**Significant New California Laws of Interest to Physicians for 2015**

The California Legislature had an active year, passing many new laws affecting health care. In particular, there was a strong focus on scope of practice for allied health professionals, prescription drug abuse, public health issues and health care coverage. This document provides summaries of the most significant new health laws of interest to physicians.

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Revises existing law regulating certified massage therapy professionals, including the deletion of the preemption of local massage-related ordinances as they relate to land use, a two-year extension of the sunset date of the California Massage Therapy Council (CAMTC) that regulates certified massage therapists, reconstitution of CAMTC's board of directors, the increase of educational standards for certified massage professionals, and the creation of new protections for consumers of massage services.

*(Business & Professions Code §4600; Government Code §51034)*

AB 1174 (Bocanegra) - DENTAL PROFESSIONALS
Expands the scope of practice for registered dental assistants. Authorizes specified registered dental assistants to expose radiographs. Prohibits a dentist from concurrently supervising more than five dental assistants. Authorizes specified registered dental assistants to determine which radiographs to perform and place protective restorations. Relates to course fees. Provides that a face-to-face contact between a health care provider and a patient is not required under Medi-Cal for teledentistry.

*(Business & Professions Code §§1684.5, 1925, 1944, 1926.05, 1753.55 and 1910.5; Health & Safety Code §128196; Welfare & Institutions Code §14132.725)*

SB 1384 (Mitchell) - CERTIFIED NURSE ASSISTANTS
Eliminates the provisions of law that require the Department of Public Health (DPH), except under specified circumstances, to deny, suspend, or revoke a certificate as a certified nurse assistant (CNA) if the applicant or certificate holder has been convicted of one of a number of specified criminal offenses. Limits DPH's discretion to determine whether an applicant has adequately demonstrated rehabilitation, for purposes of denying, suspending, or revoking a certificate as a CNA based on the conviction of a crime related to the qualifications, functions, and duties of a CNA, by adding an order from a superior court relating to the dismissal or setting aside of criminal convictions to the list of factors that are evidence of rehabilitation. Deletes the ability of DPH to disregard these orders when determining whether an applicant has adequately demonstrated rehabilitation.

*(Health & Safety Code §§1337.9 and 1338.5)*

AB 1841 (Mullin) - MEDICAL ASSISTANTS
Clarifies that medical assistants (MAs) may hand out properly labeled and prepackaged prescription drugs to patients as part of their existing authorization to provide "technical supportive services." Permits MAs to hand out prescription drugs in non-state operated facilities licensed by the Board of Pharmacy. Requires that a licensed physician and surgeon, a licensed podiatrist, a physician assistant, a nurse practitioner, or a certified nurse-midwife provide the appropriate patient consultation regarding use of the drug.

*(Business & Professions Code §2069)*
AB 2213 (Eggman) - BEHAVIORAL HEALTH CARE LICENSEES

Revises the current education and curriculum requirements for licensure as a Marriage and Family Therapist (and Professional Clinical Counselor) for out-of-state applicants who are applying for licensure on or after January 1, 2016. Allows out-of-state applicants for marriage and family therapist licenses and professional clinical counselor licenses to remediate specified coursework requirements through continuing education, and to remediate specified coursework while registered as an intern. Specifies hour or unit requirements for certain coursework requirements.

(Business & Professions Code §§4980.72, 4980.78, 4980.80, 4980.90, 4999.57, 4999.58, 4999.59, 4999.60, 4999.62, 4980.79, 4980.81 and 4999.63)

SB 993 (Mitchell) - HEALING ARTS: DIETICIANS

Modifies educational and training requirements for a dietetic technician, registered (DTR). Allows a registered dietitian (RD) to develop and recommend nutritional and dietary treatments. Deletes the requirement for a referring physician and surgeon to establish or approve a written protocol governing the patient’s treatment. Requires the RD to collaborate with a multidisciplinary team including the treating physician and registered nurse in developing the patient’s nutrition care plan. Adds "medical nutrition therapy" as a type of therapy that a physician and surgeon can make a referral for.
Provides these provisions do not authorize vein nutrition.

(Business & Professions Code §§2585, 2586, 2586.4 and 2586.8)

SB 1012 (Wyland) - HEALING ARTS: LICENSURE REQUIREMENTS

Increases the number of hours, from five to six, that marriage and family therapist trainees or interns and a professional clinical counselor (PCC) interns may count towards their weekly supervision requirements. Requires, prior to applying for the licensure examination, applicants for PCC licensure to complete clinical mental health experience under the general supervision of an approved supervisor that shall include a minimum of 3,000 post-degree hours or supervised clinical mental health experience related to the practice of professional clinical counseling, performed over a period of not less than two years.

(Business & Professions Code §§4980.43 and 4999.46)

SB 1039 (Hernandez, E.) - PHARMACY

Makes changes to the authorized tasks of a pharmacy technician under the direct supervision or control of a pharmacist; and authorizes intern pharmacists to perform specified tasks. Authorizes a pharmacy technician to perform packaging, manipulative, repetitive, or other nondiscretionary tasks only while assisting and under direct supervision and control of a pharmacist. Relates to sealing emergency containers. Authorizes an intern pharmacist to inspect facility drugs. Authorizes a facility to furnish drugs and devices to patients upon discharge. Relates to records maintenance. Relates to patient assessments. Relates to adjusting a drug regimen. Exempts cleaning agents and solvents.

(Business & Professions Code §§4115, 4119.6 and 4119; Health & Safety Code §§11150, 11210 and 1250.06)

SB 1466 (Committee on Business, Professions and Economic Development) - HEALTH CARE PROFESSIONALS

Makes several minor, non-substantive or technical changes to various provisions within the Business and Professions Code relating to the regulatory boards of the Department of Consumer Affairs. Including provisions
Regarding health care professionals, licensed hearing aid dispensers, regulations on physician availability at clinics using intense pulse light devices for cosmetic procedures, the reporting of a death from a procedure outside of a hospital performed by a physician or surgeon, the requirements for speech-language pathology or audiology licensure, a psychologist fictitious-name permit, pharmacy designed representative licensure, and marriage and family therapist licensure.

*(Business & Professions Code §§655.2, 2023.5, 2089.5, 2240, 2530.5, 2532.2, 2532.7, 2936, 4021.5, 4053, 4980, 4980.36, 4980.37, 4980.399, 4980.41, 4980.43, 4980.55, 4980.72, 4980.78, 4987.5, 4989.16, 4989.22, 4992.09, 4996.17, 4996.23, 4998, 4999.55, 4999.58, 4999.59, 4999.60, and 4999.123, 2930.5 and 2987.3; Welfare & Institutions Code § 14132.55)*

**CONFIDENTIAL INFORMATION**

**AB 1755 (Gomez) - MEDICAL INFORMATION**

Revises provisions of law requiring licensed health facilities to prevent disclosure of patients' medical information by extending the deadline for health facilities to report unauthorized disclosures from five to 15 business days after unlawful or unauthorized access, use, or disclosure has been detected. This bill also authorizes the report made to the patient or the patient's representative to be made by alternative means, including email, as specified by the patient. This bill also extends the deadline when reporting is delayed for law enforcement purposes, as specified, from five to 15 days business days after the end of the delay. This bill gives the Department of Public Health full discretion to consider all factors when determining whether to conduct investigations under these provisions.

*(Health & Safety Code §1280.15)*

**SB 578 (Wyland) - BEHAVIORAL SCIENCES: RECORDS RETENTION**

Requires a licensed marriage and family therapist (LMFT), a licensed educational psychologist (LEP), a licensed clinical social worker (LCSW) and a licensed professional clinical counselor (LPCC) whose client's or patient's therapy is terminated on or after January 1, 2015, to retain the client's or patient's health service records for a minimum of 7 years from the date therapy is terminated. The bill would require a minor client's or minor patient's health service records to be retained for a minimum of 7 years from the date the client or patient reaches 18 years of age. The bill would authorize records to be retained in either a written or an electronic format.

*(Business & Professions Code §§4980.49, 4989.51, 4993, and 4999.75)*

**DRUG PRESCRIBING AND DISPENSING**

**AB 467 (Stone) - PRESCRIPTION DRUGS: COLLECTION AND DISTRIBUTION PROGRAM**

Establishes a license and regulatory framework for a "surplus medication collection and distribution intermediary" to facilitate the donation of surplus medications in California. Requires the Board of Pharmacy to license a surplus medication collection and distribution intermediary, established for the purpose of facilitating the donation or transfer of medications between entities under a specified unused medication repository and distribution program. Authorizes the intermediary to charge specified fees. Relates to license renewal. Requires
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the keeping and maintaining of complete records. Provides that fees collected would be deposited in the Pharmacy Board Contingent Fund.

(Business & Professions Code §§4046 and 4169.5; Health & Safety Code §§150201, 150202, 150205 and 50208)

AB 1535 (Bloom) - PHARMACISTS: NALOXONE HYDROCHLORIDE

Authorizes a pharmacist to furnish naloxone hydrochloride in accordance with standardized procedures or protocols developed and approved by both the Board of Pharmacy and the Medical Board. Requires the development of protocols on the education of the person to whom the drug is furnished and notification of the patient’s primary care provider. Requires the pharmacists to complete related training. Prohibits furnishing the medication to the patient without consultation. Authorizes related regulations.

(Business & Professions Code §4052.01)

AB 1735 (Hall) - NITROUS OXIDE: DISPENSING AND DISTRIBUTING

Makes it a misdemeanor for any person to dispense or distribute nitrous oxide to a person if it is known or should have been known that the nitrous oxide will be ingested or inhaled by the person for the purposes of causing intoxication, and that person proximately causes great bodily injury or death to himself, herself, or any other person. Requires each transaction to be recorded in a written or electronic document. Requires a signature and proper identification. Makes it a crime to misuse customer information.

(Penal Code §§381(d) and 381(e))

AB 1743 (Ting) - HYPODERMIC NEEDLES AND SYRINGES

Deletes the limit on the number of syringes a pharmacist has the discretion to sell to an adult without a prescription and extends, until January 1, 2021, the statewide authorization for pharmacists to sell syringes without a prescription, as specified. Exempts the possession of a specified amount of hypodermic needles and syringes that are acquired from an authorized source.

(Business & Professions Code §§4144.5, 4145.5, 4148.5, 4144, 4145 and 4148; Health & Safety Code §§4149.5 and 11364)

AB 2309 (Brown) - CONTROLLED SUBSTANCES: POSSESSION

Provides that persons in unauthorized possession of specified prescription drugs, benzodiazepine anti-anxiety drugs, weight-control stimulants, pain management and attention deficit control drugs, are eligible for deferred entry of judgment or diversion and dismissal of the charges upon completion of a rehabilitation program.

(Penal Code §1000)

AB 2603 (Perez, M.) - CONTROLLED SUBSTANCES: PERMISSIVE LAWFUL POSSESSION

Creates an exception from specified prohibitions for possession of certain controlled substances by a person other than the prescription holder if the possession is at the direction or with the express authorization of the holder and the sole intent of the possessor is to deliver the prescription to the prescription holder for its prescribed use or to discard the substance in a lawful manner.

(Health & Safety Code §§11350 and 11377)
**AB 2605 (Bonilla) - PHARMACY: THIRD-PARTY LOGISTICS PROVIDERS**

Amends the State Pharmacy Law. Revises the definition of third-party logistics provider and reverse third-party logistics provider to conform to federal law. Relates to the management and supervision of such providers. Requires a provider surety bond. Relates to fraud. Relates to wholesaler liability for using a third-party logistics provider. Requires the records of receipt and shipment of dangerous drugs and dangerous devices open for inspection.

*(Business & Professions Code §§208, 4040.5, 4043, 4060, 4081, 4101, 4105, 4120, 4149, 4160, 4161, 4162, 4162.5, 4164, 4165, 4166, 4167, 4168, 4169, 4201, 4305.5, 4312, 4331, 4400, 4022.7, 4044.5, 4053.1, 4107.5, 4161.5 and 4045)*

**ACR 93 (Buchanan) - PRESCRIPTION DRUG ABUSE AWARENESS MONTH**

Proclaims the month of March 2014 as Drug Abuse Awareness Month in California, and encourages all citizens to participate in prevention programs and activities and to pledge to "Spread the Word ... One Pill Can Kill."

**SB 566 (Leno) - INDUSTRIAL HEMP**

This bill allows the regulated cultivation and processing of industrial hemp upon federal approval. Revises the membership of the Industrial Hemp Advisory Board. Prohibits the pruning and tending of individual industrial hemp plants. Deletes an exemption from the destruction requirement.

*(Food & Agricultural Code §§8100 and 81008; Health & Safety Code §§11018 and 11018.5)*

**SB 600 (Lieu) - DRUGS**

Repeals provisions of existing State Pharmacy Law to conform to the federal Drug Quality and Security Act. Declares any that foreign dangerous drug that is not approved by the United States Food and Drug Administration or that is obtained outside the state-licensed supply chain is misbranded. Provides that anyone who purchases that drug is guilty of a misdemeanor and subject to a fine of not more than $10,000.

*(Business & Professions Code §§4033, 4045, 4034, 4034.1, 4163.1, 4163.4, 41635 and 4163; Health & Safety Code §§111825 and 111397)*

**SB 973 (Hernandez, E.) - NARCOTIC TREATMENT PROGRAMS**

Authorizes a program to admit a patient to narcotic maintenance or narcotic detoxification treatment at the discretion of the medical director and requires the program to assign a unique identifier to, and maintain an individual record of, each patient in the program. Authorizes take-home doses of replacement narcotics to patients who are adhering to a daily attendance program or if the program is closed on certain days and such doses is not contrary to laws and regulations.

*(Health & Safety Code §§11839.3, 11839.22 and 11839.24)*

**SB 1010 (Mitchell) - COCAINE BASE: PENALTIES**

Reduces the penalty for possession for sale of cocaine base to be the same as that for powder cocaine. Provides a person who possesses for sale or purchases for purposes of sale cocaine base, is subject to imprisonment in a county jail. Makes any property that has been used to facilitate the manufacturer of, possession for sale of, or sale of a specified amount or more of cocaine base or cocaine subject to forfeiture. Prohibits granting probation
or suspending a sentence for convictions of possessing for sale or selling a substance containing a certain amount of cocaine or cocaine base.

*(Health & Safety Code §§11351.5 and 11470; Penal Code §1203.073)*

**SB 1039 (Hernandez, E.) - PHARMACY**

Authorizes a pharmacy technician to perform packaging, manipulative, repetitive, or other nondiscretionary tasks only while assisting and under direct supervision and control of a pharmacist. Relates to sealing emergency containers. Authorizes an intern pharmacist to inspect facility drugs. Authorizes a facility to furnish drugs and devices to patients upon discharge. Relates to records maintenance. Relates to patient assessments. Relates to adjusting a drug regimen. Exempts cleaning agents and solvents.

*(Business & Professions Code §§4115, 4119.6 and 4119.7; Health & Safety Code §§11150, 11210 and 1250.06)*

**SB 1283 (Galgiani) - CONTROLLED SUBSTANCES**

Beginning January 1, 2016, creates an infraction, with a maximum fine of $250, for use and possession of specified synthetic stimulant compounds and derivatives, or synthetic cannabinoids and derivatives.

*(Health & Safety Code §§11357.5 and 11375.5)*

**HEALTH BENEFIT EXCHANGE**

**AB 617 (Nazarian) - HEALTH BENEFIT EXCHANGE: APPEALS**

Establishes an appeals process for eligibility determinations for insurance affordability programs (including Medi-Cal and tax credits available through the California Health Benefit Exchange (Covered California) and requires Covered California to contract with the Department of Social Services to serve as the designated entity to hear appeals.

*(Government Code §§100501.1, 100506.1, 100506.2, 100506.3, 100506.4, 100506.5; Welfare & Institutions Code §§10950, 10951 and 10960)*

**HEALTH CARE COVERAGE**

**SB 959 (Hernandez, E.) - HEALTH CARE COVERAGE**

Prohibits a change in premium rate or coverage for an individual plan contract or policy unless the plan or insurer delivers a written notice of the change at least 15 days prior to the start of the annual enrollment period applicable to the contract or 60 days prior to the effective date of renewal, whichever occurs earlier in the calendar year. Makes several corrections and clarifications to provisions of law governing individual and small group health insurance, including clarifying that health plans and insurers have a single risk pool for enrollees and insureds.

*(Government Code §100503; Health & Safety Code §§1357.500, 1357.503, 1366.6, 1367.005, 1367.006, 1374.21, 1385.03, 1385.11, 1389.25, and 1399.849; Insurance Code §§10112.27, 10112.28, 10112.3, 10113.9, 10181.3, 10181.11, 10199.1, 10753.05, and 10965.3)*
**SB 964 (Hernandez, E.) - HEALTH CARE COVERAGE**

Increases oversight of health care service plans with respect to compliance with timely access and provider network adequacy standards. Authorizes a health plan to include in its contracts with providers, provisions requiring compliance with timely access and network adequacy data reporting requirements. Requires DMHC to annually review health plan compliance with timely access standards and to post its final findings from the review, and any waivers or alternative standards approved by DMHC, on its Web site. Authorizes DMHC to develop, and requires health plans to use, standardized methodologies for timely access reporting, and exempts the development and adoption of the standardized reporting methodologies from the Administrative Procedures Act, the body of law governing state regulations, until January 1, 2020.

*(Health & Safety Code §§1367.03, 1367.035, and 1380.3; Welfare & Institutions Code §§14456 and 14456.3)*

**SB 1052 (Torres) - HEALTH CARE COVERAGE**

Requires a health care service plan or insurer that provides prescription drug benefits or maintains drug formularies to post those formularies on its website and to update that posting with changes at specified times. Requires the development of a standard formulary template. Requires plans and insurers to use that template to display formularies. Requires the Covered California website provide a link to the formularies for each health plan through the Exchange.

*(Government Code §100503.1; Health & Safety Code §§1363.01, 1368.016 and 1367.205; Insurance Code §§10123.199 and 10123.192)*

**SB 1053 (Mitchell) - HEALTH CARE COVERAGE - CONTRACEPTIVES**

Requires, effective January 1, 2016, most health plans and insurers to cover a variety of Food and Drug Administration-approved contraceptive drugs, devices, and products for women, as well as related counseling and follow-up services and voluntary sterilization procedures. Prohibits cost-sharing, restrictions, or delays in the provision of covered services, but allows cost-sharing and utilization management procedures if a therapeutic equivalent drug or device is offered by the plan with no cost-sharing.


**SB 1182 (Leno) - HEALTH CARE COVERAGE: CLAIMS DATA**

Requires health plans and insurers to share specified data with purchasers that have 1,000 or more enrollees or that are multiemployer trusts. Requires a health plan or insurer annually to provide de-identified claims data at no charge to a large group purchaser upon request. Requires health plans and insurers to obtain a determination by a qualified statistician that the claims data do not provide a reasonable basis from which to identify an individual. Allows a health plan to provide the claims data in an aggregated form as necessary to comply with state and federal privacy laws.

*(Health & Safety Code §§1374.8, 1385.07 and 1385.10; Insurance Code §§791.27 and 10181.7, 10181.10)*
HEALTH CARE FACILITIES AND FINANCING

AB 333 (Wieckowski) - MEDICAL WASTE

Makes numerous changes to the Medical Waste Management Act (MWMA) including, among other things, codifying federal requirements, modifying definitions, creating procedures for the generation of medical waste from a temporary event, and modifying contracts with medical waste transporters for the collection of fees. Requires the Department of Public Health (DPH) to submit to the Legislature, by January 1, 2016, a report describing the interaction of federal and state law for the transport of regulated medical waste. Authorizes DPH to update standards related to the transportation of medical waste through a guidance document provided to MWMA stakeholders and posted on DPH’s website, and exempts DPH from the Administrative Procedures Act if those standards are consistent with the U.S. Department of Transportation requirements.

(Health & Safety Code §§117605, 117665, 117695, 117700, 117725, 117747, 117765, 117775, 117780, 117805, 117820, 117835, 117885, 117890, 117900, 117903, 117904, 117918, 117920, 117924, 117928, 117935, 117938, 117940, 117943, 117945, 117950, 117960, 117970, 117985, 117990, 118000, 118025, 118027, 118029, 118032, 118045, 118135, 118150, 118155, 118160, 118205, 118215, 118220, 118222, 118240, 118245, 118275, 118280, 118286, 118307, 118321.1, 118345, 117636, 117647, 117655, 117677, 117933, 117955, 118005, 117630, 117690, 117750, 117895, and 117975)

AB 334 (Buchanan) - ALAMEDA HEALTH SYSTEM HOSPITAL AUTHORITY

Prohibits the Alameda County Medical Center and the Alameda Health System Hospital Authority from entering into any contract with any other person or entity, including, a subsidiary or other entity established by the Authority, to replace the services described in existing law with service provided by that other person or entity without clear and convincing evidence that the needed medical care can only be delivered cost effectively by that other person or entity.

(Health & Safety Code §101850)

AB 614 (Chavez) - STATE VETERANS' HOMES: REIMBURSEMENT RATES

Provides that a veteran member of the Veterans' Home of California who is in intermediate care or skilled nursing care would not be subject to charges and fees if he or she meets specified criteria for disability status and payments by the federal Department of Veterans Affairs under specified federal regulations.

(Military & Veterans Code §§1012.2 and 1012.3)

AB 1256 (Bloom) - CIVIL LAW: PRIVACY: ENTRY AND EXIT OF FACILITIES

Provides that it is unlawful for a person to intentionally interfere with a person's entrance to or exit from a facility, or to injure, intimidate, interfere or to attempt same while interfering with entrance or exit. Prohibits individuals from blocking, intimidating or interfering with anyone entering or exiting a hospital or other health care facility.

(Civil Code §§1708.8 and 1708.9)

AB 1340 (Achadjian) - ENHANCED TREATMENT PROGRAMS

Permits the Department of State Hospitals to establish and administer a pilot enhanced treatment program (ETP) at each state hospital, for the duration of five calendar years, for testing the effectiveness of treatment for
patients who are at high risk of the most dangerous behavior. Authorizes ETPs to be licensed under the same requirements as acute psychiatric hospital licensing requirements, and makes significant changes to current requirements and procedures related to the admission of patients and the administration of care.

*(Health & Safety Code §1265.9; Welfare & Institutions Code §§4100, 7200, 4143, 4144 and 4145)*

**AB 1522 (Gonzalez) - EMPLOYMENT: PAID SICK LEAVE**

Requires employers to provide paid sick days, as specified. Provides that no accrual or carry over is required if the full amount of leave is received at the beginning of each year. Provides that the bill applies to an employee who works in California for 30 or more days within a year from the commencement of employment. Specifies the information that must be contained on a poster displayed in the workplace. Excludes providers of In Home Supportive Services.

*(Labor Code §2810.5)*

**AB 1570 (Chesbro) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**

Increases training requirements for licensees and staff of Residential Care Facilities for the Elderly (RCFE). Deletes the existing requirement of 40 hours of classroom instruction for RCFE licensee certification training programs and replaces it with 80 hours of required coursework, which shall include at least 60 hours of coursework that shall be attended in person. Adds personal rights, management of antipsychotic medication, managing Alzheimer's disease and related dementias, and managing the physical environment, including maintenance and housekeeping to the list of items covered in the RCFE licensee certification training program.

*(Health & Safety Code §§1569.23, 1569.625 and 1569.626)*

**AB 1899 (Brown) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**

Amends the State Residential Care Facilities for the Elderly Act that provides for the licensure and regulation of residential care facilities for the elderly. Excludes a licensee who abandons the facility and the residents resulting in an immediate and substantial threat to the health and safety of those residents from licensure in licensed facilities without the right to petition for reinstatement, and licensees who failed to take all reasonable steps to transfer affected residents to minimize trauma.

*(Health & Safety Code §§1569.19, 1569.50 and 1569.682)*

**AB 2044 (Rodriguez) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**

Relates to residential care facilities for the elderly. Requires that at least one administrator, facility manager, or designated substitute who has adequate qualifications be on the premises of a facility 24 hours per day. Requires a facility to employ, and an administrator to schedule, a sufficient number of staff members. Requires certain training to include building and fire safety and the appropriate response to emergencies.

*(Health & Safety Code §§1569.618 and 1569.625)*

**AB 2171 (Wieckowski) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**

Establishes rights for residents of privately operated residential care facilities for the elderly, including receiving a specified amount of notice before involuntary transfer, discharge, or eviction, to be accorded dignity in
relationships with staff, to be granted a reasonable level of privacy, and records confidentiality. Requires a facility staff person to advise a resident and the resident’s representative of these and other rights.

*(Health & Safety Code §1569.261)*

**AB 2236 (Maienschein) - CARE FACILITIES: CIVIL PENALTIES**

Revises existing statute authorizing the Department of Social Services (DSS) to levy fines against community care facilities, residential care facilities for the elderly, and child care facilities for violations that constitute physical abuse or result in serious bodily injury or death. Establishes, beginning July 1, 2015, a new framework for civil penalties applicable to violations determined by the DSS to have resulted in death or serious bodily injury, or determined by DSS to constitute physical abuse for all facilities licensed by DSS.

*(Health & Safety Code §§ 1548, 1568.0822, 1569.49, 1596.99 and 1597.58)*

**AB 2264 (Levine) - VICTIM COMPENSATION: GUIDE, SIGNAL, OR SERVICE DOGS**

Extends eligibility for reimbursement under the Victim Compensation Program to cover costs associated with the injury or death of a guide, signal, or service dog as a result of a crime.

*(Government Code §§13955 and 13957 and Penal Code §§600.2 and 600.5)*

**AB 2374 (Mansoor) - SUBSTANCE ABUSE: RECOVERY AND TREATMENT SERVICES**

Requires deaths at licensed residential treatment facilities to be reported to the Department of Health Care Services in a timely manner. Requires private organizations that register or certify substance abuse counselors to verify that an applicant has not had another registration or certification revoked.

*(Health & Safety Code §§11833 and 11830.01)*

**AB 2557 (Pan) - HOSPITALS: SEISMIC SAFETY**

Authorizes the Office of Statewide Health Planning and Development to grant certain hospitals, who have already received an extension of the January 1, 2008, seismic safety deadline, an additional extension until September 1, 2015. Contains an urgency clause to ensure that the provisions of this bill go into immediate effect upon enactment.

*(Health & Safety Code §130060)*

**SB 873 (Budget and Fiscal Review Committee) - HUMAN SERVICES**

This bill is the Human Services Clean-Up Trailer Bill for the 2014-15 state budget. It contains necessary clean-up changes and technical corrections related to the Budget Act of 2014. This bill makes various statutory changes to implement the 2014-15 budget.

*(Evidence Code §757; Health & Safety Code §§1546.1, 1546.2, 1569.481, 1569.482, and 1569.682; Welfare & Institutions Code §§11461.3, 11462.04, 11477, and 12300.4)*
SB 895 (Corbett) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

Requires residential care facilities for the elderly to remedy the deficiencies listed in inspections from unannounced visits within a specified time period. Requires posting information on how to obtain an inspection report on a specified website. Requires a poster that contains information on the appropriate contact agency in case of a complaint or emergency. Requires a report on projected costs of conducting annual inspections of such facilities for the elderly.

*(Health & Safety Code §§1569.33, 1569.335 and 1569.331)*

SB 906 (Correa) - ELECTIVE PERCUTANEOUS CORONARY INTERVENTION PROGRAM

Creates the Elective Percutaneous Coronary Intervention (PCI) Offsite Program in the Department of Public Health (DPH) to certify an unlimited number of general acute care hospitals that are licensed to provide cardiac catheterization laboratory services in California, and that meet prescribed, additional criteria, to perform scheduled, elective PCI. Authorizes a hospital that was participating in the Elective PCI Pilot Program as of December 31, 2014, to continue to perform elective PCI, but requires the hospital to obtain a certification, as specified, by January 1, 2016. Requires the Office of Statewide Health Planning and Development to annually develop and make available to the public a report regarding each participating hospital's performance, as specified, and authorizes DPH to form an advisory oversight committee for the purpose of analyzing those reports and recommending changes. Also authorizes DPH to charge each participating hospital a supplemental licensing fee not to exceed the reasonable cost to DPH of overseeing the program.

*(Health & Safety Code §1256.01)*

SB 911 (Block) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

Changes required hours of instruction for applicants for residential care facility administrator certification. Prohibits a licensee from retaliating against any person receiving services, or against any employee, on the basis that the person, employee, or any other person dialed 911. Requires that residents be assisted with home health or hospice service access. Makes changes concerning training requirements for facility licensees, administrators and staff, including medication administration training.


SB 1004 (Hernandez, E.) - HEALTH CARE: PALLIATIVE CARE

Requires the Department of Health Care Services (DHCS) to assist Medi-Cal managed care plans in delivering palliative care services, and requires DHCS to consult with stakeholders and directs DHCS to ensure the delivery of palliative care services in a manner that is cost-neutral to the General Fund, to the extent practicable. Authorizes implementation through all plan letters and similar instructions.

*(Welfare & Institutions Code §14132.75)*

SB 1011 (Monning) - NONPROFIT CORPORATIONS: SELF-INSURANCE

Authorizes certain 501(c)(3) nonprofit organizations to insure themselves against damage to property and the losses related to the loss of use of property through a risk pool arrangement, organizes as a nonprofit benefit corporation, be in existence for purposes of covering tort liability for no less than five years, and have accumulated net assets of not less than $5,000,000. The bill also requires the pooling arrangement to include in every application, on or after January 1, 2016, a notice that states, among other things, that the risk pooling
contract is not subject to all of the California insurance laws and is not subject to regulation by the Insurance Commissioner. Provides the format for membership forms.

(Corporations Code §5005.1)

SB 1153 (Leno) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

Authorizes the Department of Social Services to order a suspension of new admissions prohibiting a residential care facility for the elderly from admitting new residents if the facility has failed to pay a fine assessed by the department or if the department finds that the facility has violated applicable laws or regulations, and the violation presents a direct or immediate risk to the health, safety, or personal rights of a resident or residents and is not corrected immediately. Provides for appeal.

(Health & Safety Code §1569.545)

SB 1276 (Hernandez, E.) - HEALTH CARE: FAIR BILLING PRACTICES

Revises the hospital charity care programs by making individuals who meet the income requirements eligible, even if they have received a discounted rate from the hospital as a result of third-party coverage. Defines "reasonable payment formula," for purposes of these charity care programs, as monthly payments that do not exceed 10% of a patient’s family income. Permits for purposes of determining the reasonable payment formula, the emergency physician or his/her assignee to rely on the determination of family income and essential living expenses made by the hospital at which emergency care was provided.

(Health & Safety Code §§127400, 127405, 127420, 127425, 127450, 127454, and 127455)

SB 1299 (Padilla) - WORKPLACE VIOLENCE PREVENTION PLANS: HOSPITALS

Requires the Occupational Safety and Health Administration Standards Board, no later than July 1, 2016, to adopt standards that require specified hospitals to adopt a workplace violence prevention plan as part of their injury and illness prevention plan to protect health care workers and other facility personnel from aggressive and violent behavior. Requires the Division of Occupational Safety and Health to post a report on violent incidents at hospitals on its website. Exempts certain hospitals.

(Labor Code §6401.8)

SB 1382 (Block) - RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

Amends existing law that sets forth the annual licensure fees to operate a residential care facility for the elderly and various other fees charged by the Department of Social Services. Increases the annual licensure fees by a specified percentage. Makes related findings and declarations.

(Health & Safety Code §1569.185)

SB 1467 (Lieu) - PROFESSIONS AND VOCATIONS

Makes several non-controversial, minor, non-substantive or technical changes to various provisions within the Business and Professions Code relating to the regulatory boards of the Department of Consumer Affairs.

(Business & Professions Code §§5000, 5070, 5070.5, 5093, 5096, 5096.4, 6730.2, 6735, 6759, 7842, 7860, 8771, 17901, 17913, 17914, 17916, 22454, 7864 and 8725.1)
**MEDI-CAL**

**AB 1792 (Gomez) - PUBLIC BENEFITS: REPORTS ON EMPLOYERS**

Requires the Employment Development Department (EDD) to be informed of the names and social security numbers of all Medi-Cal recipients. Requires specified state agencies to determine the average per individual cost of those programs and to inform EDD of these costs. Requires public posting of certain employers with employees receiving public assistance. Prohibits certain actions by employers regarding their employees enrolled in the Medi-Cal program, such as, disclosing to any person or entity that an employee is receiving benefits, unless otherwise permitted by law.

*(Government Code §13084; Unemployment Insurance Code §1095; Welfare & Institutions Code §11026.5)*

**AB 2051 (Gonzalez) - MEDI-CAL PROVIDERS: AFFILIATE PRIMARY CARE CLINICS**

Relates to the Medi-Cal program and the Department of Health Care Services (DCHS). Requires DCHS, after receiving confirmation of certification as a Medi-Cal provider for an applicant that is an affiliate primary care clinic, to provide written notice to the applicant informing the applicant that its enrollment is approved and to enroll the clinic retroactive to the certification date. Imposes those requirements regarding the Family PACT Program from an affiliate primary care clinic.

*(Welfare & Institutions Code §§24005 and 14043.17)*

**AB 2253 (Ting) - BILINGUAL SERVICES: IMPLEMENTATION PLANS**

Relates to the Dymally-Alatorre Bilingual Services Act. Requires by July 1, 2015, a state agency subject to the Act to translate and make accessible on its website home page, forms and processes for submitting complaints of alleged violations of the Act. Requires that the forms and processes be translated into all languages spoken by a substantial number of non-English speaking people served by the state agency; and requires that translated copies of the forms be printed and made available in the statewide office and any local office of the state agency.

*(Government Code §§7295.4, 7296.2, 7296.4, 7299.4 and 7299.3)*

**SB 18 (Leno) - MEDI-CAL RENEWAL**

Requires the Department of Health Care Services (DHCS) to accept contributions by private foundations in the amount of at least $6 million for the purposes of providing Medi-Cal renewal assistance payments, starting January 1, 2015. This bill also requires DHCS, in collaboration with the County Welfare Directors Association and legal services organizations to develop renewal assistance training for community-based organizations.

**SB 396 (De León) - PUBLIC SERVICES**

Repeals the unenforceable provisions of Proposition 187 relating to public social services, public health care services, public education and other activities of state and local agencies.

*(Education Code §§48215 and 66010.8; Government Code §53069.65; Health & Safety Code §Chapter 1.2 of Part 1 Division 1; Penal Code §834b; Welfare & Institutions Code §10001.5)*
SB 1004 (Hernandez, E.) - HEALTH CARE: PALLIATIVE CARE
Requires the Department of Health Care Services (DHCS) to assist Medi-Cal managed care plans in delivering palliative care services, and requires DHCS to consult with stakeholders and directs DHCS to ensure the delivery of palliative care services in a manner that is cost-neutral to the General Fund, to the extent practicable. Authorizes implementation through all plan letters and similar instructions.

(Welfare & Institutions Code §14132.75)

SB 1161 (Beall) - DRUG MEDI-CAL
Requires the Department of Health Care Services, if the department seeks a waiver of federal law to implement the Drug Medi-Cal program, to pursue federal approvals to address the need for greater capacity in both short-term residential treatment facilities and hospitals settings for short-term voluntary inpatient detoxification.

(Welfare & Institutions Code §14124.29)

SB 1315 (Monning) - MEDI-CAL: PROVIDERS
Requires a notice of temporary suspension issued to a health care provider by the Department of Health Care Services Medi-Cal Provider Enrollment Division to include a list of discrepancies required to be remediated and the timeframe in which a provider can demonstrate that the discrepancies identified have been remediated. Timeframe must be at least 60 days from the date the notice is issued. Requires the provider to be removed from enrollment as a Medi-Cal provider if a provider fails to remediate the identified discrepancies, as specified.

(Welfare & Institutions Code §14043.7)

SB 1339 (Cannella) - MEDI-CAL: DRUG MEDI-CAL TREATMENT PROGRAM PROVIDERS
Provides that if the Department of Health Care Services designates a nonprofit drug Medi-Cal provider or applicant as a high categorical risk, the criminal background check and submission of fingerprint images and related information would apply to the officers and executive director of the provider or applicant.

(Welfare & Institutions Code §14043.38)

SB 1341 (Mitchell) - MEDI-CAL: STATEWIDE AUTOMATED WELFARE SYSTEM
Requires the Statewide Automated Welfare System to be the system of record for Medi-Cal and to contain all Medi-Cal eligibility rules and case management functionality. Authorizes the Healthcare Eligibility, Enrollment, and Retention System (CalHEERS) to house the business rules necessary for an eligibility determination. Requires CalHEERS to make the business rules available to the System consortia to determine Medi-Cal eligibility. Requires notices for the Medi-Cal and premium tax credit programs.

(Welfare & Institutions Code §10823)

SB 1457 (Evans) - MEDICAL CARE: ELECTRONIC TREATMENT AUTHORIZATION
Requires requests for authorization for treatment or services in the Medi-Cal program, California Children's Services (CCS) Program, and the Genetically Handicapped Persons Program (GHPP), excluding those submitted by dental providers enrolled in the Medi-Cal Dental Program, to be submitted in an electronic format determined by the Department of Health Care Services (DHCS) via DHCS' website or other electronic means designated by DHCS. Requires DHCS to implement an alternate format for submission when DHCS' website is
MEDICAL EDUCATION

AB 496 (Gordon) - MEDICAL EVALUATION: SEXUAL ORIENTATION: GENDER IDENTITY
Amends existing law that requires continuing medical education accrediting associations to develop standards for compliance with the cultural competency requirement. Authorizes such associations to update these compliance standards in conjunction with an advisory group with expertise in such issues. Expands a recommendation regarding such care to include appropriate treatment and care of the lesbian, gay, bisexual, transgender, and intersex communities.

(Business & Professions Code §2190.1)

AB 2214 (Fox) - EMERGENCY ROOM PHYSICIANS AND SURGEONS
Enacts the Dolores H. Fox Act to require the Medical Board of California to consider including a course in geriatric care for emergency room physicians and surgeons as part of its continuing education requirements.

(Business & Professions Code §2191)

SB 1116 (Torres) - PHYSICIANS AND SURGEONS
Requires the Medical Board of California and the Osteopathic Medical Board of California to develop a mechanism for physicians and surgeons to pay a voluntary contribution, at the time of application for initial licensure or biennial renewal, to the Steven M. Thompson Physician Corps Loan Repayment Program on or before July 1, 2015.

(Business & Professions Code §§2436.5 and 2455)

MEDICAL PRACTICE AND ETHICS

AB 1577 (Atkins) - CERTIFICATES OF DEATH: GENDER IDENTITY
Requires a person completing a certificate of death to record the decedent's sex to reflect the decedent's gender identity. Requires identity to be reported by the informant, unless the person completing the certificate is presented with a specified document, in which case the person would be required to record the decedent's sex as that which corresponds with the gender identity as indicated in document. Provides the procedure in the absence of such document.

(Health & Safety Code §102875)

AB 2365 (Perez, J.) - CONTRACTS: UNLAWFUL CONTRACTS
Seeks to make clear in California law that non-disparagement clauses in specified consumer contracts are void and unenforceable. Provides that a contract or proposed contract for the sale or lease of consumer goods or
services may not include a provision waving the consumer’s right to make any statement regarding the seller or lessor or its employees or agents concerning the goods or services. Makes it unlawful to threaten or to seek to enforce a provision made unlawful under this bill, or to otherwise penalize a consumer for making any statement protected under the bill. Provides that a provision in violation of this bill is deemed unconscionable and against public policy. Relates to online reviews or comments.

*(Civil Code §1670.8)*

**AB 2536 (Mullin) - EMPLOYEES: EMERGENCY RESCUE PERSONNEL**

Amends existing law that prohibits discrimination against an employee for taking time off to perform emergency duty as one of several types of personnel. Expands the definition of emergency rescue personnel to include an officer, employee, or member of a disaster medical response entity sponsored or requested by the state. Requires an employee who is a defined health care provider to notify his or her employer at the time the employee becomes designated as emergency rescue personnel.

*(Labor Code §230.3)*

**AB 2755 (Bocanegra) - NONPROFIT CORPORATIONS: DIRECTORS**

Amends the Nonprofit Corporation Law that regulates the organization and operation of nonprofit public benefit corporations, nonprofit mutual benefit corporations, and nonprofit religious corporations. Clarifies the meaning of director does not include a person who does not have the authority to vote as a member of the governing body.

*(Corporations Code §5047)*

**ORGAN & TISSUE DONATION**

**AB 2399 (Perez, J.) – ORGAN AND TISSUE DONOR REGISTRY: DRIVER’S LICENSE**

Authorizes an organ procurement organization to swipe a driver’s license or identification card to transmit information to the registry for the purpose of allowing an individual to identify himself or herself as a registered organ donor, subject to a specified procedure. Requires the information gathered comply with a Department of Motor Vehicles Information Security Agreement. Revises the reference to general characteristics of donors to refer to non-identifiable information.

*(Civil Code §1798.90.1; Health & Safety Code §7150.90)*

**PROFESSIONAL LICENSING AND DISCIPLINE**

**AB 2102 (Ting) - LICENSEES: DATA COLLECTIONS**

Requires the Board of Registered Nursing, the Physician Assistant Board, the Respiratory Care Board, and Board of Vocational Nursing and Psychiatric Technicians to collect and report specific demographic data relating to its licensees, subject to a licensee’s discretion to report his or her race or ethnicity, to Office of Statewide Health Planning and Development. Requires these boards to collect this data at least biennially at the time of both issuing an initial license or issuing a renewal.
Significant New California Laws of Interest to Physicians For 2015

SB 1159 (Lara) - LICENSE APPLICANTS: INDIVIDUAL TAX IDENTIFICATION

Prohibits licensing boards under the Department of Consumer Affairs from denying licensure to an applicant based on his or her citizenship or immigration status, and requires a licensing board and the State Bar to require, by January 1, 2016, that an applicant for licensure provide his or her individual taxpayer identification number or a social security number for an initial or renewal license.

SB 1226 (Correa) - VETERANS: PROFESSIONAL LICENSING

Requires a professional licensing board within the Department of Consumer Affairs to expedite, or when applicable assist, the licensure process for an applicant who supplies satisfactory evidence to the board that he or she has served as an active duty member of the Armed Forces of the United States that he or she has served on active duty and was honorably discharged. Authorizes the submission of certain evidence of military training to meet security officer licensure standards.

SB 1243 (Lieu) - PROFESSIONS AND VOCATIONS

Increases the transparency of information distributed by the Department of Consumer Affairs. Requires the Office of Administrative Hearings to submit specified reports to the Legislature annually; enhances unlicensed advertising enforcement; extends, until January 1, 2017, the provisions establishing the Veterinary Medical Board and the term of the executive officer; sets the operative date of the veterinary assistant controlled substance program for July 1, 2015; and extends the Certified Common Interest Development Manager program and the Tax Preparer program until January 1, 2019.

AB 49 (Buchanan) - LICENSE PLATES: BREAST CANCER AWARENESS

Requires the Department of Health Care Services to apply to sponsor a breast cancer awareness license plate. Requires the Department of Motor Vehicles to issue license plates under certain conditions. Authorizes the acceptance and use of donated artwork from artists in the state for the plate. Requires the revenue from the plates to be deposited in the Breast Cancer Control Fund.

AB 609 (Nestande) - STATE-FUNDED RESEARCH: DEPARTMENT OF PUBLIC HEALTH

Enacts the Taxpayer Access to Publicly Funded Research Act. Establishes publication requirements for a grantee receiving funding in the form of a research grant from the Department of Public Health (DPH). Requires DPH to include specified terms and conditions to receiving the grant. Requires the grantee to provide for public access.
including insuring an electronic version of a peer-reviewed manuscript is available to DPH on a publicly accessible database. Exempts certain grantees.

(Government Code §§13989, 13989.2, 13989.4, 13989.6 and 13989.8)

**AB 1271 (Bonta) - SCHOOL SAFETY PLANS: PUPIL MENTAL HEALTH CARE**

Encourages the guidelines in a school safety plan for the roles and responsibilities of mental health professionals, community intervention professional, school counselors, school resource officers, and police officers on school campuses to include protocols to address the mental health care of pupils who have witnessed a violent act at any time.

(Education Code §32282.1)

**AB 1559 (Pan) - NEWBORN SCREENING PROGRAM**

Requires the Department of Public Health to expand statewide screening of newborns to include screening for adrenoleukodystrophy (ALD) as soon as the disease is adopted by the federal Recommended Uniform Screening Panel.

(Health & Safety Code §§124977 and 125001)

**AB 1819 (Hall) - FAMILY DAY CARE HOME: SMOKING PROHIBITION**

Prohibits the smoking of tobacco in a private residence that is licensed as a family day care home without regard to whether the act occurs during the hours of operation of the home. Makes a conforming change.

(Health & Safety Code §1596.795; Labor Code §6404.5)

**AB 1835 (Olsen) - RECREATIONAL OFF-HIGHWAY VEHICLES: HELMETS**

Specifies that the requirement to wear a helmet while operating a recreational off-highway vehicle only applies when the vehicle is being operated on public lands.

(Vehicle Code §38601)

**AB 1840 (Campos) - PUPIL HEALTH: VISION APPRAISAL**

Authorizes a child’s vision to be appraised by using an eye chart or any scientifically validated photoscreening test and requires photoscreening tests to be performed, under an agreement with, or the supervision of an optometrist or ophthalmologist, by the school nurse or by a trained individual who meets specified requirements as determined by the California Department of Education.

(Education Code §49455)

**AB 1898 (Brown) - PUBLIC HEALTH RECORDS: REPORTING: HIV/AIDS**

Adds hepatitis B, hepatitis C, and meningococcal infection to the list of diseases that local health officer reports to the Department of Public Health (for the purpose of the investigation, control, or surveillance of human immunodeficiency virus/acquired immune deficiency syndrome and co-infection).
AB 2069 (Maienschein) - IMMUNIZATIONS: INFLUENZA
Requires the Department of Public Health to post specified educational information regarding influenza disease and the availability of influenza vaccinations on the department’s website. Authorizes the department to use additional available resources to educate the public regarding influenza, including, among other things, public service announcements.

AB 2217 (Melendez) – PUPIL AND PERSONNEL HEALTH: AEDS
Authorizes a public school to solicit and receive non-state funds to acquire and maintain an automated external defibrillator (AED). Provides that the employees of the school district are not liable for civil damages resulting from certain uses, attempted uses or non-uses of an AED. Exempts a public school or district, that is in compliance with AED requirements, from civil damage liability.

SB 912 (Mitchell) - STATE PROPERTY: VENDING MACHINES
Deletes the repeal date of existing law that regulates various aspects of the provision of food and beverages in vending machines, including requiring a vendor that operates or maintains a vending machine on designated state property to offer food and beverages in the vending machine that meet accepted nutritional guidelines.

SB 1066 (Galgiani) - MISSING OR UNIDENTIFIED PERSONS
Extends the procedures regarding a postpartum examination or autopsy conducted at the discretion of a coroner to a medical examiner or other agency that performs such examination or autopsy. Requires the procedures of existing law regarding an autopsy of an unidentified deceased person to apply to a medical examiner or other agency that performs a postmortem examination or autopsy investigating the death of an unidentified person. Relates to procedures for a missing person under a specified age.

SB 1172 (Steinberg) - PUPIL HEALTH: VISION APPRAISALS
Deletes the existing vision screening requirements and instead requires, during the kindergarten year or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8, the pupil's vision to be appraised by the school nurse or other authorized person. Allows a pupil's vision to be appraised using an eye chart or any other scientifically validated photoscreening test, as specified; requires continual and regular observation of the pupil's eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties to be done by the school nurse and the classroom teacher; states legislative finding that access to vision care has been expanded with implementation of the federal Patient Protection and Affordable Care Act.
SB 1211 (Padilla) - EMERGENCY SERVICES AND NEXT GENERATION

Requires the Office of Emergency Services (OES) to develop a plan and timeline of target dates for testing, implementing, and operating a Next Generation 911 emergency communication system, including text to 911 service, throughout California, as specified. Requires OES to administer the state's 911 emergency telephone system, including local dispatch centers known as Public Safety Answering Points, with funds from a 911 customer surcharge on intrastate communication service.

SB 1266 (Huff) - PUPIL HEALTH: EPINEPHRINE AUTO-INJECTORS

Requires school districts, county offices of education and charter schools to provide emergency epinephrine auto-injectors to school nurses and trained volunteer personnel. Requires the distribution of a notice requesting volunteers. Requires certain individuals to obtain a related prescription. Requires maintenance of such devices. Relates to minimum training requirements for use of such device, and training review. Authorizes such devices to be furnished by a pharmacy. Relates to stocking requirements.

SB 1311 (Hill) - PUBLIC HEALTH - ANTIMICROBIAL STEWARDSHIP

Requires all general acute care hospitals, as defined, to adopt and implement, by July 1, 2015, an antimicrobial stewardship policy that includes a process to evaluate the judicious use of antibiotics, as specified. Requires a general acute care hospital to develop a physician-supervised multidisciplinary antimicrobial stewardship committee, subcommittee, or workgroup, and to appoint at least one physician or pharmacist who is knowledgeable about antimicrobial stewardship through prior training or attendance at continuing education programs. This bill also requires a general acute care hospital to report antimicrobial stewardship program activities to each appropriate hospital committee undertaking clinical quality improvement activities.

SB 1388 (Lieu) - HUMAN TRAFFICKING

Provides that if a crime of prostitution is committed and the person who was solicited was a minor at the time of the offense, and if the defendant knew or should have known that the person was a minor, the violation is punishable by imprisonment in the county jail, a fine, or both. Increase the additional fine that is placed on a person convicted of violating certain prohibitions against the prostitution of a minor.

SB 1395 (Block) - PUBLIC BEACHES: INSPECTION FOR CONTAMINANTS

Authorizes the Department of Public Health (DPH) to allow a local health officer (LHO) to use specified polymerase chain reaction testing methods published by the United States Environmental Protection Agency or approved as an alternative test procedure pursuant to federal law to determine the level of enterococci bacteria as a single test based on a single indicator at one or more beach locations within that jurisdiction if the LHO demonstrates through side-by-side testing over a beach season that the use of the test method provides a reliable indication of overall microbiological contamination conditions. This bill also requires the DPH, in making
the determination of whether to authorize the use of those testing methods by a LHO, to take into account whether the alternative indicators and related test method can provide results more quickly, but does not require the use of those testing methods.

*(Health & Safety Code §115880)*

**SB 1438 (Pavley) - CONTROLLED SUBSTANCES: OPIOID ANTAGONISTS**

Requires the Emergency Medical Services Authority to develop and adopt training and standards for all pre-hospital emergency care personnel regarding the use and administration of naloxone hydrochloride (naloxone) and other opioid antagonists and to include the administration of naloxone in the training and scope of practice, consistent with current law, for emergency medical technician I (EMT-I) certification. Requires the Attorney General to authorize hospitals and trauma centers to share data on controlled substance overdose trends with local law enforcement agencies and local emergency medical services agencies, as specified.

*(Health & Safety Code §§1797.170, 1797.197 and 11601)*

**REPRODUCTIVE ISSUES**

**AB 2344 (Ammiano) - FAMILY LAW: PARENTAGE**

Makes changes to help families using assisted reproduction to conceive children. Creates optional forms to allow intended parents to state, in writing, their intention to parent a child being conceived through use of assisted reproduction. States that the forms do not affect any presumptions or claims of parentage based on existing statute or case law. Requires that an assisted reproduction agreement for gestational carriers (a surrogacy agreement) include a disclosure of how the intended parents will cover the medical expenses of the gestational carrier and the newborn. If health care coverage will be used, requires that the disclosure include a review of care policy provisions related to coverage for surrogate pregnancy, including any possible liability for the gestational carrier, third-party liens or other insurance coverage and any notice requirements that could affect coverage or liability for the gestational carrier. If coverage of liability is uncertain, provides that a statement of that fact is sufficient.

*(Family Code §§7962, 9001, 9001, 9006, 9007, 7613.5 and 9000.5)*

**SB 1135 (Jackson) - INMATES: STERILIZATION**

Prohibits sterilization for the purpose of birth control of an individual under the control of the Department of Corrections and Rehabilitation or a county correctional facility. Prohibits any means of sterilization of an inmate, except when required for the immediate preservation of life in an emergency medical situation and when medically necessary to treat a diagnosed condition and certain requirements are satisfied. Requires reports of procedures. Relates to notification regarding sterilization.

*(Penal Code §3440)*