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Assembly
California Legislature



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ASSEMBLY COMMITTEE ON HUMAN SERVICES
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**ASSEMBLY COMMITTEE ON HUMAN SERVICES
KANSEN CHU, CHAIR**

2015 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. In the 2015 Legislative Session, 75 bills were referred to and maintained by the Committee, 27 were passed by the Legislature, and 22 became law.

A complete summary of bills referred to the Human Services Committee in the 2015 session follows.

CALFRESH

AB 608 (Gordon) CalFresh: school meals.
Held on the Senate Appropriations Suspense File

This bill declares the intent of the Legislature to reduce opportunities for children to go hungry by requiring increased coordination between CalFresh and child nutrition programs administered by the California Department of Education and adds specific information about school-based nutrition programs and other programs intended to serve children to the information counties are required to provide to households applying for CalFresh benefits. This bill also requires the Department of Social Services to inform all CalFresh households annually, prior to the end of the school year, about the summer meal program.

CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs)
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AB 371 (Mullin) CalWORKs: Family Unity Act of 2015.
Vetoed by the Governor

This bill deletes, as of July 1, 2016, the prohibition on providing CalWORKs aid to an otherwise eligible assistance unit with two parents if the primary wage earner has worked more than 100 hours

in a month, and it deletes the child deprivation standard for determining eligibility, which was a standard tied to aid prior to the development of the CalWORKs program.

AB 376 (Lopez) CalWORKs eligibility: immunizations.
Vetoed by the Governor

This bill permits counties to access an Internet-based computerized information system – the California Immunization Registry – to verify, when possible, immunization of children under the age of six in CalWORKs applicant or recipient families.

AB 423 (Cooley) CalWORKs: relative caregivers.
Held on the Senate Appropriations Suspense File

This bill requires counties, immediately upon placement of a child in the home of a relative, to initiate an application for CalWORKs benefits on behalf of the child using the shortened CalWORKs application and simplified eligibility standards. This bill also requires counties, at the same time a CalWORKs application is initiated, to evaluate and approve or deny a relative's home for Aid to Families with Dependent Children-Foster Care (AFDC-FC) eligibility and, if the child is found to be ineligible for AFDC-FC, the county must: explain the basis for that determination, screen the child for Supplemental Security Income (SSI) eligibility, and complete an application and determine eligibility for the Approved Relative Caregiver Funding Option Program (ARC), where applicable. This bill requires counties to screen all youth in foster care who have been determined to be ineligible for AFDC-FC benefits for possible SSI eligibility. Additionally, this bill permits an approved relative caregiver to receive payments on behalf of a child regardless of whether the child resides outside the county of jurisdiction pursuant to his or her placement, and requires the county of jurisdiction to be responsible for providing the ARC payment to the relative caregiver. This bill also entitles a teen parent who is detained or placed in the home of a relative caregiver, and whose child is living in the same home or placement, to an infant supplement.

AB 433 (Chu) Public social services: CalWORKs.
Chaptered by Secretary of State - Chapter 514, Statutes of 2015

This bill temporarily maintains CalWORKs eligibility and grant level for a recipient parent who experiences the loss of a child by prohibiting the application of a sanction for the grieving parent's failure or refusal to comply with program requirements and maintaining the family's grant amount during the month in which a child in the CalWORKs assistance unit dies and the following month. This bill also requires counties to, upon receiving notification of the death of a child in an assistance unit, help a grieving parent access other services and assistance for which he or she might be eligible and provide information to the parent about mental health services.

AB 492 (Gonzalez) CalWORKs: welfare-to-work: supportive services.
Held in the Assembly Human Services Committee; 2 year bill

This bill provides CalWORKs recipient households a fifty dollar per month diaper voucher for every child in the family that is two years of age or younger and is enrolled in child care as a part of the parent's welfare-to-work plan.

AB 702 (Maienschein) CalWORKs: temporary shelter assistance.
Held on the Senate Appropriations Suspense File

This bill deletes the requirement that the 16 days of CalWORKs temporary shelter assistance provided to homeless families only be used consecutively, deletes the requirement that a break in the consecutive use of the temporary shelter assistance benefit constitute a permanent exhaustion of the benefit, and allows an eligible CalWORKs recipient family to receive any portion of the 16 days of temporary shelter assistance at any time while the family is receiving CalWORKs aid and is homeless.

AB 743 (Eggman) CalWORKs: eligibility: work activities.
Held on the Senate Appropriations Suspense File

This bill ensures education, training, vocation or rehabilitation benefits, and related allowances provided through the United States Department of Veterans Affairs, are not considered income or property for purposes of determining CalWORKs eligibility or grant levels. This bill also makes a number of changes to employment and education participation requirements for CalWORKs recipients, which include: eliminating the requirement that a recipient participate in job search activities if he or she is already participating in a self-initiated program leading to employment; exempting a person enrolled in postsecondary education from certain job club and job search requirements; and allowing study time, as defined by the educational institution a person is attending, to count toward welfare-to-work participation. This bill also excludes hours of participation in a self-initiated education or training program from the work activity limitations of the CalWORKs 24-month time clock and prohibits sanctioning a person for failure or refusal to sign a new welfare-to-work plan if he or she is making satisfactory progress in a self-initiated program that is already reflected in his or her welfare-to-work plan.

SB 23 (Mitchell) CalWORKs: eligibility.
Placed on the Assembly Inactive file

This bill authorizes prospective aid payments for all children in eligible CalWORKs households by repealing the maximum family grant (MFG) or “family cap” rule, which currently prohibits aid payments for children born into CalWORKs recipient families more than 10 months after aid commences unless a parent discloses that a child was born as the result of rape or incest or due to the failure of a particular method of contraception.

CHILD CARE

AB 188 (Cristina Garcia) Child care: alternative payment providers: reimbursement rates: eligibility requirements.
Held on the Assembly Appropriations Suspense File

This bill increases the allowable reimbursable amount included in contracts for alternative payment programs for child care by adding 3% to the reimbursement rate, specifically for the purpose of making eligibility determinations, to the allowable reimbursable amount for an alternative payment program contract.

AB 233 (Lopez) Child care and development services: alternative payment programs: reimbursement rates.

Held on the Assembly Appropriations Suspense File

This bill adopts a 12-month eligibility determination process for subsidized child care and removes and alters certain reporting and administrative requirements. This bill allows an alternative payment provider to implement an altered rate level once per year. This bill also allows contractors to develop a written policy directing parents to pay family fees directly to the child care provider and establishes requirements related to this process, including requiring the contractor to deduct the amount of the family fee assessed to the parent from the payment to the provider, and exempts contractors with such a policy from certain requirements, including having to supply record or proof that the family fee was paid to the provider.

AB 271 (Oberholte) Child care: alternative payment programs and contractors: electronic records: digital signatures.

Chaptered by Secretary of State - Chapter 476, Statutes of 2015

This bill expands the authority granted under current law for child care alternative payment programs (APPs) and child care providers to use electronic or other alternative methods for the storage of records. This includes authorizing APPs and child care providers to use digital signatures and to electronically store records that were not originally created in electronic format, provided all processes for electronic generation, signing and storage of documents are in compliance with state and federal standards, as determined by the California Department of Education.

AB 427 (Weber) Early primary programs: child care services: eligibility: military families.

Held on the Senate Appropriations Suspense File

This bill excludes the amount of the basic allowance for housing equal to the lowest rate of the allowance for the military housing area in which an individual resides from income calculations for children of active military personnel when determining eligibility for services under the Child Care and Development Services Act.

AB 589 (Lopez) Online child care job posting services: consumer education.

Held in the Assembly Human Services Committee; 2 year bill

This bill requires an online child care job posting service to post certain consumer education information on its Internet Web site, including information related to background check services offered, TrustLine, resource and referral programs, and the Community Care Licensing Division of the Department of Social Services (DSS). This bill also requires DSS to review the Internet Web site of any online child care job posting service about which the department receives a complaint and, if a violation is found, to serve a written notice of violation to the owner specifying the violation and potential fine and describing the opportunity for a fair hearing. This bill allows an owner 30 days after receipt of a notice of violation to correct the violation or request a hearing, and instructs the department to impose a fine of \$1,000 per violation on owners with at least one previous violation who are found to be out of compliance a subsequent time; fines and penalties collected are to be deposited in the Child Health and Safety Fund.

AB 762 (Mullin) Day care centers: toddler programs.
Chaptered by Secretary of State - Chapter 373, Statutes of 2015

This bill increases the upper age limit for optional toddler programs authorized by the Department of Social Services from 30 months to three years of age and directs infant and preschool-age day care centers with an optional toddler program to, beginning January 1, 2016, extend the toddler component to serve children up to three years old.

AB 765 (Ridley-Thomas) Child care and development: reimbursement rates.
Held on the Assembly Appropriations Suspense File

This bill states that the standard reimbursement rate (SRR) is not intended to fund mandated costs imposed upon child development programs due to actions of law relating to minimum wage requirements, health insurance requirements, new or increased fees, new or expanded program requirements, or other cost increases due to legislative action. This bill defines “cost-of-living adjustment” (COLA) to mean an annual increase in funding and the SRR to maintain buying power as a result of inflation, and requires the COLA as currently calculated to at least be equal to the amount of the inflation adjustment applied to specified K-12 school district revenue limits. In addition to the COLA, this bill requires the SRR to be raised as needed to provide a living wage, reasonable health insurance, and retirement benefits for employees in order to support the recruitment and retention of skilled and trained teachers, to support the financial stability of programs and educational quality, and to achieve gender pay equity.

AB 833 (Bonta) Child care and development services: individualized county child care subsidy plan: County of Alameda.
Chaptered by Secretary of State - Chapter 563, Statutes of 2015

This bill establishes a subsidized child care pilot program in Alameda County that enables the county to develop and implement an individualized county child care subsidy plan until January 1, 2021. This bill establishes requirements and an approval process for the individualized county child care subsidy plan and clarifies that the plan, and requirements regarding it, shall not be construed to permit the county to change the regional market rate survey results for the county. This bill also requires the county, by the end of the first fiscal year of operation under the approved plan, to demonstrate an increase in the aggregate days a child is enrolled in child care and requires the county to submit a report on the plan to the Legislature, the Department of Social Services, and the California Department of Education each year.

AB 982 (Eggman) Child care and development: eligibility: homeless children.
Chaptered by Secretary of State - Chapter 567, Statutes of 2015

This bill enhances the process for identifying homeless youth for subsidized child care services by adding “being homeless” as a criterion for which a child may be identified as eligible for subsidized child care services by specified entities and by adding local educational agency liaisons for homeless children and youths, Head Start programs, and emergency and transitional shelters to the list of entities that may identify a child, and thereby confer eligibility, for subsidized child development services.

SB 548 (De León) Child care: family child care providers: orientation training.

Vetoed by the Governor

This bill enacts the Raising Child Care Quality Act, which requires the California Department of Education (CDE) to ensure that all subsidized family child care providers attend an in-person orientation training of at least four hours and covering topics including, but not limited to, minimum health and safety standards and occupational health and safety for family child care providers. This bill also requires that family child care providers be compensated for their time spent attending the orientation training and that the orientation training be offered either directly or through contracts, with the portion of training covering occupational health and safety offered through contracts with a statewide organization that meets specific criteria. This bill also requires the Department of Social Services and CDE, within specified timelines, to provide information on family child care providers to requesting provider organizations and limits these provider organizations' use of such information to purposes of advocating on behalf of and educating family child care providers. This bill states that its requirements are contingent upon appropriation of funds in the annual Budget Act or other statutes.

SB 792 (Mendoza) Day care facilities: immunizations: exemptions.

Chaptered by Secretary of State - Chapter 807, Statutes of 2015

This bill requires day care center and family day care home workers or volunteers to be immunized against measles, pertussis, and influenza (flu), beginning September 1, 2016. This bill allows for 30-day conditional employment or volunteer status and specifies circumstances under which a person will be exempt from the immunization requirement based on medical safety, current immunity, or, specifically for the flu vaccine, the timing of hire or employee declination. This bill also requires any person hired or volunteering as a teacher in a day care center to present evidence of a current tuberculosis clearance.

CHILD WELFARE SERVICES/FOSTER CARE

AB 5 (Nazarian) Foster youth: transition from high school to postsecondary education.

Held in the Assembly Human Services Committee; 2 year bill

This bill requires the Department of Social Services (DSS) to develop regulations authorizing educationally-based residential programs for foster youth by January 1, 2017, and requires these educationally-based residential programs to support and strive to achieve home-based family care and permanency. This bill also requires that educationally-based residential programs serve children in foster care, provided they are currently attending school, are between the ages of 14 and 18, and have been determined by the county to have a very low possibility of reunifying with their parents/guardians or achieving a permanent placement. Additionally, this bill requires DSS to report information on the benefits of these programs by January 1, 2020.

AB 260 (Lopez) Foster care: parenting youth.

Chaptered by Secretary of State - Chapter 511, Statutes of 2015

This bill requires a party seeking foster care placement of, or termination of parental rights over, a child with a minor dependent parent to demonstrate that reasonable efforts were made to provide services aimed at preventing the removal of the child and that those efforts were unsuccessful. This

bill also ensures reunification services are not terminated for a child with a minor dependent parent based solely on the termination of reunification services for, or severance of parental rights over, his or her siblings. This bill requires the clerk of the superior court to maintain court files and records regarding a dependent parent of a child who is the subject of a dependency petition separately from the files and records regarding that child, and establishes requirements regarding disclosure and admittance of a parent's dependency files and records. This bill also requires foster care placements for minor parents and nonminor dependent parents and their children to support the preservation of the family unit and to refer a minor parent or nonminor dependent parent to services to prevent, whenever possible, the filing of a petition to declare the child a dependent of the juvenile court.

AB 336 (Waldron) Child welfare services: investigations.
Held in the Assembly Human Services Committee; 2 year bill

This bill allows a parent or legal guardian to make a video or audio recording of any interview or interactions with a county child protective services social worker who is investigating allegations of parental abuse or neglect and provides that a social worker's participation in an investigation of abuse or neglect shall be deemed consent to video or audio recording. This bill also requires a county child protective services social worker to provide written notification to a parent or legal guardian undergoing investigation that informs him or her of this ability and requires that notice to be signed by the parent or legal guardian acknowledging receipt.

AB 381 (Ian C. Calderon) Dependent children: placement.
Held in Assembly Human Services Committee; 2 year bill

This bill requires county social workers and the court to consider on a case-by-case basis the factors they examine when determining whether a child who has been removed from the physical custody of his or her parents should be placed with a relative. This bill also requires that placement with suitable relatives be considered subsequent to the disposition hearing, regardless of whether a new placement for the child is called for, and expands the factors the social worker must report to the court for consideration to include, among other things, the length of time the child has been in his or her current placement, the relationship of the child with his or her current caregiver, and the placement preference of the child.

AB 403 (Mark Stone) Public social services: foster care placement funding.
Chaptered by Secretary of State - Chapter 773, Statutes of 2015

This bill phases out the current use of congregate care settings, including group homes, as long-term placements for the care of children in California's child welfare services system and implements new rate structures for services and treatment, along with other Continuum of Care Reform (CCR) recommendations, to better serve children and families. Among the provisions of this bill are requirements that any congregate care settings and foster family agencies be accredited by a national accrediting organization and that the short-term residential treatment centers, newly-licensed per this bill and charged with providing treatment in lieu of group homes beginning January 1, 2017, provide only short-term mental health treatment until home-based family care can be established for a child.

AB 519 (McCarty) Foster youth: permanency.
Held in the Assembly Human Services Committee; 2 year bill

This bill makes a number of changes to options and requirements for permanency plans for dependent children and wards of the court, including establishing a new permanency plan option of placement with a fit and willing relative, and eliminating references to long-term foster care and instead referring to “another permanent planned living arrangement” (APPLA), and prohibiting an APPLA placement for children under the age of 16. This bill requires a child to be offered child-centered specialized permanency services prior to that child being deemed not a proper subject for adoption or being ordered to remain in an APPLA. This bill also makes a number of changes to steps agencies must take in order to attempt securing permanent placements for youth, and requires the provision of information regarding specialized mental health services to prospective adoptive families and guardians.

AB 592 (Mark Stone) Juveniles: proof of dependency or wardship.
Chaptered by Secretary of State - Chapter 215, Statutes of 2015

This bill permits the Department of Social Services to provide a former foster youth, upon his or her request, with specified proof of dependency or wardship.

AB 719 (Campos) Child welfare agencies: missing foster children.
Held in the Assembly Human Services Committee; 2 year bill

This bill requires a county child welfare agency to report that a child in foster care is missing to the police department or sheriff’s department and the National Center for Missing and Exploited Children.

AB 878 (Eggman) Child welfare: foster care.
Held in the Assembly Human Services Committee; 2 year bill

This bill, as of January 1, 2018, makes a number of changes consistent with Continuum of Care Reform (CCR) recommendations, including authorizing short-term residential treatment centers (STRTCs) as a placement option in lieu of group homes, and adopting additional requirements for placement in an STRTC. This bill also requires the Department of Social Services to, by December 31, 2016, convene a workgroup of various stakeholders to develop and implement the “Child and Adolescent Needs and Strengths Plus assessment tool,” a standardized assessment tool to be used statewide, to determine the placement needs and level of child-centered supplement for each child, and to issue guidance to county child welfare agencies on reviewing the assessment tool.

AB 885 (Lopez) Foster youth.
Held in the Assembly Appropriations Committee; 2 year bill

This bill removes the requirement that guardians must no longer be receiving aid on behalf of nonminor former dependents who received aid under Kin-GAP after the age of 18 and nonminors who received adoption assistance after the age of 18 in order for those nonminors to be able to petition the court to remain in foster care. This bill also removes the requirement that a nonminor former dependent child or ward of the juvenile court be receiving Aid to Families with Dependent

Children-Foster Care (AFDC-FC) benefits as one criterion for continued eligibility to receive aid, and instead requires that the child or ward be otherwise eligible to receive AFDC-FC benefits.

AB 919 (Dababneh) Foster youth: social security insurance.

Held in the Assembly Human Services Committee; 2 year bill

This bill changes the age at which a county must provide certain information regarding establishing continued Supplemental Security Income (SSI) eligibility and receipt to a youth receiving SSI payments from when that youth is approaching his or her 18th birthday to when he or she is approaching his or her 17th birthday.

AB 1067 (Gipson) Foster children: psychotropic medication.

Held in the Assembly Human Services Committee; 2 year bill

This bill adds to the Foster Youth Bill of Rights a youth's rights to: be informed of the risks and benefits of psychotropic medications; appear before the judge determining if psychotropic medication should be administered, with an advocate of his or her choice, and state that he or she objects to any recommendation to prescribe psychotropic medication; refuse the administration of psychotropic and other medications consistent with applicable law or unless immediately necessary for the preservation of life or the prevention of serious bodily harm; and have a prescribing doctor disclose any financial ties he or she may have to pharmaceutical companies.

AB 1327 (Dahle) Foster care: transitional housing.

Held in the Assembly Human Services Committee; 2 year bill

This bill removes the requirement that certain options for transitional housing for foster children between 16 and 18 years old and for nonminor dependents be owned or leased by the transitional housing provider and instead requires the provider to be responsible for the payment of any contracted rental fees and any late-payment penalties to the property owner.

AB 1299 (Ridley-Thomas) Medi-Cal: specialty mental health services: foster children.

Held on the Senate Appropriations Suspense File

This bill adopts a number of requirements for the California Health and Human Services Agency, in coordination with the Department of Health Care Services (DHCS) and the Department of Social Services, to facilitate the receipt of medically-necessary specialty mental health services by a foster child who is placed outside of his or her county of original jurisdiction, including, by July 1, 2016, issuing policy guidance regarding presumptive transfer of responsibility for service provision or arrangement from the county of a child's original jurisdiction to that of his or her current residence. This bill provides requirements and exceptions for the application of presumptive transfer and requires, upon presumptive transfer, the mental health plan in the host county to assume responsibility for the authorization and provision of, and payment for, mental health services. This bill requires DHCS to amend its contract with each mental health plan by July 1, 2016, to ensure that host counties are reimbursed, and also requires DHCS to, if it determines necessary, seek Medicaid waiver approval from the federal Centers for Medicare and Medicaid Services (CMS) by July 1, 2016, and exempts DHCS from any requirement of this bill that CMS determines to be impermissible per the state's waiver.

AB 1416 (Dababneh) Foster parent evaluations.
Held on the Assembly Appropriations Suspense File

This bill directs the Department of Social Services (DSS), in consultation with stakeholders, to develop and implement a foster parent evaluation process by January 1, 2017, and it requires this process to include a means for foster youth over the age of 12 and nonminor dependents to provide feedback on the quality of care received. This bill requires DSS to develop an evaluation tool, in partnership with current and former foster youth and their caregivers, that allows youth to give feedback on a number of factors. This bill also requires DSS, in consultation with specified caregivers, to consider how information gathered from the evaluations can inform recruitment, training, and retention of high-quality foster parents.

AJR 17 (Lopez) Foster Care Tax Credit Act.
Chaptered by Secretary of State - Res. Chapter 176, Statutes of 2015

This joint resolution urges the President and the United States Congress to enact Senate Bill 664 of the 114th Congress, also known as the Foster Care Tax Credit Act, which would help short-term foster parents cover the actual costs of caring for a child in foster care.

SB 12 (Beall) Foster youth.
Held on the Assembly Appropriations Suspense File

This bill expands eligibility for extended foster care to specified nonminors who have crossed over from the dependency system to the delinquency system by, specifically, permitting a nonminor between the ages of 18 and 21 to petition the court to resume dependency jurisdiction or assume transition jurisdiction over him or her, provided he or she has been all of the following: adjudged a ward of the court; subject to an order for foster care placement at the time the petition to adjudge him or her a ward of the court was filed; and held in secure confinement when he or she reached 18 years of age.

SB 68 (Liu) Minor or nonminor dependent parents: reunification services.
Chaptered by Secretary of State - Chapter 284, Statutes of 2015

This bill requires the court, when determining whether to return a child who has entered foster care to the physical custody of his or her parent or legal guardian, to consider the particular barriers faced by his or her nonminor dependent or minor parents. This bill also authorizes the court to continue a case for an extra six months for the provision of additional reunification services for a minor parent or nonminor dependent parent who is making significant and consistent progress in establishing a safe home for his or her child's return.

SB 238 (Mitchell) Foster care: psychotropic medication.
Chaptered by Secretary of State - Chapter 534, Statutes of 2015

This bill adopts a number of changes related to the administration of psychotropic medication to foster youth, including requiring the Department of Social Services (DSS), in consultation with specified stakeholders, to develop trainings for certain individuals who either provide care or come into contact with foster youth due to their occupations, that includes specified information regarding psychotropic medication and substance use disorder and mental health treatments. This bill also requires the Judicial Council, by July 1, 2016 and in consultation with specified stakeholders, to

amend and adopt rules of court and develop appropriate forms regarding new requirements for the authorization of psychotropic medication to include a process for periodic oversight by the court of orders regarding the administration of psychotropic medication. This bill requires that a dependent child's or ward's caregiver be provided with a copy of any court order approving or denying the administration of psychotropic medication. This bill also requires DSS, in consultation with specified stakeholders, to generate monthly, county-specific reports that include certain information regarding each child receiving psychotropic medication paid for under Medi-Cal and are to be shared with specified individuals. Additionally, this bill requires the Department of Health Care Services to provide DSS, per a data sharing agreement, information on administration, oversight, and implementation of health and social services programs for children in foster care, and allows county placing agencies to opt in to the data sharing agreement and receive the data reports.

SB 253 (Monning) Juveniles: psychotropic medication.
Placed on the Assembly Inactive File

This bill adopts of number of changes related to the administration of psychotropic medication to foster youth, including revising juvenile court oversight requirements by, among other things: requiring the court to verify that medication is only one part of a comprehensive treatment plan; requiring the court to determine that the prescribing physician has conducted a comprehensive examination of the child and confirmed a number of things including that the short- and long-term risks do not outweigh the benefits and that no less invasive and more effective treatment options are available; prohibiting the authorization of psychotropic medication without a second medical opinion when the child is under the age of 6, or would be receiving three or more psychotropic medications or two antipsychotic medications as a result of the authorization in question; prohibiting the court from authorizing the administration of psychotropic medications unless it receives documentation attesting that appropriate lab tests have been completed no earlier than 45 days prior to the submission of the request; and providing that nothing in the bill grants anyone the authority to administer psychotropic medication to a child refusing such medication.

SB 319 (Beall) Child welfare services: public health nursing.
Chaptered by Secretary of State - Chapter 535, Statutes of 2015

This bill adopts of number of changes related to the administration of psychotropic medication to foster youth, including incorporating the monitoring and oversight of psychotropic medications among the duties of foster care public health nurses and ensuring their access to relevant medical information. This bill also requires foster care public health nurses to receive certain training related to psychotropic medications and to, among other assistance provided at the request of and under the direction of a nonminor dependent, assist the nonminor dependent in making informed decisions about his or her health care by, at a minimum, providing educational materials.

SB 478 (Huff) Child Abuse and Neglect Reporting Act: mandated reporters: pilot program.
Chaptered by Secretary of State - Chapter 490, Statutes of 2015

This bill authorizes a five-year pilot program for Internet-based reporting of child abuse and neglect in up to 10 counties identified by the Department of Social Services and the County Welfare Directors Association of California, and allows the reporting tool to be used in lieu of the currently-required initial telephone report. This bill only allows certain mandated reporters to use the Internet-based system developed within the pilot program, and it requires that the reports of suspected child

abuse or neglect made to the system do not include instances of immediate risk or imminent danger to the child or children in question and sets forth outcome measurement requirements.

SB 484 (Beall) Juveniles.

Chaptered by Secretary of State - Chapter 540, Statutes of 2015

This bill adopts a number of changes related to the administration of psychotropic medication to foster youth, including requiring the Department of Social Services (DSS) to, at least annually and to the extent feasible, compile specified Health Effectiveness Data and Information Set (HEDIS) data, including, but not limited to, data on follow-up care for children prescribed attention deficit hyperactivity disorder medication and use of multiple concurrent antipsychotics in children and adolescents. This bill also adopts measures aimed at reforming the practices of group homes with levels of psychotropic medication utilization determined to warrant additional review, including requiring DSS to consult with the Department of Health Care Services and stakeholders to establish a methodology, by July 1, 2016, for identifying such group homes and requiring DSS to conduct annual inspections of any facility identified per this methodology, and establishing plan-of-correction procedures for facilities, as warranted. This bill requires group home facilities to maintain in a child's records a copy of any court order authorizing psychotropic medication, as well as a separate log for each prescribed psychotropic medication that contains information about that medication and its administration. This bill also requires DSS to post the list of data to be collected and the information gathered pursuant to this bill on its Internet Web site and requires DSS, by January 1, 2017 and in consultation with specified entities, to develop additional performance standards and outcome measures that require group homes to implement alternative programs and services for children in group homes.

SB 731 (Leno) Foster children: housing: gender identity.

Chaptered by Secretary of State - Chapter 805, Statutes of 2015

This bill requires foster children and nonminor dependents in out-of-home care to be placed according to their gender identity and adds to the codified list of foster youth's and nonminor dependents' rights the right to be placed in out-of-home care according to one's gender identity, regardless of the gender or sex listed in court or child welfare records. This bill also requires the Department of Social Services' Community Care Licensing Division to develop regulations consistent with this right.

SB 794 (Human Services) Child welfare services.

Chaptered by Secretary of State - Chapter 425, Statutes of 2015

This bill brings state law into compliance with the federal Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183), which, among other provisions, eliminates placement of a dependent child under 16 years of age in "another planned permanent living arrangement" as a permanency option and requires the court to order a permanent plan of return home, adoption, tribal customary adoption, legal guardianship, or placement with a fit and willing relative, as appropriate. This bill also prohibits placement in a group home or in a short-term residential treatment facility as the identified permanent plan for any child or nonminor dependent.

Additionally, this bill expands the definition of sexual exploitation to include a person who sexually traffics a child or commercially sexually exploits a child and sets forth requirements for county welfare departments and child welfare agencies to report to law enforcement that a child or youth who is receiving child welfare services has been identified as the victim of commercial sexual exploitation.

COMMUNITY CARE LICENSING

AB 74 (Ian C. Calderon) Child care facilities: regulatory visits.

Vetoed by the Governor

This bill requires the Department of Social Services to increase inspections of licensed child day care centers and family day care homes by conducting annual unannounced visits, between January 1, 2018, and January 1, 2019, of at least a 20% random sample of facilities that are not otherwise subject to annual inspections to address compliance issues or meet federal funding requirements and by conducting at least one annual unannounced visit in each licensed child day care center and family day care home on and after January 1, 2019.

AB 601 (Eggman) Residential care facilities for the elderly: licensing and regulation.

Chaptered by Secretary of State - Chapter 628, Statutes of 2015

This bill requires applicants for a residential care facility for the elderly (RCFE) license to, upon application and at other specified times, disclose specified information including, but not limited to, information regarding current and previous facility ownership, management, and/or operation, and certain information regarding any individual or entity holding a beneficial ownership interest of at least 10% and information regarding the person holding operational control of the RCFE in question. This bill also requires the Department of Social Services (DSS) to cross-check the RCFE license applicant's information with the Department of Public Health. This bill permits DSS to take certain administrative actions, including denial or revocation of an RCFE license application and assessment of civil penalties, if an applicant, licensee, or other specified party commits certain violations. This bill also requires DSS to post identifying and descriptive information regarding licensed providers, to the extent that its computer system can accommodate such information.

AB 1054 (Burke) Home care services: licensing and registration: regional center vendors.

Held in the Assembly Human Services Committee; 2 year bill

This bill repeals the exclusion of regional center-vendored home care services providers from the definitions of home care aide and home care organization within the Home Care Services Consumer Protection Act (Chapter 790, Statutes of 2013), thereby requiring such providers to be included on the home care aide registry and meet other standards, beginning January 1, 2016.

AB 1122 (Brown) Residential care facilities for the elderly: excluded persons.

Held in the Assembly Human Services Committee; 2 year bill

This bill requires the Department of Social Services (DSS) to publish and periodically update on its Internet Web site a list – to be referred to as the Excluded Persons Administrative Action List (EPAAL) – containing specified information regarding all individuals who have been the subject of

an administrative action since January 1, 1990, that resulted in a license revocation, denial or probation, or an individual exclusion or probation. This bill adopts requirements for licensees and other entities regarding use of the EPAAL. This bill also requires a licensed residential care facility for the elderly to, within 24 hours of receiving notice of DSS' action to exclude an individual, post DSS' unredacted letter next to the facility license, and to provide related notifications to current and future residents within specified time periods.

AB 1387 (Chu) Care facilities: civil penalties, deficiencies, and appeal procedures.
Chaptered by Secretary of State - Chapter 486, Statutes of 2015

This bill establishes a two-level appeals process for a civil penalty assessed for a community care facility violation that the Department of Social Services (DSS) determines resulted in the death, physical abuse, or serious bodily injury of an individual, and also provides for a separate two-level appeals process for any other civil penalty or deficiency. Among other changes to the current appeals process, this bill establishes certain deadlines within the process and requires the notification of deficiency written by a representative of DSS to include a factual description of the nature of the deficiency. This bill also adopts changes to the residential care facility for the elderly (RCFE) complaint process, including, among other things, requiring DSS to notify the complainant of its decision regarding a complaint within 10 business days of investigation and requiring the department to, prior to conducting an onsite investigation regarding an RCFE complaint, make a good faith effort to contact and interview the complainant and inform the complainant of the department's proposed course of action and the relevant deadline for completion of the investigation.

AB 1467 (Bloom) Care facilities: civil penalties.
Held in the Assembly Human Services Committee; 2 year bill

This bill makes a number of changes to the amount and assessment of civil penalties for community care licensing violations, including increasing certain civil penalties for a number of violations, imposing civil penalties for specified repeat violations, and reducing civil penalties assessed for certain serious violations for some smaller foster care and adult facilities. This bill also clarifies that facilities assessed a civil penalty for violations determined to have resulted in the death, serious bodily injury, or physical abuse of an individual shall also be assessed civil penalties related to the underlying violation.

SB 475 (Monning) Continuing care contracts: cancellation: payments.
Vetoed by the Governor

This bill imposes certain repayment and other requirements on continuing care retirement community (CCRC) providers and contracts, including requiring, for contracts signed after January 1, 2016, the repayment of a certain portion of the full lump-sum payment within 120 days of termination. This bill also requires, for contracts entered into on or after January 1, 2016, that any payment balance that has not been paid to a resident within specified deadlines shall accrue interest until the date the full lump-sum payment is paid to the resident. This bill prohibits CCRC providers from charging a resident or his or her descendants a monthly fee once a unit has been permanently vacated by the resident, unless the fee is part of an equity interest contract. This bill requires a

provider to make a good faith effort to reoccupy or resell a unit for which a lump-sum payment is conditioned upon resale of the unit and establishes a process for residents to file a complaint with the Department of Social Services and requires repayment within a specified timeline if that provider is found to not have made a sufficient good faith effort to reoccupy or resell a unit.

SB 524 (Lara) Private or public residential care facilities for youth.

Placed on the Assembly Inactive file

This bill requires the Department of Social Services to license a new category of facility – private or public residential care facility for youth – as a community care facility, provided all therapeutic components of the programs offered by such a facility are appropriately licensed, youth under age 12 are not accepted, and a number of other requirements are met. This bill requires staff members of private or public residential care facilities for youth who supervise residents to receive specified training and states that a staff member of one of these facilities is a mandated child abuse reporter, pursuant to current law. This bill enumerates rights of residents of private or public residential care facilities for youth and requires a list of these rights to be publically posted and accessible to residents. This bill also requires a licensee of a private or public residential care facility for youth that advertises or otherwise promotes special care, programming, or environments for persons with mental health, emotional, or social challenges to provide prospective residents and their parents or guardians with a written description of its programs and services prior to admission.

DEVELOPMENTAL SERVICES

AB 286 (Achadjian) Developmental services: supported living services.

Held in the Assembly Human Services Committee; 2 year bill

This bill requires direct care workers that provide supported living services to regional center clients to satisfactorily complete 15 hours of training in behavioral intervention within three months of employment as a direct care worker.

AB 563 (Lopez) Developmental services.

Held in the Senate Human Services Committee; 2 year bill

This bill requires the Department of Developmental Services (DDS) and the Department of Aging to, in consultation with specified stakeholders, develop best practices for providing culturally competent services to aging regional center consumers by January 1, 2017. This bill also requires DDS to conduct a two-year pilot program to implement the best practices in three regional centers across the state and submit an evaluation to the Legislature upon the conclusion of the pilot program that includes a determination of whether the best practices should be implemented statewide.

AB 564 (Eggman) Regional centers: parental fees.

Chaptered by Secretary of State - Chapter 500, Statutes of 2015

This bill makes a number of changes to the Parental Fee Program as of July 1, 2016, including revising the requirement that the Department of Developmental Services (DDS) assess a monthly fee to parents with children receiving 24-hour out-of-home care services through a regional center or as a resident of a state hospital to only include those families with gross incomes above 200% of the federal poverty level (FPL). This bill also requires the monthly parental fee to be recalculated every

12 months and within 60 days of the date a parent notifies DDS of a change in family income or size, and it authorizes DDS to grant a temporary waiver from paying the monthly parental fee in cases where a family experiences an unavoidable and uninsured catastrophic loss with direct economic impact on the family or significant unreimbursed medical costs associated with care for a child who is a regional center client.

AB 1400 (Santiago) Developmental services: regional center contracts.
Vetoed by the Governor

This bill requires that entities contracting with regional centers to provide in-home respite services, with annual revenue attributable to those in-home respite services of at least \$7 million dollars excluding financial management services and other administrative services, spend at least 85% of those regional center funds on direct service expenditures. This bill also requires in-home respite service providers and contractors subject to the provisions of this bill to, upon request, provide regional centers with access to books, documents, papers, computerized data, source documents, consumer records, or other records pertaining to the service providers' and contractors' negotiated rates.

AB 1405 (Grove) Developmental centers: closure.
Held in the Assembly Accountability & Administrative Review Committee; 2 year bill

This bill requires the Department of Developmental Services (DDS) to close the Sonoma Developmental Center (DC) by December 31, 2018, and the Fairview Developmental Center by December 31, 2021, and it requires the director of the Department of General Services to upon closure, lease all or part of the parcels at the two developmental centers, with 50% of the net proceeds deposited into the state's Budget Stabilization Account and the other 50% deposited into the Lanterman Act Community-Based Services Fund created by this bill for purposes of funding regional center services. Additionally, this bill is an urgency statute and requires DDS to submit a plan to the Legislature prior to the closure of the Fairview or Sonoma DC.

ACR 77 (Mark Stone) California Early Intervention Services Act.
Chaptered by Secretary of State - Res. Chapter 154, Statutes of 2015

This concurrent resolution makes a number of findings and declarations related to child development and the importance of early behavioral interventions, and it resolves that every child in California deserves periodic formal assessment of his or her development for the purposes of introducing supports and services if needed, and that those supports and services should be easily accessible and responsive to a child's needs. This resolution also calls on the Legislature to leverage existing efforts and statutes to ensure an accountable, results-oriented, and coordinated statewide network of resources, services, systems, and strong local infrastructures, along with investment in comprehensive health and early intervention services and supports, built upon existing efforts, in order to ensure that they meet the health and learning needs of California's diverse child population.

SB 490 (Beall) Regional centers: audits.
Held on the Assembly Appropriations Suspense File

This bill increases audit and financial review thresholds for regional center vendors by deleting the requirement that an entity that receives between \$250,000 and \$500,000 from one or more regional centers in a fiscal year obtain an audit or review of its financial statements and instead triggers the

requirement for an independent audit or independent review report of an entity's financial statements when the amount received from regional centers is between \$500,000 and \$2 million during the entity's fiscal year. This bill also permits an entity that obtains an independent audit or independent review based on regional center payments of between \$500,000 and \$2 million to request a two-year exemption if the regional center does not find issues in the prior year's audit or review that has an impact on regional center services.

HOMELESS YOUTH

AB 801 (Bloom) Postsecondary education: Success for Homeless Youth in Higher Education Act.

Placed on the Senate Inactive file

This bill establishes the Success for Homeless Youth in Higher Education Act, which, among other things, requires the California State University and each California Community College district, and requests the University of California, until January 1, 2020, to grant priority in any campus's priority enrollment system to a current or former homeless youth. This bill also requires Cal Grant participating postsecondary educational institutions to designate a staff person to serve as Homeless and Foster Student liaison and to inform current and prospective students about financial aid and other assistance available to homeless youth and current and former foster youth. This bill includes homeless youth in existing financial aid services and programs and grants eligibility for community college fee waivers to homeless youth.

AB 1225 (Weber) Housing: former nonminor dependents: homeless youth. **Held in the Assembly Human Services Committee; 2 year bill**

This bill expands eligibility for transitional housing to former nonminor dependents with special needs and to homeless youth.

IN-HOME SUPPORTIVE SERVICES (IHSS)/HOME CARE SERVICES

AB 97 (Weber) In-home supportive services: provider wages. **Vetoed by the Governor**

This bill requires reprogramming of the Case Management Information and Payrolling System (CMIPS II) for In-Home Supportive Services (IHSS) to enable IHSS recipients in Coordinated Care Initiative (CCI) counties to receive additional services authorized and paid for by managed care health plans.

AB 211 (Gomez) In-home supportive services. **Placed on the Senate Inactive File**

This bill disconnects implementation of the Statewide Authority for collective bargaining within the In-Home Support Services (IHSS) program from the state's Coordinated Care Initiative (CCI) by requiring the IHSS Statewide Authority to assume collective bargaining responsibility for IHSS providers in all 58 counties, beginning January 1, 2016, and by deleting the requirement that those activities be conditioned upon implementation of the CCI and therefore subject to the timeline and other restrictions within the CCI demonstration project. This bill also deletes the authority of the

Director of Finance to terminate the Statewide Authority or its collective bargaining responsibilities if the CCI demonstration project is terminated due to not generating anticipated General Fund savings, and makes permanent counties' IHSS maintenance of effort (MOE) requirements outlined in the CCI.

AB 470 (Chu) In-home supportive services: fingerprinting.
Held in the Senate Human Services Committee; 2 year bill

This bill requires the Department of Justice (DOJ), in collaboration with the Department of Social Services, to develop protocols to expedite the processing of provider criminal background checks for In-Home Supportive Services (IHSS) by October 1, 2016. This bill further authorizes the development of these protocols to be funded through moneys appropriated by the Legislature to the DOJ for the purpose of conducting IHSS prospective provider criminal record check activities.

AB 782 (Dababneh) Home Care Services Consumer Protection Act.
Held on the Assembly Appropriations Suspense File

This bill expands the Home Care Services Consumer Protection Act to cover home care aide domestic referral agencies, thereby applying many of the same requirements to these agencies that the law currently applies to home care organizations (as of implementation on January 1, 2016), including but not limited to requiring independent home care aides to be listed and cleared on the home care aide registry administered by the Department of Social Services (DSS) (which requires background clearance and a determination that the aide is free of active tuberculosis), and specifying requirements to be met by a home care aide domestic referral agency in order to obtain licensure, and the grounds on which DSS may deny, suspend, or revoke a home care aide domestic referral agency license. This bill delineates a number of requirements for home care aide domestic referral agencies, including that such an agency shall not include an employment agency for a home care aide domestic referral agency, as defined, and that such an agency shall communicate specific information to prospective and current clients regarding the nature of the employment relationship and possible responsibilities involved. The bill also sets forth a number of requirements for home care aides referred by home care aide domestic referral agencies, including that such aides complete an annual proficiency exam on specified topics and provide references, unless exempted for specified purposes.

AB 1436 (Burke) In-home supportive services: authorized representative.
Chaptered by Secretary of State - Chapter 707, Statutes of 2015

This bill allows an In-Home Supportive Services (IHSS) applicant or recipient to designate an authorized representative in order to represent that applicant or recipient for purposes related to the IHSS program, and it specifies that an IHSS applicant or recipient shall determine the duties to be provided by the authorized representative and that these duties may be changed or revoked at any time by the applicant or recipient. This bill directs the Department of Social Services, in consultation with stakeholders, to develop a standardized statewide form and procedures related to the designation of an authorized representative, and requires counties to retain this form in the applicant's or recipient's case file. This bill also provides for certain limitations on the duties that may be performed by an authorized representative and certain prohibitions on who can serve as an authorized representative. Finally, this bill requires the authorized representative to act in the client's best interest.

SB 199 (Hall) In-home supportive services: reading services for blind and visually impaired recipients.

Vetoed by the Governor

This bill adds up to two hours per month of assistance in reading and completing financial and other documents to the services that can be provided to a blind recipient of In-Home Supportive Services (IHSS), to the extent federal financial participation is available for this purpose. This bill further requires the director of the Department of Health Care Services to seek all federal approvals necessary to ensure that Medicaid funds can be used for reading and document completion services for blind IHSS recipients by January 1, 2017.

PUBLIC SERVICES/OTHER HUMAN SERVICES

AB 282 (Eggman) Accessible window coverings.

Held in the Senate Business, Professions & Economic Development Committee

This bill states the intent of the Legislature to enact legislation to adopt standards that provide for safer window coverings in the state in order to protect children from the strangulation hazard posed by cords on window coverings.

AB 474 (Brown) Public social services: SSI/SSP.

Held in Assembly Budget Committee

This bill requires the state maximum State Supplementary Payment (SSP) grant amount for individuals to be readjusted and increased annually, beginning with the 2015-16 fiscal year, so that the combined total of the federal Supplemental Security Income (SSI) payment and the SSP payment equal 112% of the federal poverty level.

AB 891 (Campos) Pupil services: transportation.

Held on the Assembly Suspense File

This bill entitles a student eligible for free or reduced-price meals, or who attends a school that participates in the Community Eligibility Option, to free transportation to and from school if the student lives more than one-half mile from school or if the neighborhood through which the student must travel is deemed unsafe. This bill requires a local educational agency (LEA) to designate a liaison responsible for implementing a plan, developed in consultation with stakeholders, to ensure that students entitled to free transportation receive that transportation in a timely manner, and it requires the designated liaison to be trained to identify and accommodate the special rights of homeless youth and students in a California Work Opportunity and Responsibility to Kids (CalWORKs) assistance unit where aid is provided only to the child. This bill also requires the transportation plan to address the ability of students to make regular visits to the public library and to be provided using an LEA's existing funds, should free, dependable, and timely transportation not be available to students entitled to it.

AJR 22 (Mullin) Federal poverty level measurement.
Chaptered by Secretary of State - Res. Chapter 195, Statutes of 2015

This resolution memorializes the California Legislature's request to the President of the United States and Congress to use the Supplemental Poverty Measure (SPM) to guide the reform and updating of the Official Poverty Measure (OPM), citing among the deficiencies of the OPM that it is a one-size-fits-all policy that leads to a distorted perception of poverty and an inefficient allocation of resources to fight poverty, and among the benefits of using the SPM that it was designed to take into account changes in the United States economy over time, cost-of-living variations in different parts of the country, and the changing role of government.

GOVERNOR'S VETO MESSAGES

AB 74 (Ian C. Calderon) Child care facilities: regulatory visits

I am returning Assembly Bill 74 without my signature.

This bill would require the Department of Social Services to inspect licensed child care facilities once a year beginning January 1, 2019.

Earlier this year, the 2015-16 Budget Act increased the frequency of inspections of licensed child care facilities to once every three years. Further increasing the frequency of these inspections may be a worthy goal, but the cost of this change should be considered in the budget process.

AB 97 (Weber) In-home supportive services: provider wages

I am returning Assembly Bill 97 without my signature.

This bill would require the California Department of Social Services to reprogram the In-Home Supportive Services (IHSS) payroll system so that paychecks issued by the system would include payment for home care service hours authorized by both IHSS and managed health care plans.

While I support streamlining the payment system for home care service workers, we have yet to find a permanent fund source to restore the seven percent reduction in recipients' authorized hours. When that fiscal uncertainty has been resolved, I would be open to reconsidering the policy in this bill.

AB 371 (Mullin) CalWORKs: Family Unity Act of 2015

I am returning Assembly Bill 371 without my signature.

This bill would remove "deprivation" as one of the eligibility requirements for families applying to the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

The elimination of this policy and its annual cost should be considered in the budget process.

AB 376 (Lopez) CalWORKs eligibility: immunizations

I am returning Assembly Bill 376 without my signature.

This bill would allow counties to use the California Immunization Registry to verify that immunization requirements for the California Work Opportunity and Responsibility to Kids program have been met prior to requesting this information from applicants. Counties already have access to this Registry and many already use it. Accordingly, this bill is unnecessary.

SB 548 (De León) Child care: family child care providers: orientation training

Senate Bill 548 establishes training requirements for both licensed and license-exempt family child care providers and requires both the Department of Social Services and the Department of Education to collect and deliver providers' personal information to provider organizations, upon their request.

I am returning SB 548 without my signature, because the bill prematurely anticipates what will be necessary to comply with the new federal Child Care and Development Block Grant Act of 2014.

California will need to be in compliance with an abundance of new requirements, not all of which are clear at this juncture. The Department of Education is currently working with stakeholders to update our state's plan, to be submitted by March 1, 2016, after further federal guidance is issued. Public input will be sought prior to the finalization of the plan.

As part of that work, I will direct the State Advisory Council on Early Learning and Care to work with the department and review how the state can best position itself to meet those requirements efficiently and effectively, including the delivery of any training.