

Assembly Committee on Human Services
2021
Legislative Bill Summary
Honorable Lisa Calderon, Chair



Vice Chair:

Honorable Laurie Davies

Members:

Honorable Dr. Joaquin Arambula
Honorable Isaac G. Bryan
Honorable Steven S. Choi, Ph.D.
Honorable Mark Stone
Honorable Carlos Villapudua
Honorable Christopher M. Ward

Honorable Mike A Gipson

Committee Staff:

Debra A. Cooper, Chief Consultant
Kelsy C. Castillo, Principal Consultant
Emmalynn A. Mathis, Associate Consultant
Toni J. Zupan, Committee Secretary



CALIFORNIA LEGISLATURE

Assembly Human Services Committee

2021 Legislative Bill Summary

INTRODUCTION

The Assembly Committee on Human Services has jurisdiction over programs and services designed to assist the state's most vulnerable populations, including children who have been abused or neglected, people with disabilities, low-income families, and the elderly.

This report contains summaries of bills that were referred to, and considered by, the Assembly Human Services Committee during 2021. Bills that were passed by the Legislature and became law are shown with the chapter number; bills that were vetoed by the Governor or that otherwise failed to become law are so noted. Some bills could have been appropriately placed in several subject categories; an effort was made to place each bill under the most appropriate subject heading.

This publication is intended to be a useful summary of the Legislature's work in the area of human services during 2021. An electronic copy of this document is also available under "Publications" on the committee's web page at <http://ahum.assembly.ca.gov>.

Copies of analyses prepared by the Assembly Human Services Committee may be obtained by accessing the Official California Legislative Information internet web page maintained by the Legislative Counsel at www.leginfo.legislature.ca.gov, or by writing to the Assembly Human Services Committee, Legislative Office Building, 1020 N Street - Room 124, Sacramento, CA 95814.

In addition to hearing bills, this committee held an oversight and an informational hearing this year. You will find summaries of each hearing at the end of this report.

Acronyms used in this report are as follows:

Alternative Payment Program (APP)
California Community Colleges (CCCs)
California Department of Education (CDE)
California Department of Social Services (CDSS)
California Work Opportunity and Responsibility to Kids (CalWORKs)
Department of Developmental Services (DDS)
Department of Healthcare Services (DHCS)
Multidisciplinary Teams (MDTs)
Nonminor Dependent (NMD)
Residential Care Facilities for the Elderly (RCFE)
Short-term Residential Therapeutic Programs (STRTPs)
Traditional Housing Provider (THP)
Welfare-to-Work (WTW)

CalFresh	7
AB 221 (Santiago) - Emergency food assistance.....	7
AB 396 (Gabriel) - CalFresh: educational programs.....	7
AB 674 (Bennett) - Dependent children: documents.....	7
AB 889 (Gipson) - Food access: grocery stores.....	7
AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.....	8
SB 108 (Hurtado) - State Healthy Food Access Policy.....	8
SB 464 (Hurtado) - California Food Assistance Program: eligibility and benefits.....	8
SB 609 (Hurtado) - CalFresh.....	8
CalWORKs	9
AB 461 (Villapudua) - CalWORKs: welfare-to-work: self-employment.....	9
AB 1004 (Calderon) - CalWORKs eligibility: income exemption: census.....	9
AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.....	9
SB 65 (Skinner) - Maternal care and services.....	9
Child Care and Early Childhood Education	10
AB 92 (Reyes) - Preschool and childcare and development services: family fees.....	10
AB 321 (Valladares) - Childcare services: eligibility.....	10
AB 393 (Reyes) - Early Childhood Development Act of 2020.....	10
AB 479 (Grayson) - Family daycare homes: secondary licensees.....	10
AB 568 (Robert Rivas) - Early learning and care: complaints about discrimination and exclusion of children: Early Learning and Care Dashboard.....	11
AB 791 (Aguiar-Curry) - Childcare: trauma-informed childcare training.....	11
AB 865 (Quirk-Silva) - Childcare services: alternative payment programs: direct deposits: reserve funds.....	11
AB 932 (Levine) - Cradle-to-Career Grant Program.....	12
AB 1294 (Bonta) - Childcare: individualized county childcare subsidy plans.....	12
AB 1345 (Wicks) - Emergency services: licensed childcare providers.....	12
AB 1361 (Blanca Rubio) - Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates.....	12
SB 50 (Limón) - Early learning and care.....	13
SB 246 (Leyva) - Early childhood education: reimbursement rates.....	14
SB 393 (Hurtado) - Migrant Childcare and Development Programs.....	14
Child Welfare Services and Foster Care	14
AB 31 (Lackey) - Office of the Child Protection Ombudsperson.....	14
AB 226 (Ramos) - Children’s crisis psychiatric residential treatment facilities.....	15
AB 260 (Stone) - Guardianships.....	16

AB 317 (Patterson) - Foster care.....	16
AB 366 (Blanca Rubio) - Foster youth.....	16
AB 413 (Ting) - Foster youth: housing.....	16
AB 477 (Blanca Rubio) - Child abuse multidisciplinary personnel team: children's advocacy centers.....	17
AB 546 (Maienschein) - Dependent children: documents: housing.....	17
AB 549 (Gipson) - Nonminor dependents.....	17
AB 592 (Friedman) - Foster youth: transitional housing.....	17
AB 640 (Cooley) - Extended foster care: eligibility redetermination.....	18
AB 656 (Carrillo) - Child welfare system: racial disparities.....	18
AB 670 (Calderon) - Child abuse or neglect: minor and nonminor dependent parents.....	18
AB 674 (Bennett) - Dependent children: documents.....	18
AB 788 (Calderon) - Juveniles: reunification.....	19
AB 808 (Stone) - Children's Crisis Continuum Pilot Program.....	19
AB 829 (Levine) - Foster children: immigration counsel.....	19
AB 841 (Cunningham) - Dependent children.....	19
AB 873 (Ramos) - Child welfare services: Indian tribes.....	19
AB 1006 (Blanca Rubio) - Foster care: social worker turnover workgroup.....	19
AB 1051 (Bennett) - Medi-Cal: specialty mental health services: foster youth.....	20
AB 1055 (Ramos) - Foster youth: tribal pupils.....	20
AB 1140 (Robert Rivas) - Foster care: rights.....	20
AB 1283 (Stone) - Resource families: hearings.....	20
SB 354 (Skinner) - Foster youth: relative placement.....	20
SB 512 (Min) - Public postsecondary education: support services for foster youth: Cooperating Agencies Foster Youth Educational Support Program.....	21
SB 528 (Jones) - Juveniles: health information summary: psychotropic medication.....	21
SB 546 (Wilk) - Communications: lifeline universal service.....	21
SB 584 (Jones) - Resource Family Approval Program.....	21
SB 739 (Cortese) - California Universal Basic Income for Transition-Age Youth pilot project.....	22
Community Care Licensing.....	22
AB 226 (Ramos) - Children's crisis psychiatric residential treatment facilities.....	22
AB 479 (Grayson) - Family daycare homes: secondary licensees.....	23
AB 677 (Holden) - Care facilities: criminal background checks.....	23
AB 1300 (Voepel) - Residential care facilities for the elderly: electronic monitoring.....	23
Congregate Care.....	24
AB 226 (Ramos) - Children's crisis psychiatric residential treatment facilities.....	24
AB 499 (Blanca Rubio) - Referral source for residential care facilities for the elderly: duties.....	25

AB 665 (Eduardo Garcia) - Residential care facilities for the elderly: resident rights: internet access.....	25
AB 677 (Holden) - Care facilities: criminal background checks.....	25
AB 895 (Holden) - Residential care facilities: conditions.....	25
Developmental Services.....	25
AB 445 (Calderon) - Developmental services: information collection.....	25
AB 813 (Mullin) - Developmental services: service outcome pilot project.....	26
AB 982 (Frazier) - State Department of Developmental Services: state institutions.....	26
AB 1334 (Frazier) - State Department of Developmental Services: supplemental budget information.....	26
AB 1335 (Frazier) - Regional centers: annual community placement plans.....	26
SB 639 (Durazo) - Minimum wages: persons with disabilities.....	26
Homelessness	27
AB 977 (Gabriel) - Homelessness prevention programs: Homeless Management Information System.....	27
SB 678 (Rubio) - Unaccompanied Women Experiencing Homelessness Act of 2021.....	27
In-Home Supportive Services and Home Care Services.....	27
AB 344 (Flora) - In-home supportive services: provider orientation.....	27
Miscellaneous	27
AB 46 (Luz Rivas) - California Youth Empowerment Act.....	27
Public Services and Other Human Services.....	28
AB 47 (Reyes) - Human services: coordinated immigration support services.....	28
AB 221 (Santiago) - Emergency food assistance.....	28
AB 829 (Levine) - Foster children: immigration counsel.....	28
AB 868 (Eduardo Garcia) - State of emergency: funeral expense assistance.....	28
AB 932 (Levine) - Cradle-to-Career Grant Program.....	29
AB 941 (Bennett) - Farmworker assistance: resource centers.....	29
AB 1140 (Robert Rivas) - Foster care: rights.....	29
AB 1326 (Arambula) - Public social services: county liaison for higher education.....	29
AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.....	29
AB 1368 (Calderon) - Social services for persons granted asylum.....	30
AB 1461 (Reyes) - Human services: noncitizen victims.....	30
AB 1538 (Quirk) - Tax return information: research: poverty.....	31
SB 65 (Skinner) - Maternal care and services.....	31
SB 464 (Hurtado) - California Food Assistance Program: eligibility and benefits.....	31
SB 497 (Limón) - Qualifying accounts for direct deposit of publicly administered funds.....	31
SB 549 (Jones) - Social workers: essential workers.....	32

CalFresh

AB 221 (Santiago) - Emergency food assistance.

Status: Held on the Senate Appropriations Committee suspense file.

This bill would have required CDSS to provide a food assistance benefit statewide to low-income California residents, regardless of their immigration status, contract with certain entities to issue the food assistance benefit, and would have required CDSS, no later than January 1, 2023, in consultation with a workgroup, to conduct a study to provide recommendations and solutions to a permanent food assistance program for low-income California residents experiencing food insecurity, regardless of their immigration status.

AB 396 (Gabriel) - CalFresh: educational programs.

Status: Chapter 461, Statutes of 2021

Requires CDSS to issue guidance to counties, the Chancellor's Offices of the CCCs, the Chancellor's Offices of the California State University (CSU), and the Office of the President of the University of California (UC) to clarify state and federal eligibility requirements and the application and approval process for campus-based local educational programs that increase employability that may qualify a student for an exemption to the CalFresh student rule. Also requires qualifying campus-based programs of the CCC and the CSU, and requests qualifying campus-based programs of the UC, to apply to become local education programs that increase employability by September 1, 2022. Additionally, requires CDSS to report, no later than September 1, 2023, and annually thereafter until 2030, certain data regarding the number of state-approved campus-based local educational programs that increase employability that were approved.

AB 674 (Bennett) - Dependent children: documents.

Status: Chapter 524, Statutes of 2021

Expands the list of information, documents, and services that a county welfare department, at the last review hearing prior to a youth's 18th birthday, must report to the court on its progress in providing to the youth written information notifying the minor or nonminor that they may be eligible to receive, and where they may apply for, CalFresh benefits.

AB 889 (Gipson) - Food access: grocery stores.

Status: This bill was amended substantially on June 21, 2021, such that it no longer fell within the jurisdiction of the Committee.

As heard by this committee this bill required grocery establishments, no later than 60 or 180 days depending on the size of the establishment, to provide written notice of intended closure to CDSS, the city and county in which the establishment is located, and the local workforce development board, as specified. The bill also required a county to provide information to the grocery establishment about the availability of public social services benefits within their jurisdiction and further, required CDSS to include closure information on their internet website for the public.

AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to develop a process to register any organization or entity that issues financial assistance through a program in the state; to make public on its internet website a list of those organizations or entities that have registered to issue financial assistance. This bill would have also required an organization or entity issuing financial assistance to register that program with the department; to provide the department with specified information, including disclosing all funding sources of the program under which the financial assistance income is distributed; and, upon the conclusion of the program, to report to the department on the research outcomes. Additionally, the bill would have excluded, to the extent permitted under federal law, financial assistance received by an individual from an organization or entity registered with the department from being considered as income or resources for purposes of determining eligibility and benefit amounts for CalWORKs and CalFresh.

SB 108 (Hurtado) - State Healthy Food Access Policy.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have declared that it is the established policy of the state that every human being has the right to access sufficient and healthy food, and required, no later than January 1, 2023, CDSS, in consultation with the California Department of Food and Agriculture and the Department of Conservation to submit a report to the Legislature that addresses key issues related to food security in California.

SB 464 (Hurtado) - California Food Assistance Program: eligibility and benefits.

Status: Referred to the Assembly Appropriations Committee but was not set for hearing.

This bill would expand eligibility for the California Food Assistance Program (CFAP) to households that are ineligible for CalFresh benefits due solely to their immigration status. Additionally, the bill would require CDSS to use state funds appropriated for CFAP to provide nutritional benefits to those ineligible solely due to their immigration status, and, commencing January 1, 2023, would eliminate the distinctions based on when the noncitizen applicant entered the country and would eliminate the sponsorship and other listed criteria requirements for eligibility on a noncitizen who entered the country on or after August 22, 1996.

SB 609 (Hurtado) - CalFresh.

Status: Chapter 606, Statutes of 2021

Requires CDSS, upon an appropriation and to the extent permitted under federal law, to include adult education and career technical education among the list of programs that may allow a student to qualify for an exemption to the CalFresh student eligibility rule.

CalWORKs

AB 461 (Villapudua) - CalWORKs: welfare-to-work: self-employment.

Status: Chapter 582, Statutes of 2021

Requires, for the purpose of calculating the number of hours a recipient is participating in WTW activities pursuant to CalWORKs requirements, the number of hours for self-employment activities to be based solely on the number of hours the recipient is engaged in self-employment activities, as authorized.

AB 1004 (Calderon) - CalWORKs eligibility: income exemption: census.

Status: Chapter 99, Statutes of 2021

Deletes the restriction that any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the decennial census shall not be considered income for the CalWORKs program only if earned during the year preceding a decennial census and during the year of the decennial census. Further, clarifies that the provision be retroactive and shall apply to any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the most recent decennial census.

AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to develop a process to register any organization or entity that issues financial assistance through a program in the state; to make public on its internet website a list of those organizations or entities that have registered to issue financial assistance. This bill would have also required an organization or entity issuing financial assistance to register that program with the department; to provide the department with specified information, including disclosing all funding sources of the program under which the financial assistance income is distributed; and, upon the conclusion of the program, to report to the department on the research outcomes. Additionally, the bill would have excluded, to the extent permitted under federal law, financial assistance received by an individual from an organization or entity registered with the department from being considered as income or resources for purposes of determining eligibility and benefit amounts for CalWORKs and CalFresh.

SB 65 (Skinner) - Maternal care and services.

Status: Chapter 449, Statutes of 2021

Establishes the "California Momnibus Act" to monitor and take steps to prevent maternal mortality, including, amongst other things, establishing the "California Pregnancy-Associated Review Committee" to review all pregnancy-related deaths and severe maternal morbidity, establishing a "Fetal and Mortality Review Committee", convening a workgroup to examine the implementation of a Medi-Cal doula benefit, and removing the medical verification and county determination requirements for CalWORKs recipients who are pregnant and instead provide an exemption to any CalWORKs recipient who is pregnant.

Child Care and Early Childhood Education

AB 92 (Reyes) - Preschool and childcare and development services: family fees.

Status: Set to be heard by the Senate Appropriations Committee but the hearing was cancelled at the request of the author.

This bill would exempt certain low-income families from family fees and waives family fees for all families until October 31, 2023. Additionally, this bill would require CDSS to convene a workgroup to develop a fee schedule for low-income families that retains a flat monthly fee per family based on income, certified family need for full-time or part-time care services, and enrollment, and shall not be based on actual attendance.

AB 321 (Valladares) - Childcare services: eligibility.

Status: Set to be heard by the Assembly Human Services Committee but the hearing was postponed by the committee.

This bill would provide that after all otherwise eligible children have been enrolled, a part-day California state preschool program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children come from a family in which the primary home language is a language other than English. Further, this bill would provide that, within the second priority list for federal and state subsidized child development services, if two or more families are in the same priority in relation to income, and if there is no family of the same priority with a child with exceptional needs, that family in which the primary home language is a language other than English shall be admitted first.

AB 393 (Reyes) - Early Childhood Development Act of 2020.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to conduct an evaluation and submit to the Legislature a report about the emergency supports provided to childcare service centers during the COVID-19 pandemic including the department's response to specified needs related to the COVID-19 pandemic and the department's evaluation and recommendations on specified topics pertaining to future crises.

AB 479 (Grayson) - Family daycare homes: secondary licensees.

Status: Placed on the Assembly Appropriations Committee suspense file.

This bill would add to the definition of "family daycare home" a facility that regularly provides care, protection, and supervision for 14 or fewer children in the licensee's home if the provider is a secondary licensee and adds that a small daycare home or large family daycare home can also be where the licensee resides, if the family daycare provider is a secondary licensee. Further, this bill would provide that a person may apply to be a secondary licensee for a licensee and specifies the licensure requirements for a secondary licensee.

AB 568 (Robert Rivas) - Early learning and care: complaints about discrimination and exclusion of children: Early Learning and Care Dashboard.

Status: Placed on the Assembly Appropriations Committee suspense file.

This bill would establish a complaint process related to discriminatory practices around the suspension or expulsion of a child in childcare. Also, this bill would require CDSS to create an "Early Learning and Care Dashboard" to collect data for publicly reporting specified race, and suspension and expulsion data regarding early learning and care programs. Additionally, this bill would require CDSS, in conjunction with the CDE, to establish the "Antibias Education Grant Program" to enable selected regional leads to offer training, coaching, and professional development to early learning and care staff.

AB 791 (Aguiar-Curry) - Childcare: trauma-informed childcare training.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would require the Superintendent of Public Instruction to award and administer the Trauma-Informed Childcare Training Grants Program to local, regional, or local and regional quality improvement partnerships in order to expand access to trauma-informed childcare training across the state. Further, this bill would require the Trauma-Informed Childcare Training Grants Program to build on local consortia and other local early learning quality rating and improvement system work already in existence.

AB 865 (Quirk-Silva) - Childcare services: alternative payment programs: direct deposits: reserve funds.

Status: Vetoed by the Governor

This bill would have made changes to the California Child Care and Developmental Services Act regarding administrative and payment processes for APP agencies. Specifically, this bill would have required APPs to reimburse childcare providers based on the maximum certified hours of need rather than actual hours of care provided, would have increased the percentage of funds APPs may retain as reserves, and would have authorized APPs and providers operating or providing services and contractors operating or providing services to use electronic forms and an electronic signature instead of a digital signature.

Veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 865 without my signature.

This bill requires alternative payment programs (APP) to reimburse child care providers based on the maximum certified hours of need rather than attendance, and amends statute regarding verification of provider rates, APP fund reserves, and acceptable forms of signature.

In recognition of the impact of the COVID-19 pandemic on child care providers, I have provided substantial funding over the last two budgets so providers are reimbursed based on enrollment, not on attendance. However, I cannot support a permanent extension of that policy at this time, as it will result in significant ongoing General Fund cost pressures in the

tens of millions of dollars that were not included in the state's current spending plan.

Sincerely,

Gavin Newsom

AB 932 (Levine) - Cradle-to-Career Grant Program.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have established a statewide Cradle-to-Career Grant Program within the Department of Community Services and Development to administer public and private funds at the local level to address child poverty and achievement gaps among California children. The bill would have also required the Department to convene and facilitate a workgroup to develop and establish common indicators and metrics to be applied to all Cradle-to-Career grant recipients.

AB 1294 (Bonta) - Childcare: individualized county childcare subsidy plans.

Status: Chapter 497, Statutes of 2021

Extends the sunset for the individualized county childcare subsidy plan pilot project for Santa Clara County to July 1, 2023, consistent with other counties. Further, requires CDSS and CDE to review the existing individualized county childcare pilot programs and provide a report, as specified, to the appropriate policy and fiscal committees of the Legislature by June 30, 2022.

AB 1345 (Wicks) - Emergency services: licensed childcare providers.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required the Office of Emergency Services, in consultation with CDSS, by June 1, 2022, to establish best practices regarding the use, by licensed and license-exempt childcare providers, of funds provided to the state by the federal government in response to a Governor declared disaster or state of emergency. This bill would have required the best practices to specify, subject to any limitations imposed on the use of funds, how funds provided by the State, federal government, or Federal Emergency Management Agency will be allocated to licensed and license-exempt childcare providers, the timeline at which the funds will be distributed to licensed and license-exempt childcare providers, and any use for which the funds may be used, including for staying open or for reopening a childcare program during or after the declaration, to the extent permissible under federal and state law.

AB 1361 (Blanca Rubio) - Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required early learning and care programs to use suspension or expulsion only as a last resort in responding to a child's behavior, required specific actions to be taken prior to disenrolling or suspending a child due to a behavior issue, and provided additional funding and requirements for early childhood mental health consultations. Specifically, this bill would have placed new limits on suspension, expulsion, and disenrollment of children aged 0 to 5 years from contracted childcare programs, including the California State Preschool Program, general childcare and development

centers, and family childcare home education network programs; would have required a program operator, prior to taking any action to exclude a child from a program due to the child's behavior, to complete a series of specified actions within a 180-day period; required family childcare home providers and other voucher programs to also refrain from exclusionary disciplinary measures, including removing children from group activities; and, authorized a provider to exclude a child only when there is a serious safety threat that cannot be reduced or eliminated. Further, this bill would have also increased the adjustment factor for the reimbursement rate, from 1.05 to 1.1, to providers for early childhood mental health consultations in contracted childcare settings and specify parameters for a program to qualify for the increased rate. Additionally, this bill would have required CDSS to develop guidelines for expulsion and suspension from voucher programs, and authorized providers to use their administrative and support services funding to provide early childhood mental health consultation services, if they choose to do so. Finally, this bill would have also required CDE and CDSS, beginning January 1, 2024, and annually thereafter, to collect and report data regarding the number of times suspension or expulsion processes were undertaken, the outcomes achieved and key demographics of the children involved.

SB 50 (Limón) - Early learning and care.

Status: *Vetoed by the Governor*

This bill would have expanded the age of children that state preschool contracting agencies that provide childcare and early learning services may serve, from three- and four-year olds, to children less than three years old but at least 18 months old. Further, this bill would have specified that these provisions do not authorize local educational agencies operating a license-exempt California State Preschool Program classroom to serve children other than four-year-old children. This bill also would have added that a family can be one who has a member of its household who is certified to receive benefits from specified means-tested government programs to the list of potential requirements for a family to be eligible for state subsidized child development services. Additionally, this bill would have expanded from 12 months to 24 months, the period of a family's eligibility for ongoing services after establishing initial eligibility.

Veto message:

To the Members of the California State Senate:

I am returning Senate Bill 50 without my signature.

This bill would make a child who is between 18 months and 3 years old eligible for the California State Preschool Program (CSPP) as long as the child meets all other eligibility requirements and would extend eligibility for federal and state subsidized child care services to a family in which a member of that family has been certified as eligible to receive benefits from other means-tested government programs.

Expanding access to high quality early learning and care for babies and toddlers is a priority for my Administration. That's why I worked to make universal transitional kindergarten a reality, strengthen our paid family leave policies, and expand child care slots for children in California. Unfortunately, the timing of this bill is premature as it

presupposes how the State Preschool Program will be modified to account for the implementation of universal transitional kindergarten. Next January, modifications will be proposed to the State Preschool Program in the 2022 Budget to align the program with the Master Plan for Early Learning and Care.

I appreciate the author's leadership on this issue and look forward to working with her on improving the State Preschool Program and serving more of California's youngest children.

Sincerely,

Gavin Newsom

SB 246 (Leyva) - Early childhood education: reimbursement rates.

Status: Referred to the Assembly Appropriations Committee but was not set for hearing.

This bill would require CDSS to establish a single reimbursement rate for early learning and care programs, including variation for regional costs and quality adjustment factors. Specifically, this bill would, among other things, require CDSS to change the survey year from 2016 to 2018 to be used for determining the regional market rate ceiling; require CDSS to adopt an interim standard reimbursement rate based on the 2018 regional market rate survey commencing with the 2024–25 fiscal year; implement the new base rate, which shall be annually increased by the cost-of-living adjustment granted by the Legislature; add the crisis adjustment factor of 1.5 for children who are served in a county experiencing a county state of emergency, or any county during a statewide state of emergency; and, change the adjustment factor for specified children.

SB 393 (Hurtado) - Migrant Childcare and Development Programs.

Status: Chapter 499, Statutes of 2021

Aligns the funding structure for the California Migrant Alternative Payment Program (CMAP) by shifting from the standard reimbursement rate to the regional market rate. Provides that payments made by the CMAP shall not exceed the applicable market rate ceiling. Additionally, requires the reimbursement for the CMAP to include the cost of childcare paid to childcare providers plus the administrative and support services costs of the CMAP and limits the total cost for administration and support services to 21% of the total contract amount.

Child Welfare Services and Foster Care

AB 31 (Lackey) - Office of the Child Protection Ombudsperson.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would establish the “Office of the State Child Protection Ombudsperson” as an autonomous entity within CDSS for the purpose of reviewing individual casework, observing management structures, and suggesting systematic alteration of the child welfare system. This bill would also require the Office of the State Child Protection Ombudsperson to perform specified duties, including, among other things, disseminating information on the rights of children and the services provided by the Office; investigating all child deaths caused by abuse or neglect if, at the time of a child’s death, there was an

active investigation by the child welfare system to determine if the child was being abused or neglected or there was a report that the child was subject to abuse or neglect; and, providing for the operation of a toll-free telephone hotline to receive complaints related to child welfare.

AB 226 (Ramos) - Children's crisis psychiatric residential treatment facilities.

Status: Vetoed by the Governor

This bill would have reclassified children's crisis residential programs as children's crisis psychiatric residential treatment facilities (PRTF) and transferred responsibility for licensing these facilities to DHCS rather than CDSS. Additionally, the bill would have clarified that PRTFs are used only as an alternative to hospitalization and included inpatient psychiatric services to individuals under 21 years of age provided in a licensed PRTF as mental health services provided under the Medi-Cal program.

Veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 226 without my signature.

This bill would eliminate Children's Crisis Residential Programs (CCRPs) under the purview of the Department of Social Services and instead create Children's Crisis Psychiatric Residential Treatment Facilities (CCPRTFs) under the purview of the Department of Health Care Services, to provide intensive mental health care for children and youth, including those in foster care.

It is important that all California youth receive the mental health services and supports they need. My Administration has made it a priority to transform California's children and youth behavioral health system into one in which all children and youth are routinely screened, supported, and served for emerging and existing behavioral health needs, and is working to implement transformative investments in the 2021-22 Budget that further this cause.

AB 226 presents implementation challenges that cannot be overlooked or easily overcome. First, the bill would eliminate CCRPs, a Medicaid State Plan service the state is obligated to provide, creating a gap in the continuum of care for children and youth. Second, the bill does not appropriately identify the roles of the Department of Health Care Services, the county Mental Health Plans, and the California Department of Public Health in federally certifying the proposed CCPRTF program. Finally, should CCPRTFs be authorized as a treatment option, it is critical to develop adequate safeguards so children are not in CCPRTFs any longer than necessary. These safeguards are not included in this bill.

My Administration looks forward to working with the Legislature and stakeholders before the Legislature reconvenes on a proposed solution that is in the best interest of all youth experiencing mental health crises.

Sincerely,

Gavin Newsom

AB 260 (Stone) - Guardianships.

Status: Chapter 578, Statutes of 2021

Requires, in the event that a probate court investigation is waived, the investigation be waived for good cause; prohibits, if the probate court has made a child welfare referral for a child who is subject to a guardianship petition and who may have been abused or neglected, guardianship proceedings from being completed until an investigation is complete and a report has been provided to the juvenile court for review; expands eligibility for the state-funded Kinship-Guardian Assistance Payment (Kin-GAP) Program to include youth who are placed with a relative caregiver who is appointed as the child's legal guardian; and, expands state-funded Kin-GAP eligibility to include NMDs who are under 21 years of age and who have had a kinship guardianship established.

AB 317 (Patterson) - Foster care.

Status: Chapter 293, Statutes of 2021

Clarifies the responsibilities of the Foster Care Ombudsperson. Specifically, requires the ombudsperson to be independent and not, in the exercise of their discretion, be directly or indirectly controlled, supervised, or directed by the director of CDSS or any other official. Expands the ombudsperson's authority by specifying that in conducting an investigation, the ombudsperson is authorized to enter and inspect specified premises at any time, with or without prior notice or complaint, as specified, and observe proceedings and attend hearings, as specified. Further, prohibits the ombudsperson or their staff from being compelled to testify or be deposed, or to disclose specified records, in a judicial or administrative proceeding. Additionally, requires the ombudsperson to devote their entire time to their described duties and powers and prohibits the ombudsperson from being removed from office for exercising their independence and discretion in furtherance of those duties and powers.

AB 366 (Blanca Rubio) - Foster youth.

Status: Chapter 581, Statutes of 2021

Adopts changes to existing provisions on the placement of siblings within the child welfare system. Specifically, prohibits the physical capacity of the home from being the sole reason to deny placement of a sibling group if each child in the home has an age-appropriate place to sleep and there are no other safety risks.

AB 413 (Ting) - Foster youth: housing.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have appropriated \$8 million annually to the Department of Housing and Community Development (HCD) to administer the THP program, would have appropriated \$5 million annually to HCD to continue the housing navigator program, establish the "THP-Plus Housing Supplement Program" to supplement the rates paid to THP-Plus providers in up to 11 counties, and would have expanded training for social workers and probation officers to include an overview of available housing resources, as specified.

AB 477 (Blanca Rubio) - Child abuse multidisciplinary personnel team: children's advocacy centers.

Status: Chapter 93, Statutes of 2021

Provides that if a county utilizes a child advocacy center to implement their local multidisciplinary response to investigate reports of child abuse or neglect, the child advocacy center may be included in the county child abuse MDT. Additionally, this bill specifies that for a tribal youth investigation a representative from the tribe may also be included in the county child abuse MDT.

AB 546 (Maienschein) - Dependent children: documents: housing.

Status: Chapter 519, Statutes of 2021

Expands the list of information, documents, and services that a county welfare department, at the last review hearing prior to a youth's 18th birthday and at every regularly scheduled hearing thereafter, as well as prior to the termination of dependency jurisdiction, must report to the court its progress in providing to the youth to include whether referrals to transitional housing have resulted in housing being secured for the minor or nonminor, and, if not, what, if any, different or additional referrals or assistance the department has provided that are intended to secure housing; the duration of the housing, if known to the department; and, if applicable, information, including summaries, describing additional referrals, assistance, or services provided by county departments or agencies other than the county welfare department that are intended to prevent the youth from becoming homeless if jurisdiction is terminated.

AB 549 (Gipson) - Nonminor dependents.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have allowed a juvenile court, until January 1, 2023, to hold a dispositional hearing for a youth and to offer extended foster care to a youth if, as a result of court closures or delays due to the COVID-19 pandemic, the court was unable to hold a jurisdictional hearing for the youth prior to the youth turning 18 years of age, but the youth has been continuously subject to a detention order and placement and care of the youth has been vested with the county child welfare department. This bill would have also required the Judicial Council, no later than March 30, 2023, to report to the chairs of the human services and judiciary committees of the Senate and the Assembly on the total number of cases to which this bill would have applied, and the minimum, maximum and average number of days from the detention hearing to the jurisdictional hearing, if known.

AB 592 (Friedman) - Foster youth: transitional housing.

Status: Chapter 702, Statutes of 2021

Deletes the requirement that a host family be certified by a THP provider; expands the scope of a host family to include supervised transitional housing services; permits a host family to include certain approved placements and declares that those placements, when operating as a host family, do not require additional certification; expands the definition of a Supervised Independent Living Setting (SILS) to include a transitional housing unit in which a host family lives with a NMD participating in a THP program in certain settings;

and, permits a county to elect to authorize a licensed THP provider to offer supportive services to assist a NMD in their SILS, as specified.

AB 640 (Cooley) - Extended foster care: eligibility redetermination.

Status: Chapter 622, Statutes of 2021

Permits a county to petition the juvenile court on behalf of certain NMDs to terminate dependency or transition jurisdiction over the youth and immediately re-establish jurisdiction in order to establish the NMD's eligibility for federal financial participation; expands the definition of a voluntary re-entry agreement to include an agreement between a NMD who has not signed a voluntary re-entry agreement after attaining 18 years of age and for whom a petition to terminate jurisdiction will be filed.

AB 656 (Carrillo) - Child welfare system: racial disparities.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would require CDSS to establish a pilot program in at least five counties to address racial disparities in the child welfare system. This bill would require that a program that receives funding for this pilot use a blind removal strategy when deciding whether a child should be removed from their parent's home. This bill would require that specified demographic information about the child and the child's parents be redacted from the case file in preparation for the removal decision and may not be referenced. Further, this bill would provide that redacted identifying information be available for all other purposes throughout the local child welfare agency's involvement with the child, including, but not limited to, evaluations, provision of services, and court proceedings. Additionally, this bill would require CDSS to conduct at least one evaluation of the participating counties' pilot programs and their impact and effectiveness after three years of implementation, and to submit the information from the evaluation in a report to the Legislature.

AB 670 (Calderon) - Child abuse or neglect: minor and nonminor dependent parents.

Status: Chapter 585, Statutes of 2021

Requires, when a report alleging abuse or neglect of a dependent of the juvenile court is made, the agency that received the report notify the attorney representing the dependent within 36 hours; prohibits the court from declining to offer reunification services in certain instances where a minor or NMD parent is involved; and, requires a social worker or probation officer to use a strengths-based approach to supporting a minor or NMD parent in providing a safe and permanent home for their child.

AB 674 (Bennett) - Dependent children: documents.

Status: Chapter 524, Statutes of 2021

Expands the list of information, documents, and services that a county welfare department, at the last review hearing prior to a youth's 18th birthday, must report to the court on its progress in providing to the youth written information notifying the minor or nonminor that they may be eligible to receive, and where they may apply for, CalFresh benefits.

AB 788 (Calderon) - Juveniles: reunification.

Status: Chapter 201, Statutes of 2021

Clarifies the meaning of "resisted" within current provisions that enable a juvenile dependency court to deny reunification services for a parent with a history of drug or alcohol abuse. Codifies a recent state appellate case, re B.E. (2020) 46 Cal.App.5th 932, which found a parent's history of drug relapse does not establish that they resisted a court-ordered treatment program.

AB 808 (Stone) - Children's Crisis Continuum Pilot Program.

Status: Set to be heard by the Senate Health Committee but the hearing was cancelled at the request of the author.

This bill would propose a number of changes to address the continuum of care needs of high acuity foster youth. Specifically, the bill would establish licensed specialized foster homes as residential facilities providing board, care, and supervision by a resource parent to serve foster youth with complex needs, would require specialized foster homes to meet specific requirements, and would place additional responsibilities on the Joint Interagency Resolution Team. The bill would also require CDSS, in collaboration with the DHCS, to establish a five-year "Children's Crisis Continuum Pilot Program" for the purpose of developing treatment options that are needed to support California's commitment to eliminate the placement of foster youth with complex needs in out-of-state facilities.

AB 829 (Levine) - Foster children: immigration counsel.

Status: Chapter 528, Statutes of 2021

Requires a county to make best efforts to provide undocumented minors and NMDs in foster care under the jurisdiction of the juvenile court with access to immigration legal services before exiting care. Additionally, clarifies that access may be provided by the child welfare agency through outside legal service providers.

AB 841 (Cunningham) - Dependent children.

Status: Chapter 98, Statutes of 2021

Prohibits a child from being found to be within the jurisdiction of the juvenile court solely due to the failure of the child's parent or alleged parent to pursue court orders seeking custody of the child.

AB 873 (Ramos) - Child welfare services: Indian tribes.

Status: Chapter 284, Statutes of 2021

Requires CDSS, upon the request of a tribe, tribal organization, or tribal consortium, to enter into an agreement with a tribe regarding the care and custody of Indian children. Additionally, eliminates the tribal share of cost requirements for such agreements with CDSS.

AB 1006 (Blanca Rubio) - Foster care: social worker turnover workgroup.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to convene a workgroup to examine the negative effects of high turnover of foster family agency social workers on foster youth and to identify measures to reduce foster family agency social worker turnover in order to improve permanency outcomes for foster youth. Additionally, the bill would have require the

department to submit specific recommendations to the Legislature on or before December 31, 2022 on strategies to reduce turnover rates.

AB 1051 (Bennett) - Medi-Cal: specialty mental health services: foster youth.

Status: Placed on the Senate Inactive File.

This bill would exclude foster youth or probation-supervised youth who are placed in a community treatment facility, group home, or STRTP outside their county of original jurisdiction, from the requirements of presumptive transfer of specialty mental health services (SMHS); permit an exception to this exclusion and describes the process by which an exception may be invoked and administered; enumerate contracting options and notification requirements for county mental health plans and SMHS providers; require DHCS and CDSS to collect and make available certain data related to the presumptive transfer of foster youth; and, require DHCS and CDSS, to create standardized forms for use during the presumptive transfer process.

AB 1055 (Ramos) - Foster youth: tribal pupils.

Status: Chapter 287, Statutes of 2021

Revises the definition of students in foster care for purposes of the Local Control Funding Formula. In addition to clarifying that youth under a voluntary placement agreement are included for foster youth funding purposes, also extends specified foster educational rights to these students. Additionally, eliminates the requirement that a dependent child of the court of an Indian tribe also meet the definition of a dependent child of a county court, ensuring tribal foster youth are granted the same rights as nontribal foster youth.

AB 1140 (Robert Rivas) - Foster care: rights.

Status: Chapter 297, Statutes of 2021

Specifies that children who are placed in residential facilities and homes by the Office of Refugee Resettlement (ORR) of the federal Department of Health and Human Services are included among those whom the Office of the State Foster Care Ombudsperson is responsible for investigating and attempting to resolve complaints, among other things. Also provides that residential facilities and foster homes for children in the custody of the ORR are included among those facilities which CDSS is required to ensure that accord children and NMDs in foster care their personal rights.

AB 1283 (Stone) - Resource families: hearings.

Status: Chapter 288, Statutes of 2021

Adopts changes to further facilitate implementation of Continuum of Care Reform. Specifically, amends provisions relating to criminal background checks for tribally approved homes, the appeals process for resource family applicants, and temporary exclusions from community care facilities.

SB 354 (Skinner) - Foster youth: relative placement.

Status: Chapter 687, Statutes of 2021

Adopts changes to the criminal background check process during the resource family approval process for relatives of children placed in the child welfare system. Permits the court to authorize placement of children, once the placement has been fully vetted to ensure the child's safety, with relatives who may have a past conviction regardless of the status of any criminal exemption.

SB 512 (Min) - Public postsecondary education: support services for foster youth: Cooperating Agencies Foster Youth Educational Support Program.

Status: Chapter 574, Statutes of 2021

Establishes expanded eligibility to the Cooperating Agencies Foster Youth Educational Support Program to provide priority enrollment for current and former foster youth at the University of California, California State University, and CCCs. Also, provides additional clarity on when services of the program can begin being administered to students, allowing financial assistance to be distributed before classes commence.

SB 528 (Jones) - Juveniles: health information summary: psychotropic medication.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would require CDSS to create an electronic health care portal, through which health care providers would be able to access health information included in a foster child or youth's health and education summary, as provided. The portal must also include completed and approved forms developed by the Judicial Council relating to the administration of psychotropic medication for specified dependent children and wards of the juvenile court. This bill would also require a county to provide training to foster care public health nurses on how to use, and securely share information from the health and education summary and the electronic health care portal and also require a county to provide information to minors and NMDs in foster care, caregivers, and health care providers on how to contact the foster care public health nurse and how to request medical records, information, and health education materials.

SB 546 (Wilk) - Communications: lifeline universal service.

Status: Placed on the Assembly Appropriations Committee suspense file.

This bill would require the California Public Utilities Commission (CPUC) to codify the iFoster Program within the existing Lifeline telecommunications program and would allow the Commission to sunset the program upon meeting certain requirements. The iFoster Program is currently administered as a pilot program by the CPUC and provides eligible foster youth with a smartphone and monthly prepaid mobile telephony service, including unlimited voice, text, and data service.

SB 584 (Jones) - Resource Family Approval Program.

Status: Chapter 548, Statutes of 2021

Expands existing mandatory training for resource families and resource family applicants to include information on providing care and supervision to children who have been victims of child labor trafficking. Expands the topics on which a resource family applicant is required to complete during their 12 hours of pre-approval caregiver training to include information on providing care and supervision to victims of child labor trafficking, and, further, expands the definition of "information" to include child labor trafficking. Further, expands the requirement that counties ensure resource families providing care to children over the age of 10, within 12 months of approval as a resource family, attend training on certain topics including best practices and services for providing care and supervision to children who have been victims of child labor trafficking.

SB 739 (Cortese) - California Universal Basic Income for Transition-Age Youth pilot project.

Status: Set to be heard by the Assembly Appropriations Committee but the hearing was cancelled at the request of the author.

This bill would require CDSS, beginning January 1, 2022, and until December 31, 2025, to administer the California Universal Basic Income for Transition-Age Youth pilot project with the goal of improving outcomes for foster youth. Additionally, the bill would require CDSS to provide a report to the Legislature detailing certain outcomes for program participants, models utilized, and measures specific to the objectives of the program.

Community Care Licensing

AB 226 (Ramos) - Children's crisis psychiatric residential treatment facilities.

Status: Vetoed by the Governor

This bill would have reclassified children's crisis residential programs as children's crisis psychiatric residential treatment facilities (PRTF) and transferred responsibility for licensing these facilities to DHCS rather than CDSS. Additionally, the bill would have clarified that PRTFs are used only as an alternative to hospitalization and included inpatient psychiatric services to individuals under 21 years of age provided in a licensed PRTF as mental health services provided under the Medi-Cal program.

Veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 226 without my signature.

This bill would eliminate Children's Crisis Residential Programs (CCRPs) under the purview of the Department of Social Services and instead create Children's Crisis Psychiatric Residential Treatment Facilities (CCPRTFs) under the purview of the Department of Health Care Services, to provide intensive mental health care for children and youth, including those in foster care.

It is important that all California youth receive the mental health services and supports they need. My Administration has made it a priority to transform California's children and youth behavioral health system into one in which all children and youth are routinely screened, supported, and served for emerging and existing behavioral health needs, and is working to implement transformative investments in the 2021-22 Budget that further this cause.

AB 226 presents implementation challenges that cannot be overlooked or easily overcome. First, the bill would eliminate CCRPs, a Medicaid State Plan service the state is obligated to provide, creating a gap in the continuum of care for children and youth. Second, the bill does not appropriately identify the roles of the Department of Health Care Services, the county Mental Health Plans, and the California Department of Public Health in federally certifying the proposed CCPRTF program. Finally, should CCPRTFs be authorized as a treatment option, it is critical to develop adequate safeguards so children are not in

CCPRTFs any longer than necessary. These safeguards are not included in this bill.

My Administration looks forward to working with the Legislature and stakeholders before the Legislature reconvenes on a proposed solution that is in the best interest of all youth experiencing mental health crises.

Sincerely,

Gavin Newsom

AB 479 (Grayson) - Family daycare homes: secondary licensees.

Status: Placed on the Assembly Appropriations Committee suspense file.

This bill would add to the definition of “family daycare home” a facility that regularly provides care, protection, and supervision for 14 or fewer children in the licensee’s home if the provider is a secondary licensee and adds that a small daycare home or large family daycare home can also be where the licensee resides, if the family daycare provider is a secondary licensee. Further, this bill would provide that a person may apply to be a secondary licensee for a licensee and specifies the licensure requirements for a secondary licensee.

AB 677 (Holden) - Care facilities: criminal background checks.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to convene a working group no later than July 1, 2022, to make recommendations and propose revised regulations to change the criminal record exemption process in order to expedite the process for individuals who seek licensure from CDSS, as specified, and who have a criminal conviction; would have prohibited CDSS from requiring certain individuals subject to the criminal background check process to self-disclose their criminal history information; and, would have required CDSS to annually post on its internet website certain data related to criminal record clearance and exemption approvals and denials.

AB 1300 (Voepel) - Residential care facilities for the elderly: electronic monitoring.

Status: Set to be heard by the Assembly Human Services Committee but the hearing was postponed by the committee.

This bill would establish the "Electronic Monitoring in Residential Care Facilities for the Elderly Act" to authorize the use of electronic monitoring devices within RCFEs. The Residential Care Facilities for the Elderly Act would specifically allow for electronic monitoring devices to be placed within a resident's room or in certain areas of a facility, at the resident's request for personal use. The bill would clarify that these devices would require notification and consent from the resident and resident's roommate before installation.

Congregate Care

AB 226 (Ramos) - Children's crisis psychiatric residential treatment facilities.

Status: *Vetoed by the Governor*

This bill would have reclassified children's crisis residential programs as children's crisis psychiatric residential treatment facilities (PRTF) and transferred responsibility for licensing these facilities to DHCS rather than CDSS. Additionally, the bill would have clarified that PRTFs are used only as an alternative to hospitalization and included inpatient psychiatric services to individuals under 21 years of age provided in a licensed PRTF as mental health services provided under the Medi-Cal program.

Veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 226 without my signature.

This bill would eliminate Children's Crisis Residential Programs (CCRPs) under the purview of the Department of Social Services and instead create Children's Crisis Psychiatric Residential Treatment Facilities (CCPRTFs) under the purview of the Department of Health Care Services, to provide intensive mental health care for children and youth, including those in foster care.

It is important that all California youth receive the mental health services and supports they need. My Administration has made it a priority to transform California's children and youth behavioral health system into one in which all children and youth are routinely screened, supported, and served for emerging and existing behavioral health needs, and is working to implement transformative investments in the 2021-22 Budget that further this cause.

AB 226 presents implementation challenges that cannot be overlooked or easily overcome. First, the bill would eliminate CCRPs, a Medicaid State Plan service the state is obligated to provide, creating a gap in the continuum of care for children and youth. Second, the bill does not appropriately identify the roles of the Department of Health Care Services, the county Mental Health Plans, and the California Department of Public Health in federally certifying the proposed CCPRTF program. Finally, should CCPRTFs be authorized as a treatment option, it is critical to develop adequate safeguards so children are not in CCPRTFs any longer than necessary. These safeguards are not included in this bill.

My Administration looks forward to working with the Legislature and stakeholders before the Legislature reconvenes on a proposed solution that is in the best interest of all youth experiencing mental health crises.

Sincerely,

Gavin Newsom

AB 499 (Blanca Rubio) - Referral source for residential care facilities for the elderly: duties.

Status: Placed on the Senate Inactive File.

This bill would delete current provisions on a "placement agency" that provides referrals for RCFEs and instead add requirements for a "referral source" in statute. Additionally, this bill would require a referral source to provide a senior or their representative with specified disclosures and privacy information.

AB 665 (Eduardo Garcia) - Residential care facilities for the elderly: resident rights: internet access.

Status: Chapter 469, Statutes of 2021

Establishes a requirement for licensees of RCFEs with existing internet service to provide at least one internet access device that can support real-time interactive applications, is equipped with videoconferencing technology, and is dedicated for client or resident use. Clarifies that the specified internet access device must be provided in a manner that allows a resident to access it for discussion of personal or confidential information with a reasonable level of personal privacy and that permits shared access among residents in the facility during reasonable hours.

AB 677 (Holden) - Care facilities: criminal background checks.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to convene a working group no later than July 1, 2022, to make recommendations and propose revised regulations to change the criminal record exemption process in order to expedite the process for individuals who seek licensure from CDSS, as specified, and who have a criminal conviction; would have prohibited CDSS from requiring certain individuals subject to the criminal background check process to self-disclose their criminal history information; and, would have required CDSS to annually post on its internet website certain data related to criminal record clearance and exemption approvals and denials.

AB 895 (Holden) - Residential care facilities: conditions.

Status: Set to be heard by the Assembly Human Services Committee but the hearing was cancelled at the request of the author.

This bill would require CDSS, on or before July 1, 2022, and monthly thereafter, to post inspection reports for RCFEs on a public website. Additionally, this bill would require CDSS to administer a pilot program in two volunteer counties from January 1, 2024, to January 1, 2027, to test the appropriate criteria to evaluate the quality of RCFEs.

Developmental Services

AB 445 (Calderon) - Developmental services: information collection.

Status: Chapter 149, Statutes of 2021

Removes the requirement that parents' social security numbers are collected by a regional center for each new case and also collected at each review of all regional center clients in out-of-home placement.

AB 813 (Mullin) - Developmental services: service outcome pilot project.

Status: Set to be heard by the Senate Appropriations Committee but the hearing was cancelled at the request of the author.

This bill would require DDS to establish a pilot project to develop metrics and methods of data collection to evaluate the outcomes of services authorized by regional centers and provided through an approved vendor. Specifically, this bill would require DDS to, among other things, identify up to four types of services provided to consumers by regional centers for which metrics and methods of data collection will be developed in the pilot project; develop metrics and methods of data collection that evaluate, at a minimum, outcomes related to method of service delivery, service quality, and consumer and family satisfaction with provided services; develop clear definitions of services and their specifications to allow persons with developmental disabilities to achieve and maintain access to their chosen ways of life; and, use service definition and specification methods to allow an individual user's race, culture, language, gender identification, and sexual orientation to be respected when using services to access their chosen way of life.

AB 982 (Frazier) - State Department of Developmental Services: state institutions.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would change the requirement for the list that DDS must send to the Department of Veterans Affairs from including all persons who have been patients in a state institution within the jurisdiction of DDS for at least six months to all persons who have been patients in a state institution within the jurisdiction of DDS for least five months.

AB 1334 (Frazier) - State Department of Developmental Services: supplemental budget information.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would change the requirement for DDS to report and post specified supplemental budget information regarding each developmental center and each regional center, from occurring by February 1 each year to occurring by February 5 each year.

AB 1335 (Frazier) - Regional centers: annual community placement plans.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would change the requirement for DDS to provide specified information on efforts to serve consumers with challenging service needs to the fiscal and appropriate policy committees of the Legislature, and to the contractor for regional center clients' rights advocacy services, from occurring annually on April 1 to occurring annually on April 5.

SB 639 (Durazo) - Minimum wages: persons with disabilities.

Status: Chapter 339, Statutes of 2021

Requires the State Council on Developmental Disabilities to develop and implement a multiyear phaseout plan, by January 1, 2023, to eliminate the use of the subminimum wage certificate program, which authorizes employers to pay less than minimum wage for employees with physical or mental disabilities. Further, commencing January 1, 2025, or when the multiyear phaseout plan is released, whichever is later, prohibits an employer from paying any employee with a disability less than the applicable minimum wage.

Homelessness

AB 977 (Gabriel) - Homelessness prevention programs: Homeless Management Information System.

Status: Chapter 397, Statutes of 2021

Requires a grantee or entity operating state homelessness programs to enter collected data into its local Homeless Management Information System no later than July 1, 2022 and requires all continuums of care to provide collected data elements to the Homeless Data Integration System. Expands the goals of the Homeless Coordinating and Financing Council to include collecting, compiling, and making available to the public certain financial data related to state-funded homelessness programs.

SB 678 (Rubio) - Unaccompanied Women Experiencing Homelessness Act of 2021.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have established “unaccompanied women” as a sub-population of the state’s homelessness population and require the Homeless Coordinating and Financing Council (HCFC) to define outcome measures and gather data towards goals to prevent and end homelessness among unaccompanied women in California. This bill would have required the HCFC to develop and collect data on county-level and statewide measures, including, but not limited to, the number of unaccompanied women experiencing homelessness in California and their family unit status, race, gender, age, geography, sexual orientation, and whether they have been a victim of domestic violence or intimate partner violence and would have required the HCFC to include this data on unaccompanied women in the Homeless Data Integration System (HDIS), within 90 days of HDIS being operationalized. Further, this bill would have also required the HCFC to coordinate with unaccompanied women experiencing homelessness, CDSS, and other appropriate state and county agencies to provide technical assistance and program development support to increase capacity among new and existing service providers to best meet statewide needs.

In-Home Supportive Services and Home Care Services

AB 344 (Flora) - In-home supportive services: provider orientation.

Status: Referred to the Assembly Human Services Committee but was not set for hearing.

This bill would require a county to retain an In-Home Supportive Service provider orientation paperwork for a period of seven years and delete the requirement that this paperwork is retained indefinitely.

Miscellaneous

AB 46 (Luz Rivas) - California Youth Empowerment Act.

Status: Chapter 660, Statutes of 2021

Establishes the “California Youth Empowerment Act” to provide meaningful opportunities for actual civic engagement to improve the quality of life for California’s disconnected and disadvantaged youth. The California Youth Empowerment Act establishes the “California

Youth Empowerment Commission", an advisory commission composed of 13 voting members that represent the geographical, racial, ethnic, socioeconomic, cultural, physical, and educational diversity of California's youth. Requires the Commission to formally advise and make recommendations to the Legislature, Superintendent of Public Instruction, and Governor on specific legislative and fiscal issues affecting youth.

Public Services and Other Human Services

AB 47 (Reyes) - Human services: coordinated immigration support services.

Status: Held on the Senate Appropriations Committee suspense file.

This bill would have required CDSS to establish a program that provides grants to qualified nonprofit organizations for multitiered and coordinated immigration support services in California for undocumented and mixed-status families who reside in the state and who experienced family separation at the border under the federal government's "zero tolerance" policy. This bill would have also permitted CDSS to work in consultation with stakeholders to further understand the needs of qualified nonprofit organizations working to support these families and to explore serving other families who have experienced the trauma of separation at the border.

AB 221 (Santiago) - Emergency food assistance.

Status: Held on the Senate Appropriations Committee suspense file.

This bill would have required CDSS to provide a food assistance benefit statewide to low-income California residents, regardless of their immigration status, contract with certain entities to issue the food assistance benefit, and would have required CDSS, no later than January 1, 2023, in consultation with a workgroup, to conduct a study to provide recommendations and solutions to a permanent food assistance program for low-income California residents experiencing food insecurity, regardless of their immigration status.

AB 829 (Levine) - Foster children: immigration counsel.

Status: Chapter 528, Statutes of 2021

Requires a county to make best efforts to provide undocumented minors and NMDs in foster care under the jurisdiction of the juvenile court with access to immigration legal services before exiting care. Additionally, clarifies that access may be provided by the child welfare agency through outside legal service providers.

AB 868 (Eduardo Garcia) - State of emergency: funeral expense assistance.

Status: Set to be heard by the Senate Human Services Committee but the hearing was postponed by the committee.

This bill would create the "Emergency Funeral Expenses Fund" and would require CDSS to provide funeral expenses to a person who applies for funeral expense assistance for eligible funeral home contract costs incurred for a decedent who died due to COVID-19 or as a result of an emergency that is the basis of a state of emergency declared by the Governor. Individuals would not be eligible for funeral assistance if the decedent's death is not attributed to an emergency that is the basis of a state of emergency; eligible funeral home contract costs have already been, or will be, fully paid; or, the person's immigration status

does not disqualify them from Federal Emergency Management Agency (FEMA) assistance to cover eligible funeral home contract costs.

AB 932 (Levine) - Cradle-to-Career Grant Program.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have established a statewide Cradle-to-Career Grant Program within the Department of Community Services and Development to administer public and private funds at the local level to address child poverty and achievement gaps among California children. The bill would have also required the Department to convene and facilitate a workgroup to develop and establish common indicators and metrics to be applied to all Cradle-to-Career grant recipients.

AB 941 (Bennett) - Farmworker assistance: resource centers.

Status: Chapter 203, Statutes of 2021

Requires the Department of Community Services and Development to establish a grant program for counties to establish farmworker resource centers that provide farmworkers and their families with services related to, among other things, labor and employment rights, education, housing, immigration, and health and human services.

AB 1140 (Robert Rivas) - Foster care: rights.

Status: Chapter 297, Statutes of 2021

Specifies that children who are placed in residential facilities and homes by the Office of Refugee Resettlement (ORR) of the federal Department of Health and Human Services are included among those whom the Office of the State Foster Care Ombudsperson is responsible for investigating and attempting to resolve complaints, among other things. Also provides that residential facilities and foster homes for children in the custody of the ORR are included among those facilities which CDSS is required to ensure that accord children and NMDs in foster care their personal rights.

AB 1326 (Arambula) - Public social services: county liaison for higher education.

Status: Chapter 570, Statutes of 2021

Requires a county human services agency to designate at least one employee as a staff liaison to serve as a contact for academic counselors and other professional staff at a campus of an institution of public higher education within the county to provide information on available public social services. Requires the county agency to develop protocols for engagement between the staff liaison and a campus of an institution of public higher education.

AB 1338 (Low) - Public social services programs: financial assistance demonstration and research programs.

Status: Held on the Assembly Appropriations Committee suspense file.

This bill would have required CDSS to develop a process to register any organization or entity that issues financial assistance through a program in the state; to make public on its internet website a list of those organizations or entities that have registered to issue financial assistance. This bill would have also required an organization or entity issuing financial assistance to register that program with the department; to provide the

department with specified information, including disclosing all funding sources of the program under which the financial assistance income is distributed; and, upon the conclusion of the program, to report to the department on the research outcomes. Additionally, the bill would have excluded, to the extent permitted under federal law, financial assistance received by an individual from an organization or entity registered with the department from being considered as income or resources for purposes of determining eligibility and benefit amounts for CalWORKs and CalFresh.

AB 1368 (Calderon) - Social services for persons granted asylum.

Status: Held on the Senate Appropriations Committee suspense file.

This bill would have established the "Enhanced Services Program for Asylees" (ESPA) to provide resettlement services for persons granted political asylum to live in this state by the United States Attorney General. Specifically, this bill would have authorized an agency that has been designated by a county to implement social services for refugees to provide social services, according to these provisions, for persons granted asylum and requires the program to provide culturally specific and responsive case management services for persons newly granted asylum for up to 90 days. Further, this bill would have required that case management under ESPA includes assistance in identifying and applying for all benefits to which the person is legally entitled, cultural orientation and integration programs, support in accessing and navigating the health care system, community connection and relationship building, English language instruction, and employment training and job placement assistance.

AB 1461 (Reyes) - Human services: noncitizen victims.

Status: Vetoed by the Governor

This bill would have provided that applicants who have completed their formal application with the appropriate federal agency for status or relief under the federal Violence Against Women Act, special immigrant juvenile status, or asylum status are eligible for certain public social services and health care services that are authorized in current law to certain noncitizen survivors of trafficking and serious crimes. This bill would have also included noncitizen children who have been abused, neglected, or abandoned within the definition of noncitizen survivors of serious crimes.

Veto message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1461 without my signature.

This bill would codify existing practices of the Trafficking and Crime Victim Assistance Program, and would expand the population eligible to receive these benefits to include those who have applied for immigration relief under the Violence Against Women Act, Special Immigrant Juvenile Status, or asylum status.

While I share the author's goal of ensuring that vulnerable populations have the resources necessary to meet their needs while they await adjudication of their application for immigration relief, bills with a significant fiscal impact, such as this, are best considered in

the annual budget process.

Sincerely,

Gavin Newsom

AB 1538 (Quirk) - Tax return information: research: poverty.

Status: This bill was amended substantially on April 6, 2021, such that it no longer fell within the jurisdiction of the Committee.

As referred to this committee, this bill allowed the Franchise Tax Board to release information in a return, report, or document filed under income tax laws to researchers conducting research relating to poverty, measuring poverty and its effects, and efforts to ameliorate poverty. This bill also specified that administration of specified laws relating to the Medi-Cal program encompass research relating to poverty, measuring poverty and its effects, and efforts to ameliorate poverty.

SB 65 (Skinner) - Maternal care and services.

Status: Chapter 449, Statutes of 2021

Establishes the "California Omnibus Act" to monitor and take steps to prevent maternal mortality, including, amongst other things, establishing the "California Pregnancy-Associated Review Committee" to review all pregnancy-related deaths and severe maternal morbidity, establishing a "Fetal and Mortality Review Committee", convening a workgroup to examine the implementation of a Medi-Cal doula benefit, and removing the medical verification and county determination requirements for CalWORKs recipients who are pregnant and instead provide an exemption to any CalWORKs recipient who is pregnant.

SB 464 (Hurtado) - California Food Assistance Program: eligibility and benefits.

Status: Referred to the Assembly Appropriations Committee but was not set for hearing.

This bill would expand eligibility for the California Food Assistance Program (CFAP) to households that are ineligible for CalFresh benefits due solely to their immigration status. Additionally, the bill would require CDSS to use state funds appropriated for CFAP to provide nutritional benefits to those ineligible solely due to their immigration status, and, commencing January 1, 2023, would eliminate the distinctions based on when the noncitizen applicant entered the country and would eliminate the sponsorship and other listed criteria requirements for eligibility on a noncitizen who entered the country on or after August 22, 1996.

SB 497 (Limón) - Qualifying accounts for direct deposit of publicly administered funds.

Status: Chapter 546, Statutes of 2021

Current law allows for certain public assistance funds to be distributed to recipients through "qualifying accounts." This legislation amended the definition of "qualifying accounts" to eliminate a prepaid card account and instead authorize a prepaid account or a demand deposit or savings account that is not attached to an automatic credit or overdraft feature, as specified. Requires the Employment Development Department to additionally provide direct deposit options for recipients of disability or family temporary disability insurance benefits.

SB 549 (Jones) - Social workers: essential workers.

Status: Vetoed by the Governor

This bill would have required social workers, if deemed essential workers during a state of emergency declared by the Governor, to be included in the group of essential workers who are eligible to receive the first distribution of materials, as determined necessary by the state or local government entity. The bill would have also provided authorization to the state or a local governmental entity to establish further levels of distribution for specified classifications of social workers within the first group of essential workers eligible to receive the emergency materials.

Veto message:

To the Members of the California State Senate:

I am returning Senate Bill 549 without my signature.

This bill would require social workers, if they are deemed essential workers during a state of emergency declared by the Governor, to be included in the first group of essential workers who are eligible to receive emergency materials and personal protective equipment (PPE).

Social workers provide vital services to children, families, and individuals and are a critical support during emergencies and disasters. It is imperative that they have the PPE necessary to do their jobs safely.

Existing law already protects and prioritizes essential workers, including social workers, for PPE distribution. Given uncertain and changing conditions in emergencies, this prioritization must be done in a manner that preserves flexibility for emergency response during a state of emergency.

Sincerely,

Gavin Newsom

Oversight and Informational Hearings

2021 Hearings:

Family Separations: The purpose of the Joint Informational Hearing with the Assembly Judiciary Committee was to discuss the ongoing crisis of family separations at the border with a focus on reunification efforts for families that remain separated, and the provision of mental health services to families that have been reunited. (January 26, 2021)

2022-23 Community Services Block Grant State Plan: The purpose of this Joint Oversight Hearing with the Senate Human Services Committee was to update the Legislature on the Community Services Block Grant (CSBG) which provides federal dollars to states to address and alleviate the causes and conditions of poverty across California's communities. By working with local eligible entities, CSBG funds are utilized to provide community-level anti-poverty services and promote self-sufficiency among the individuals eligible to receive services. (August 17, 2021)

Hearing materials may be found on the Committee's website at:
<https://ahum.assembly.ca.gov/content/2021-22-oversight-informational-hearings>