pilot program to enable CalWORKs recipients enrolled in approved registered nursing programs to remain in those programs beyond their 18/24 month time clocks. In vetoing the bill, the Governor cited equity concerns associated with allowing only participants in RN programs to remain in education or training for longer than the current time limit; concerns that the program would hurt the state's ability to meet its federal workload participation rate requirements; and concerns that the state would be forced to spend above the maintenance-of-effort requirement in order to implement the bill.
- AB 2305 (Mountjoy)** **Medi-Cal: Information for Beneficiaries:** Would have required the Department of Health Services to provide to beneficiaries age 55 and older an itemization of the cost of the medical services paid by Medi-Cal on their behalf. The veto message indicated that the costs of the bill would not be federally reimbursable, as the federal government will not pay for itemizations of benefits unless it is required for the purposes of investigating provider fraud or other reasons related to the administration of the Medi-Cal program, which do not include estate planning (the underlying purpose of this bill). If the state could obtain a waiver from the federal government, estimated costs to implement the bill would be \$1.8 million General Fund annually, and six new positions would have to be created.
- AB 2380 (Ashburn)** **Children: Group Homes:** Would have allowed experience obtained at a community care facility with a licensed capacity of six or more to satisfy the work experience requirement for a group home administrator. The Governor indicated that he believed the bill would weaken the requirements for administrators, and he saw no need to take such an action at this time. However, he did ask the Department of Social Services to track the waivers that it grants and denies under current statutory authority for the next year to provide more data on this issue.
- AB 2386 (Keeley)** **CalWORKs Aid Eligibility: Extension:** Would have created an exemption from the CalWORKs work participation requirement for recipients who are enrolled in an educational, vocational, or job training program and have been diagnosed with a physical, mental, or emotional condition or learning disability that prevents full-time participation in or completion of the program. In his veto message, the Governor expressed concerns that the bill would expand the CalWORKs program by allowing certain CalWORKs recipients to remain on aid for longer periods of time than they would under current law; that it could hinder the state's ability to meet the federally-required work participation rate; and that implementation could require the state to spend above the federal maintenance-of-effort requirement.
- AB 2403 (Steinberg)** **Schools: Foster Children:** Would have required county offices of education and school districts to report the number of foster children enrolled in education programs as part of the reporting requirements for the California Basic Educational Data System (CBEDS) and the California School Information Services (CSIS). The Governor cited increased costs as a result of creating a new state mandate as his reason for vetoing the bill.

- AB 2514 (Bates)** **Substance Abuse Review Committee:** Would have required the Department of Social Services, in consultation with Department of Alcohol and Drug Programs, to establish a joint committee to study issues relating to substance abuse in families in child welfare programs. While he indicated support for the concept of the bill, the Governor stated that its purpose can be carried out through existing administrative structures within these departments and by the Child Welfare Stakeholders Group.
- AB 2651 (Chu)** **Foster Youth:** Would have added gay and lesbian foster parents to the list of minority families for targeted outreach efforts by the Department of Social Services and established optional foster parent training on sensitivity to sexual orientation and gender identity issues. AB 2651 also would prohibit discrimination in the delivery of foster care benefits, services, licensing, approval and placement decisions. In his veto message, the Governor said that the resources available within the department are insufficient to undertake new recruiting efforts at this time. In addition, he indicated that the department already conducts outreach for gay and lesbian foster parents as part of its general foster care recruitment and expressed concern that the bill would have the unintended consequence of diluting the priority recruitment efforts on behalf of minority children.
- AB 2652 (Chu)** **Domestic Violence Courts:** Would have established the Domestic Violence Court Task Force to create guidelines for establishing and operating domestic violence courts in the State. The bill appropriated \$100,000 to the Judicial Council to support the task force activities. In vetoing AB 2652, the Governor noted other recent legislation that he has signed to combat domestic violence, and stated that the costs of the bill, as well as future cost pressures, caused his opposition.
- AB 2740 (Chan)** **Children's Mental Health: County Grant Program:** Would have the Department of Mental Health to implement a grant program to encourage each county to voluntarily develop a plan that identifies and addresses the mental health service needs of children in that county. Implementation was contingent on an appropriation in the annual Budget Act of \$150,000 from the General Fund for the purposes of the program, which was vetoed by the Governor. In his veto message, the Governor indicated that counties are already required by Section 5772 of the Welfare and Institutions Code to assess mental health needs and develop plans to meet those needs.
- AB 2741 (Chan)** **Children's School Readiness and Health Council:** Would have established the Children's School Readiness and Health Council within the Health and Human Services Agency to promote policy and coordinate programs that address children's school readiness and health. While he indicated that he is supportive of integration efforts, the bill would cost the state \$140,000 annually and require three new positions to implement.
- AB 2874 (Florez)** **Child Care Licensing:** Would have prohibited a license-exempt family day care provider from caring for more than six state or federally subsidized children at a time. In his veto message, the Governor note that while low provider-to-child ratios are clearly desirable, this bill could lead to situations where a large family would have to receive child care from more than one provider.

- AB 2920 (Aroner)** **California Center on Social Work Careers:** Would have required the Health and Human Services Agency to establish and administer the California Center on Social Work Careers and established a Social Work Careers Concurrence Committee to guide and to direct the center's activities. In his veto message, the Governor noted that while the bill's goals have merit, it would impose ongoing cost pressure during a period of limited resources and uncertain future economic conditions, and urged advocates to work informally to accomplish its goals.
- AB 2922 (Simitian)** **Personal Information: State Agency Records:** Would have required state agencies to provide to the Office of Privacy Protection (OPP) descriptions of the categories of personal information contained in their systems of records. Also required the OPP to create the State Personal Information Inventory. The Governor indicated in his veto message that while he supports the bill's goals, he was concerned about the potential costs of these requirements.
- SB 390 (Escutia)** **Child Care and Development Programs:** Would have required the State Department of Education to establish an oversight task force to develop a California Child Care and Development Master Plan, with public input. According to the Governor's veto message, development of the master plan would create "unsustainable" General Fund cost pressures of several hundred million dollars annually, and is premature until a resolution is reached with the Legislature and stakeholders regarding reforms to the state's child care policy.
- SB 827 (Perata)** **Adult Day Services:** Would have required the Department of Health Services to design an integrated model for adult day services with the ultimate goal of implementing a program to improve access to adult day services. In his veto message, the Governor noted that while the development of an integrated model may be beneficial, the department could not implement SB 827 within existing resources due to budget cuts and the elimination of vacant positions.
- SB 1362 (Karnette)** **Female Inmates: Family Visitation:** Would have established a pilot program to enable female life term inmates to access the family visiting program, under the restrictions and guidelines established for those currently eligible to participate in the program. According to the Governor's veto message, life term inmates without an established released date are deemed to be of a security risk not conducive to family visits, which are not subject to constant custodial supervision. Additionally, a law that allows visits for women and not for men is not consistent with appropriate custodial management and may violate the U.S. Constitution's Equal Protection clause, even if it is a pilot program.
- SB 1654 (Burton)** **Governor's Office: Homelessness:** Would have established a state Office of Homelessness within the Governor's Office. The office would have been charged with coordinating state services to the homeless, identifying gaps in the delivery of services to the homeless, and making annual recommendations to the Governor and the Legislature on ways to improve homeless services. The Governor vetoed the bill because of the potential costs of the Office of Homelessness, but noted that he is pleased with the progress that has been made by the Interagency Task Force on Homelessness that was created by Executive Order on March 22, 2002, and that he is supportive of the Housing Bond on the November 2002 ballot.

SB 1751 (Burton)

Deaths of Homeless Persons: Would have required each county, beginning March 1, 2004, to submit an annual report to the Department of Health Services (DHS) on the number of homeless individuals who died during the previous year. It would also have required DHS to report annually to the Legislature on the number of deaths of homeless persons statewide, and to make that information available on its website. The Governor vetoed the bill because it created a reimbursable state mandate to the counties of several million dollars annually and due to privacy concerns for the families of persons who die.

SB 1767 (Perata)

Medi-Cal: Plan Enrollment Eligibility: Would have authorized the Department of Health Services (DHS) to pursue all federal waivers or state plan amendments necessary to allow Medi-Cal beneficiaries with a share of cost (SOC) to enroll in managed care plans. The Governor stated that he agrees that Medi-Cal beneficiaries with a share of cost should have the option of enrolling in managed care plans, when this arrangement can be implemented in an efficient manner and when it would not increase state costs.