



STATE OF CALIFORNIA
CALIFORNIA SENIOR LEGISLATURE
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CSL Legislative Report

July 2, 2004

AB 1915 **Lowenthal** **Vehicles: driver's license: identification card:**
disabled persons

Existing law authorizes the Department of Motor Vehicles to issue driver's licenses and identification cards to applicants who comply with certain requirements. This bill would require the department to design and issue driver's licenses and identification cards containing the International Symbol of Access, commonly known as the "wheelchair symbol." The bill contains other related laws and other related provisions.

STATUS: Assembly Appropriations – suspense file
 Passed Assembly Transportation Committee

CSL Position: Sponsor CSL Proposal: SP 11 CSL Author: Erven

AB 1994 **Berg** **California Senior Legislature**

It is the intent of the Legislature to make statutory changes needed to accomplish the separation of the California Senior Legislature and the Commission on Aging in a way that is amicable to both entities. Existing law provides for the allocation of funds contributed to the California Fund for Senior Citizens and appropriated by the Legislature to the California Commission on Aging for allocation to the California Senior Legislature according to a specified formula, with the balance, if any, to the commission for senior citizens direct services programs through contracts with the California Department of Aging and Long-Term Care. This bill would, instead, provide for the direct allocation of those funds to the California Senior Legislature, and would provide that the allocated funds shall be spent pursuant to the purview of the Joint Rules Committee of the California State Legislature. Existing law provides that the commission may accept gifts on behalf of the California State Legislature and requires the commission to implement law relating to the California Senior Legislature pursuant to an agreement entered into with the California Senior Legislature. This bill would repeal those provisions. Existing law specifies the authority of the California State Legislature to define its program and utilize its funds in any way necessary to carry out its duties. This bill would require the California State Legislature to enter into administrative arrangements with a state entity to carry out administrative duties related to its program, and to determine the state entity no later than May 1, 2005. This bill contains other related laws and provisions.

STATUS: Senate Appropriation Committee
Passed Senate Revenue and Taxation Committee
Passed Assembly
Passed Assembly Appropriations
Passed Assembly Aging and Long Term Care Committee

CSL Position: Support with amendments of 6/28/04 (above summary does not reflect latest amendments; summary will be updated when amendments are available)

AB 2125 **Levine** **Prescriptions: requisite information**

Existing law, the Medical practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under the act, a physician and surgeon is generally required to examine a patient prior to prescribing, dispensing, or furnishing a dangerous drug to him or her. This bill would require a physician and surgeon, unless directed otherwise by the patient, to indicate the patient's diagnosis on each prescription. The bill would also require a pharmacist to include this information on the container's label, unless directed otherwise by the patient. This bill contains other existing law and other provisions.

STATUS: Assembly Health – hearing canceled at the request of author

CSL Position: Sponsor CSL Proposal: AP 4 CSL Author: Gould

AB 2351 **Corbett** **Mobilehome parks: rights of mobilehome Owners and residents.**

Existing law, the Mobilehome Residency Law, requires the rental agreement between the management of a mobilehome park and the homeowner to be in writing and to contain specified terms and provisions. This bill would require the management of a mobilehome park to return an executed copy of the rental agreement to the homeowner within 15 business days after the management has received the rental agreement signed by the homeowner. Existing law prohibits the ownership or management of a mobilehome park, subdivision, cooperative, or condominium for mobilehomes from entering a mobilehome without the prior written consent of the resident, except in specified circumstances. This bill would make that prohibition applicable to the ownership or management of a resident-owned mobilehome park. This bill contains other existing law and other related provisions.

STATUS: Passed Senate Judiciary Committee
Passed Assembly
Passed Assembly Committee on Housing and Community Development

CSL Position: sponsor CSL Proposal: SP 5 CSL Author: Winslow

**AB 2357 Plescia Taxation: homeowners' property tax exemption:
Senior citizens**

Existing property tax law provides, pursuant to a specified provision of the California Constitution, for a homeowners' exemption in the amount of \$ 7,000 of the full value of a "dwelling" as defined. This bill would, for assessment years beginning on or after January 1, 2005, pursuant to the Legislature's authority under the California Constitution, increase the amount of this exemption to \$ 10,000 for assesses that are age 62 years or older. This a bill, for assessment years beginning on or after January 1, 2005, also would, for assesses age 62 or older who do not claim the exemption before a specified date, allow an exemption of the lesser of \$ 8,000 or 80% of the full value of the dwelling. This bill contains other related provisions and other existing laws.

STATUS: Assembly Revenue and Taxation Committee – suspense file

CSL Position: Sponsor CSL Proposal: SP 10 (prior yr) CSL Author: Griswold

AB 2474 Wolk Elder Abuse

Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. These procedures require persons, defined as mandated reporters, to report known or suspected instances of elder or dependent adult abuse. This bill would declare the intent of the Legislature to establish a three-year elder and dependent adult financial abuse reporting and rewards programs, commencing January 1, 2005, to assist financial institutions in increasing the voluntary reporting of elder and dependent adult financial abuse. The bill would state the intent of the Legislature that the program include various components, relating to employee training and liability protection, the establishment of a reward fund for reports that result in a successful prosecution, and survey and reporting requirements of the Legislative Analyst's office. The bill would declare legislative intent that the program terminate December 31, 2008.

STATUS: Senate Judiciary Committee
Passed Senate Committees on Public Safety
Passed Assembly Floor
Passed Assembly Appropriations
Passed Assembly Committee on Public Safety
Passed Assembly Aging and Long-Term Care Committee

CSL Position: Sponsor CSL Proposal: AP 30 (2001) CSL Author: Karr

AB 2534 Bates IHSS: providers: fingerprint & criminal record check

Existing law provides for the In-Home Supportive Services (IHSS) program, under which, either

through employment by the recipient, by or through contract by the county, by the creation of a public authority or pursuant to a contract with a nonprofit consortium, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes. This bill would declare the intent of the Legislature to enact legislation that would require IHSS providers to submit to a fingerprint and criminal record check in order to determine suitability to serve as a caregiver under the program, regardless of whether the recipient of the services has requested the fingerprint and criminal record check. This bill contains other related provisions and other existing laws.

STATUS: Assembly Appropriations
Passed Assembly Human Services Committee

CSL Position: Sponsor CSL Proposal: AP 12 CSL Author: Mann

AB 2611 Simitian Elder and Dependent Adult Abuse

Existing law proscribes crimes against elder and dependent adults involving physical and financial abuse. Existing law establishes criminal penalties for the willful abuse of an elder or dependent adult, when the person who permits or inflicts the abuse has knowledge that the victim is an elder or dependent adult.

Under existing law, with respect to theft, embezzlement, forgery, fraud, or identity theft perpetrated against an elder or dependent adult by certain persons, the applicable fine or imprisonment is determined based on whether the money, labor, goods, services, or real or personal property taken or obtained exceeds a value of \$400.

This bill would make technical changes to these provisions. This bill would also raise the \$400 threshold amount to \$ 800, only if AB 2705 is enacted and becomes effective on or before January 1, 2005.

STATUS: Senate Appropriations
Passed Senate Judiciary Committee
Passed Senate Committee on Public Safety
Passed Assembly
Passed Assembly Appropriations
Passed Assembly Committee on Public Safety
Passed Assembly Committee on Aging and Long Term Care

CSL Position: Support

AB 2791 **Simitian** **Skilled nursing and intermediate care facilities:
training**

Existing law requires a skilled nursing and intermediate care facility to adopt an approved training program that meets standards established by the State Department of Health Services. Existing law requires that 6 hours of the precertification classroom training focus on preventing, recognizing, and reporting resident abuse. Existing law requires that 4 hours of continuing education and in-service training for certified nursing assistants address preventing, recognizing, and reporting resident abuse. Violation of these requirements is a crime under existing law. This bill would additionally require one hour of precertification classroom training addressing the prevention, recognition, and reporting of residents' rights violations. This bill would provide that the continuing education and in-service training for certified nursing assistants includes instruction on preventing, recognizing, and reporting residents' rights violations.

Existing law authorizes a resident or patient of a skilled nursing facility or intermediate care facility to bring a civil action against the licensee of a facility that violates any rights of the resident or patient as set forth in the Patients Bill of Rights. Existing law provides that the licensee is liable for up to \$500, and for costs and attorney fees, and may be enjoined from permitting the violation to continue. This bill would make technical, nonsubstantive changes to that provision.

STATUS: Senate Appropriations Committee
 Passed Senate Health and Human Services
 Passed Assembly
 Passed Assembly Committee Health

CSL Position: Sponsor CSL Proposal: AP 11 CSL Author: Ambrogi

ACR 154 **Matthews** **Elder and dependent adult abuse**

This measure would proclaim the month of May, as Elder and Dependent Adult Abuse Awareness Month.

STATUS: Senate Committee on Rules
 Adopted Assembly

CSL Position: Sponsor CSL Proposal: AP 14 CSL Author: Karr

ACR 183 **Dymally** **Elder and Dependent Adult Abuse Prevention Month**

This measure would encourage all Californians to become aware of elder and dependent adult

abuse, to learn the ways to recognize and report incidents of elder abuse, and to educate themselves on ways to prevent the mistreatment of elderly and dependent adults and would proclaim the month of May of every year as Elder and Dependent Adult Abuse Prevention Month.

STATUS: Assembly

CSL Position: Sponsor

CSL Proposal: AP 14

CSL Author: Karr

AJR 71 **Wolk** **Veterans Health Care**

This resolution urges the President and the Congress of the United States to amend Title 38 of the United States Code to provide a guaranteed level of funding for veterans health care and to require the medical benefits package eligibility be restored for veterans in Priority Group 8.

STATUS: Senate Appropriations, 8/2/04, 1:30 pm, Room 4203
Passed Senate Committee on Veteran Affairs
Adopted Assembly
Passed Assembly Veterans Affairs Committee

CSL Position: Sponsor

CSL Proposal: SFP 4

CSL Author: Lundin

SB 740 **Kuehl** **Mobilehome parks: sales of parks**

Existing law requires the owner of a mobilehome park who lists for sale or offers to sell the mobilehome park to any party, with certain exceptions, to provide written notice of his or her intention to sell, as specified, to any resident organization formed by homeowners as a nonprofit corporation, stock cooperative corporation, or other entity for purposes of converting the mobilehome park to cooperative or condominium ownership and for purchasing the park. This bill would provide that homeowners in a mobilehome park who have fulfilled certain requirements shall have a right of first refusal if a mobilehome park owner desires to sell the park. This bill contains other provisions and other existing law.

STATUS: Assembly Housing & Committee Development
Passed Senate

CSL Position: Sponsor

CSL Proposal: SP 5

CSL Author: Winslow

SB 1644 **Romero**

Elder death review team: access to vital record information

Existing law requires each death to be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found. Under existing law, a local registrar, deputy registrar, or subregistrar, who fails, neglects, or refuses to perform his or her duty as required by the existing law relating to the creation and maintenance of vital records, including certificates of death, is guilty of a misdemeanor. Existing law requires the State Department of Health Services to implement an Internet-based electronic death registration system on or before January 1, 2005. Existing law authorizes each county to establish an interagency elder death team to assist local agencies in identifying and reviewing suspicious elder deaths. Under

existing law, an oral or written communication or a document shared within or produced by an elder death review team, as well as certain communications and documents of a 3rd party provided to an

elder death review team, is confidential. Existing law provides that the disclosure of information relevant to the work of an elder death review team by any individual or agency is intended to be voluntary. This bill would require the local registrar of births and deaths, upon the request of a member of a county elder death review team, to a death certificate to the county elder death review team, in accordance with the statewide Internet-based death registration system, in any county that has access to the statewide system. The bill would authorize an organization represented on an elder death review team to request and obtain copies of death certificates, subject to existing law confidentiality and disclosure requirements. This bill contains other related provisions and other laws.

STATUS: Assembly Appropriations Committee
Passed Assembly Health Committee
Passed Senate Appropriations
Passed Senate Public Safety Committee
Passed Senate Health and Human Services Committee

CSL Position: Sponsor

CSL Proposal: SP 10

CSL Author: Steir

If you have questions or comments regarding the information contained in this Legislative Report, please contact June P. Hamilton, Legislative Liaison, at (916) 322-5630 or email: jhamil@cco.ca.gov or Senior Senator Glenn Muggelberg, Chair, California Senior Legislature (CSL) Legislative Committee at (805) 238-0459 or email: gemuggel@thegrid.net.