



CAPITOL ROLL CALL

MAY 2010

PRIORITY LEGISLATION

AB 1044 (Jones) Continuing care retirement communities: contracts.

Under existing law, the State Department of Social Services is responsible for regulating activities relating to continuing care contracts that govern care provided to an elderly resident in a continuing care retirement community for the duration of the resident's life or a term in excess of one year. This bill would transfer that responsibility, except with respect to oversight and regulation of programs and services provided directly to residents of the communities, to the Department of Insurance and would make related conforming changes. This bill contains other related provisions and other existing laws.

Status: 07/15/2009-Senate Human Services

Position: *Oppose-A*

AB 1433 (Eng) Continuing care contracts: temporary relocation.

This bill would define the term "residential temporary relocation" to mean the relocation of one or more residents, except in the case of a natural disaster that is out of the provider's control, from one or more residential living units, assisted living units, skilled nursing units, or a wing, floor, or entire continuing care retirement community building, due to a change of use or major repairs or renovations. The bill would limit residential temporary relocation to a period of at least 9 months but not to exceed 18 months without the written agreement of the resident. This bill contains other related provisions and other existing laws.

Status: 02/11/2010-Senate Human Services

Position: *Support-AA*

AB 1593 (Yamada) Adult day health care centers.

This bill would add 2 specified veterans homes of California, to the list of applicants that are not subject to the moratorium. This bill contains other related provisions and other existing laws.

Status: 03/24/2010-Assembly Appropriations

Position: *Support-A*

AB 1680 (Saldana) Unruh Civil Rights Act: waiver of rights.

This bill would prohibit a person from requiring a waiver of the protections afforded under this act as a condition of entering into a contract for the provision of goods or services, including the right to file and pursue a civil action or complaint with, or otherwise notify, the Attorney General or any other public prosecutor, or law enforcement agency, the Department of Fair Employment and Housing, or any court or other governmental

entity. This bill would require any waiver of the protections afforded under the act to be knowing and voluntary, and in writing, and expressly not made as a condition of entering into the contract or as a condition of providing or receiving goods or services. This bill would provide that any person seeking the enforcement of a waiver of the protections afforded under the act shall have the burden of proving that the waiver was knowing and voluntary and not made as a condition of the contract or of providing or receiving the goods or services. These provisions would apply to contracts entered into, removed, altered, modified, or extended on and after January 1, 2011. This bill contains other related provisions.

Status: 04/06/2010-Assembly Third Reading

Position: *Oppose unless Amended-A*

AB 2066 (Jones) Annuity sales: seniors.

This bill would require all insurers, brokers, agents, and others engaged in the transaction of insurance who offer to sell an annuity to a senior to disclose to the senior, as defined, all material facts and features of the annuity that he or she knows or reasonably should know are likely to affect the decision of the senior to purchase the annuity. This bill contains other related provisions.

Status: 03/22/2010-Assembly Judiciary

Position: *Support with Amendments-A*

AB 2073 (Lowenthal, Bonnie) Medi-Cal: adult day health care services.

This bill would establish adult day health care services as a Medi-Cal benefit for Medi-Cal beneficiaries who meet certain criteria, including, requiring beneficiaries to have two or more functional impairments involving the above-described activities and require assistance, as defined, in performing those activities. This bill contains other existing laws.

Status: 03/24/2010-Assembly Appropriations

Position: *Support-A*

AB 2114 (Beall) Aging: Elder Economic Security Standard Index.

This bill would require, if specified conditions are met, the department to report data from the Elder Economic Security Standard Index (Elder Index), as defined, for each service area included in the state plan. This bill contains other related provisions and other existing laws.

Status: 04/06/2010-Assembly Appropriations

Position: *Support-A*

(continued on back)



C A P I T O L R O L L C A L L

MAY 2010

AB 2234 (Lowenthal, Bonnie) Mental health: target populations: older adults.

The Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the Mental Health Services Fund to fund various county mental health programs. The act may be amended by the Legislature only by a 2/3 vote of both houses and only so long as the amendment is consistent with and furthers the intent of the act. The Legislature may clarify procedures and terms of the act by majority vote. This bill would make the current definition of functional impairment applicable to adults 18 to 59 years of age, inclusive, and would, in addition, establish a definition of functional impairment for adults 60 years of age or older. The bill would also make conforming changes. This bill contains other related provisions and other existing laws.

Status: 04/07/2010-Assembly Appropriations

Position: Support-A

AB 2334 (Salas) Health care: billing: interest and fees.

This bill would prohibit a medical care provider, as defined, or health facility, as defined, from charging, assessing, or collecting, directly or through a collection agency or other intermediary, or pursuant to any judgment, any interest on, or late fees or charges with respect to or arising out of, any unpaid balance on a bill for medical services rendered. The bill would also require those providers and facilities to include in a bill for medical services a notice to this effect, in at least 12-point type, as specified.

Status: 03/11/2010-Assembly Health

Position: Oppose-A

SB 958 (Lowenthal) Federal Housing Trust Fund.

This bill would designate the department as the state agency responsible for administering the federal Housing Trust Fund. The bill would require the department to administer the federal funds pursuant to the multifamily housing program, except that up to 10% of the funds may be appropriated by the Legislature to the CalHome Program. The bill would require the department to submit notifications with specified information relating to the distribution, awarding, and expenditure of the federal funds, as prescribed. This bill contains other existing laws.

Status: 04/06/2010-Senate Appropriations

Position: Support with Amendments-A

SB 998 (Liu) Long-term care: assessment and planning.

This bill would require the hospital to provide the information given to a patients anticipated to need posthospital care both orally and in writing to the patient and, if necessary, to his or her representative, at the earliest possible opportunity prior to discharge. By changing the definition of an existing crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Status: 04/05/2010-Senate Health

Position: Oppose unless Amended-A

SB 1084 (Liu) California Economic Security Task Force.

This bill would establish, for a period of two years, the California Economic Security Task Force, composed and appointed as prescribed. This bill would require the task force to hold its first meeting not later than July 1, 2011. The task force would be required to submit to the Governor and the Legislature, and make available to the public, both an interim and a final report on measures needed to reduce poverty in the state by 50% by 2020.

Status: 03/23/2010-Senate Rules

Position: Support-A

SB 1329 (Leno) Residential care facilities for the elderly.

This bill would require the licensee of a facility to notify the department in writing within 24 hours of specified events or obtaining knowledge of these events, and would require the department to conduct an annual unannounced visit to the facility when the facility experiences any of these events. This bill contains other related provisions and other existing laws.

Status: 04/06/2010-Senate Appropriations

Position: Neutral-A

SB 1400 (Negrete McLeod) Long-term health care facilities: citations and penalties review.

This bill would declare the intent of the Legislature to enact legislation that would assign responsibility for federal informal dispute resolutions and state citation review conferences to an independent 3rd party outside of the State Department of Public Health, as specified.

Status: 03/11/2010-Senate Rules

Position: Support-A



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