



STATE OF CALIFORNIA
CALIFORNIA SENIOR LEGISLATURE
1020 N Street, Room 513, Sacramento, CA 95814
Phone (916) 552-8056 Fax (916) 552-8013
www.4csl.org

Sponsored and Supported Legislation
October 20, 2009

AB 152 Carter (D) SP18/2007 Godager
Title: Mello-Granlund Older Californians Act: Disability
Fiscal: yes Urgency: no Introduced: 1/23/2009
Disposition: Pending Location: Assembly Aging and Long-Term Care Committee

Amends the Mello-Granlund Older Californians act, which requires the Department of Aging, and local area agencies on aging to administer various programs for elderly persons. Defines disability for purposes of the act as either a mental or physical disability.

Status: 03/31/2009 - In ASSEMBLY Committee on AGING & LONG TERM CARE: Not heard.

CSL Position:Sponsor

AB 249 Carter (D) AP-21 D.Sorensen
Title: Health Facilities: Marking Patient Devices
Fiscal: no Urgency: no Introduced: 2/10/2009
Disposition: Vetoed Location: Vetoed

Requires, as part of the written patient personal property inventory in a long-term health care facility, a listing, by unique identification number of all patient-owned mobility, hearing, or breathing equipment, including canes, walkers, hearing aids, and oxygen equipment.

Status: 10/11/2009 - Vetoed by GOVERNOR.

CSL Position:Sponsor

AB 324 Beall (D) AP-16 L.Young
Title: Aging: Elder Economic Security Standard Index
Fiscal: yes Urgency: no Introduced: 2/18/2009
Disposition: Vetoed Location: Vetoed

Requires the Department of Aging to report data from the Elder Economic Security Standard Index for each service area included in the state plan on aging, if specified conditions are met.

Requires the plan to utilize the Elder Index, specify the cost of meeting basic needs for elders in each planning and service area, and identify which elders are living at or below the Elder Index.

Status: 10/11/2009 - Vetoed by GOVERNOR.

CSL Position:Sponsor

AB 392 Feuer (D) SP-23 B.Young

Title: Long-Term Health Care Facilities

Fiscal: no Urgency: yes Introduced: 2/23/2009

Disposition: Enacted Location: Chaptered

Relates to the Office of the State Long-Term Health Care Ombudsman in the Department of Aging. Appropriates funds from the Federal Health Facilities Citation Penalties Account to the State Department of Aging for local ombudsman programs, to be used before the end of the 2009-10 fiscal year.

Status: 08/06/2009 - Chaptered by Secretary of State. Chapter No. 102

CSL Position:Sponsor

AB 535 Ammiano (D) SP-17 Steir

Title: Elder Death Review Teams

Fiscal: yes Urgency: no Introduced: 2/25/2009

Disposition: Pending Location: Assembly Health Committee

Allows the elder death review teams to request and obtain copies of certificates of death from the local registrar of births and deaths, subject to any fee requirements. Requires the registrar of births and deaths in a county that elects to participate in the Internet-based electronic death registration system to provide specified information to the chair, cochair, or his or her agent upon request of a county death review team.

Status: 04/02/2009 - From ASSEMBLY Committee on HEALTH with author's amendments.;04/02/2009 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.

CSL Position:Sponsor

AB 935 Feuer (D) SP-23 B.Young

Title: Long-Term Health Care Facilities

Fiscal: yes Urgency: no Introduced: 2/26/2009

Disposition: Pending Location: Assembly Appropriations Committee

Memorializes the President and Congress to ensure economic security for all elders by ensuring that federal policies and programs enable all elders and their families to meet their basic needs and using the Elder Economic Security Standard Index to modernize all federal poverty measures and guidelines, recalculate the number of demographic profile of elders whose basic needs are not being met, and evaluate the impact of public supports and federal initiatives to help elders age in place.

Status: 09/01/2009 - Chaptered by Secretary of State.;09/01/2009 - Resolution Chapter No. 92

CSL Position:Sponsor

SB 38 Alquist (D)

SP-6 Murphy

Title: Emergency Services: Silver Alert Systems

Fiscal: yes Urgency: no Introduced: 12/22/2008

Disposition: Pending Location: Assembly Appropriations Committee

Requires the Department of the State Highway Patrol to provide instruction to law enforcement agencies other intermediate emergency agencies, radio and television broadcasters, and other media outlets on the implementation of a missing senior person alert. Require a law enforcement agency upon receiving a report of a missing senior and determining that the senior person is mentally impaired and that there is information available that could assist in their recovery to implement the alert.

Status: 08/27/2009 - In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CSL Position:Sponsor

SB 91 Correa (D)

SP-22 Eaton

Title: Income Taxes: Contributions: Senior Citizens

Fiscal: yes Urgency: no Introduced: 1/20/2009

Disposition: Enacted Location: Chaptered

Amends existing law that allows taxpayers to contribute amounts in excess of their person income tax liability for the support of the California Fund for Senior Citizens and repeals the contribution provisions for this fund either on the September 1 following the calendar year for which the Franchise Tax Board estimates that the minimum contribution amount will be less than a prescribed amount or on a specified date, whichever comes first. Extends, under the latter limit, the operation of the provisions.

Status: 08/06/2009 - Chaptered by Secretary of State. Chapter No. 29

CSL Position:Sponsor

**California Senior Legislature
Supported Legislation**

AB 108 Hayashi (D)
Title: Individual Health Care Coverage
Fiscal: no Urgency: no Introduced: 1/12/2009
Disposition: Enacted Location: Chaptered

Prohibits a health care service plan or health insurer from rescinding an individual health care service plan contract or individual health insurance policy for any reason or from canceling, limiting, or raising the premium of the plan contract or policy due to any omission, misrepresentation, or inaccuracy in the application form, after 24 months following the issuance of the plan contract of policy. Provides an exception.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 406

CSL Position:Support

AB 123 Portantino (D)
Title: Housing for Elderly or Disabled Persons
Fiscal: yes Urgency: no Introduced: 1/15/2009
Disposition: Enacted Location: Chaptered

Exempts from State Department of Social Services licensure requirements housing occupied by elderly or disabled persons under a regulatory agreement and housing that qualifies for a low-income housing credit under the federal Tax Reform Act of 1986 or is subject to the requirements for dwellings for low-income families pursuant to the federal Housing and Community Development Act of 1974 and that is occupied by elderly or disabled persons, or both.

Status: 08/06/2009 - Chaptered by Secretary of State. Chapter No. 82

CSL Position:Support

AB 142 Hayashi (D)
Title: School Facilities: Energy Cost Savings Program
Fiscal: yes Urgency: yes Introduced: 1/22/2009
Disposition: Pending Location: Senate Rules Committee

Establishes the Energy Cost Savings Stimulus Program that utilized funds from the Kindergarten-University Public Education Facilities Bond Act of 2006 for the purposes of the program. Provides the program authorizes a school district to apply for funding if the district

certifies in the project application that it meets specified conditions. Requires a portion of the funding that remains unencumbered when the program becomes inoperative to be used for school facilities modernization.

Status: 08/27/2009 - Withdrawn from SENATE Committee on JUDICIARY.;08/27/2009 - Re-referred to SENATE Committee on RULES.

CSL Position:Support

AB 214 Chesbro (D)

Title: Health Care Coverage: Durable Medical Equipment

Fiscal: yes Urgency: no Introduced: 2/3/2009

Disposition: Pending Location: Assembly Appropriations Committee

Requires a health care service plan and a health insurer to provide coverage for durable medical equipment as part of their plan contracts or health insurance policies.

Status: 05/28/2009 - In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CSL Position:Support

AB 235 Hayashi (D)

Title: Emergency Services and Care

Fiscal: no Urgency: no Introduced: 2/6/2009

Disposition: Enacted Location: Chaptered

Defines psychiatric emergency medical condition. Allows the transfer of a patient to a psychiatric unit within a general acute care hospital or to an acute psychiatric hospital for the purpose of providing care and treatment for the patient's psychiatric emergency medical condition. Requires notification to the patient's health care service plan's or health plan's contracting provider of the need for the transfer and information related thereto. Requires the hospital to document notification attempts.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State. Chapter No. 423

CSL Position:Support

AB 292 Yamada (D)

Title: Personal Income Taxes: Contributions: Alzheimer's

Fiscal: yes Urgency: no Introduced: 2/13/2009

Disposition: Enacted Location: Chaptered

Amends provisions of the Personal Income Tax Law that allows taxpayers to contribute amounts in excess of their tax liability for the support of the State Alzheimer's Disease and Related Disorders Research Fund. Extends the operation of those provisions.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 232

CSL Position:Support

AB 323 Yamada (D)

Title: Automobile Tires

Fiscal: yes Urgency: no Introduced: 2/18/2009

Disposition: Pending Location: Assembly Business and Professions Committee

Requires auto body repair shops and automobile tire retailers to display a sign advising customers about automobile tire degradation. Requires an automobile tire retailer, prior to the sale or installation of an automobile tire to disclosure to the customer the date each tire to be sold or installed was manufactured. Requires an automobile insurer to include in it's Auto Body Repair Consumer Bill of Rights information about the consumer's right to be told, by a tire retailer, the tire's date of manufacture.

Status: 04/21/2009 - In ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Failed passage.;04/21/2009 - In ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Reconsideration granted.

CSL Position:Support

AB 329 Feuer (D)

Title: Reverse Mortgages

Fiscal: no Urgency: no Introduced: 2/18/2009

Disposition: Enacted Location: Chaptered

Enacts the Reverse Mortgage Elder Protection Act of 2009. Prohibits a lender or any other person who participates in the origination of the mortgage from participation in, being associated with, or employing any party that participates in or is associated with any other financial or insurance activity or referring a prospective borrower to anyone for the purchase of other financial or insurance products. Provides the requirements of a person who offers, sales, or arranges the sale of a reverse mortgage.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 236

CSL Position:Support

AB 378 Cook (R)

Title: In-Home Supportive Services

Fiscal: yes Urgency: no Introduced: 2/23/2009

Disposition: Pending Location: Senate Inactive File

Requires each public authority or nonprofit consortium in consultation with its advisory committee and stakeholders to develop training standards and core topics for the provided training under the In Home Supportive Services Program.

Status: 09/11/2009 - In SENATE. To Inactive File.

CSL Position:Support

AB 393 Yamada (D)

Title: Vehicle Warranties: Disabled Rights

Fiscal: no Urgency: no Introduced: 2/23/2009

Disposition: Pending Location: Assembly Business and Professions Committee

Extends vehicle manufacturer warranty requirements to any vehicle manufacturer who modifies new vehicles into vehicles useable by persons with disabilities.

Status: 03/16/2009 - To ASSEMBLY Committee on BUSINESS AND PROFESSIONS.

CSL Position:Support

AB 452 Yamada (D)

Title: In-Home Supportive Services: Independence Act of 2009

Fiscal: yes Urgency: no Introduced: 2/24/2009

Disposition: Pending Location: Assembly Human Services Committee

Establishes the State Independence Program, a voluntary program for the provision of in-home supportive services to certain aged, blind and disabled individuals who are otherwise ineligible for In-Home Supportive Services.

Status: 03/12/2009 - To ASSEMBLY Committee on HUMAN SERVICES.

CSL Position:Support

AB 498 Hayashi (D)

Title: Affordable Housing: Veterans

Fiscal: yes Urgency: no Introduced: 2/24/2009

Disposition: Pending Location: Assembly Veterans Affairs Committee

Require the Department of Veterans Affairs and the Department of Housing and Community Development to facilitate the development of multifamily housing for veterans and their families. Requires the department to take action to ensure that if land is donated for the express purpose of providing land for veterans' housing, or if the department receives funding for a housing project restricted for the use of veterans, any such housing or funding shall only be used for housing for veterans.

Status: 04/28/2009 - In ASSEMBLY Committee on VETERANS AFFAIRS: Not heard.

CSL Position:Support

AB 583 Hayashi (D)

Title: Health Care Practitioners: Disclosure of Education

Fiscal: no Urgency: no Introduced: 2/25/2009

Disposition: Pending Location: Senate Inactive File

Requires health care practitioners to display the type of license and the highest level of academic degree he or she holds either on a name tag or in writing given to patients. Exempts nurses. Requires a physician and surgeon, osteopathic physician and surgeon, and a doctor of podiatric medicine to disclose the name of the certifying board or association either on a name tag or in writing given to the patient in his or her office. Requires a group practice to post a current schedule of practitioners' hours.

Status: 08/17/2009 - In SENATE. From third reading. To Inactive File.

CSL Position:Support

AB 646 Swanson (D)

Title: Physicians and Surgeons: Employment

Fiscal: yes Urgency: no Introduced: 2/25/2009

Disposition: Pending Location: Senate Business, Professions & Economic Development Committee

Deletes a pilot project which allows district hospitals that provide a certain percentage of patient days to the care of Medicare, Medi-Cal, and uninsured patients, to employ a physician and surgeon, if the hospital does not interfere with, control, or otherwise direct that person's professional judgment. Authorizes a health care district to employ physicians and surgeons if the district's service area includes a medically underserved area or population, or qualifies as a Health Professional Shortage Area.

Status: 07/06/2009 - In SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT: Heard, remains in Committee.

CSL Position:Support 06/18/2009

AB 721 Nava (D)

Title: Physical Therapists: Direct Access to Services

Fiscal: yes Urgency: no Introduced: 2/26/2009

Disposition: Pending Location: Assembly Business and Professions Committee

Specifies that patients may access physical therapy treatment directly. Requires a therapist to refer his or her patient to another specified healing arts practitioner under specified conditions. Requires the therapist to disclose to the patient any financial interest he or she has in treating the patient, and, with the patient's written authorization, notify the patient's physician or surgeon, if any, that the therapist is treating the patient. Provides for unprofessional conduct for violations.

Status: 04/28/2009 - In ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Failed passage.

CSL Position:Support

AB 724 DeVore (R)

Title: Transfers: Revocable Transfer Upon Death Deeds

Fiscal: yes Urgency: no Introduced: 2/26/2009

Disposition: Pending Location: Senate Judiciary Committee

Creates the revocable transfer on death deed. Transfers real property on the death of its owner without a probate proceeding. Voids a revocable deed if, at the time of the owner's death, the property is titled in joint tenancy or as community property with right of ownership.

Status: 07/14/2009 - In SENATE Committee on JUDICIARY: Failed passage.;07/14/2009 - In SENATE Committee on JUDICIARY: Reconsideration granted.

CSL Position:Support 06/18/2009

AB 768 Torres (D)

Title: Elder Abuse

Fiscal: yes Urgency: no Introduced: 2/26/2009

Disposition: Pending Location: Assembly Appropriations Committee

Amends existing law which proscribes various crimes related to the abuse of an elder or dependent adult. Deletes the language requiring that the person either know or reasonably should know that the victim was an elder or dependent adult from the definitions of those crimes. Expands those crimes to include willfully causing an elder or dependent adult to sustain any would or physical or psychological injury.

Status: 05/28/2009 - In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CSL Position:Support

AB 885 Nestande (R)

Title: Area Agencies on Aging and Independent Living Centers

Fiscal: yes Urgency: yes Introduced: 2/26/2009

Disposition: Pending Location: Assembly Appropriations Committee

Appropriates continuously from the Federal Trust Fund, in the absence of enactment of the annual Budget Act by July 1 of a fiscal year, to the Department of Aging the amount of federal funds contained in the Federal Trust Fund that is necessary to pay area agencies on aging for the administration of programs under their jurisdictions, and to the Department of Rehabilitation, to pay independent living centers for programs under their jurisdiction.

Status: 05/28/2009 - In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CSL Position:Support

AB 1259 Arambula (I)

Title: Area Agencies on Aging: Federal Funding Allocations

Fiscal: yes Urgency: no Introduced: 2/27/2009

Disposition: Pending Location: Assembly Appropriations Committee

Relates to federal funding under the Older Americans Act. Permits an area agency on aging to carry over, for future use, up to a specified percent of its annual total baseline allocation to fund prescribed purposes. Prohibits an area agency on aging from using the carried over funds to increase baseline services.

Status: 05/28/2009 - In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CSL Position:Support

AB 1535 Jones (D)

Title: Audiologists: Hearing Aids

Fiscal: no Urgency: no Introduced: 2/27/2009

Disposition: Enacted Location: Chaptered

Defines the practice of audiology to include the selling of hearing aids. Exempts audiologists from hearing aid dispenser licensure. Makes various provisions relating to the sale of hearing aids applicable to audiologists including requiring hearing aids sold by catalog or direct mail to meet certain requirements. Provides a requirement for sales by audiologists. Requires a written receipt to be provided to a purchaser upon the sale. Requires the maintenance of specified records pertaining to the sale.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 309

CSL Position:Support

SB 110 **Liu (D)**

Title: People with Disabilities: Victims of Crime

Fiscal: yes Urgency: no Introduced: 1/28/2009

Disposition: Pending Location: Senate Appropriations Committee

Provides information related to deaths of children with disabilities and people with disabilities killed as a result of domestic violence is included in Child Death Review and Domestic Violence Death Review Teams procedures. Includes the deaths of dependent adults. Requires the Department of Developmental Services to report a case of suspected abuses or neglect of a person held in custody as developmentally disabled. Requires related law enforcement training. Allows background checks for certain vendors.

Status: 05/28/2009 - In SENATE Committee on APPROPRIATIONS: Not heard.

CSL Position:Support

SB 161 **Wright (D)**

Title: Health Care Coverage: Cancer Treatment

Fiscal: yes Urgency: no Introduced: 2/14/2009

Disposition: Vetoed Location: Vetoed

Requires health care service plan contracts and health insurance policies that provide coverage for chemotherapy to provide coverage for a prescribed oral cancer medication on a basis no less favorable than other cancer medications. Requires the plan or insurer to review the percentage cost share for both types of medication and to apply the lower of the two as the cost-sharing provision. Exempts a health care benefit plan or health insurance policy with the Public Employees' Retirement System.

Status: 10/11/2009 - Vetoed by GOVERNOR.

CSL Position:Support

SB 290 **Leno (D)**

Title: Tenancy: Notices

Fiscal: no Urgency: no Introduced: 2/24/2009

Disposition: Enacted Location: Chaptered

Deletes the repeal of provisions of existing law that prescribes provisions for the renewal or termination of a hiring of residential real property for an unspecified term of a residential dwelling and that requires that an owner of a residential dwelling give at least 60 days notice prior to termination, and at least 30 days notice prior to termination if any tenant has reside in the dwelling for less than one year.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 347

CSL Position:Support

SB 303 Alquist (D)

Title: Nursing Facilities Residents: Informed Consent

Fiscal: yes Urgency: no Introduced: 2/25/2009

Disposition: Vetoed Location: Vetoed

Provides that every nursing facility resident receive information that is material to their decision whether to accept of refuse any treatment or procedure and requires related informed consent. Requires the State Department of Public Health to inspect for compliance with that requirement. Requires informed consent be obtained by a physician or surgeon with respect to the decision of a resident of a skilled nursing or intermediate care facility to accept or reject a antipsychotic medication.

Status: 10/11/2009 - Vetoed by GOVERNOR.

CSL Position:Support

SB 341 DeSaulnier (D)

Title: Pharmaceuticals: Adverse Drug Reactions

Fiscal: yes Urgency: no Introduced: 2/25/2009

Disposition: Pending Location: Senate Appropriations Committee

Requires the Department of Public Health to make every effort to enter into a contract with the University of California to establish a program to evaluate the safety and effectiveness of prescription drugs including an Internet Web site designed to disseminate information to health care professionals and consumers on the safety and effectiveness of those drugs. Requires a data base so that such information is offered to the public. Provides the program would include a prescription education service.

Status: 05/28/2009 - In SENATE Committee on APPROPRIATIONS: Not heard.

CSL Position:Support

SB 344 Strickland T (R)

Title: Crimes Against Elders

Fiscal: yes Urgency: no Introduced: 2/25/2009

Disposition: Pending Location: Senate Public Safety Committee

Relates to exploitation of or exerting criminal undue influence upon an elder or dependent adult in order to acquire possession or control of an interest in funds or property. Removes a provision regarding a penalty enhancement.

Status: 04/14/2009 - From SENATE Committee on PUBLIC SAFETY with author's amendments.;04/14/2009 - In SENATE. Read second time and amended. Re-referred to Committee on PUBLIC SAFETY.

CSL Position:Support

SB 687 Alquist (D)

Title: Long-Term Health Care Facilities: Infections

Fiscal: yes Urgency: no Introduced: 2/27/2009

Disposition: Pending Location: Senate Appropriations Committee

Prohibits a long-term health care facility from refusing to place a patient based on the fact that the patient has been diagnosed with a health-care-associated infection, or tested positive for the presence of an organism. Requires such facilities to take specified measures for patients diagnosed with a health-care-associated infection and maintain a record of those infections. Requires facility staff to receive education and training regarding the control of health-care-associated infections.

Status: 05/28/2009 - In SENATE Committee on APPROPRIATIONS: Not heard.

CSL Position:Support

SB 732 Alquist (D)

Title: Medi-Cal: Long-Term Care Reimbursement: Cost Reporting

Fiscal: yes Urgency: no Introduced: 2/27/2009

Disposition: Pending Location: Senate Appropriations Committee

Relates to the Medi-Cal Long-Term Care Reimbursement Act. Requires the State Department of Health Care Services, in consultation with the Office of Statewide Health Planning and Development, to establish a cost reporting methodology that allows the department to adjust rates in a manner that is expedient and achieves the intent of the Act.

Status: 05/28/2009 - In SENATE Committee on APPROPRIATIONS: Not heard.

CSL Position:Support

SB 781 **Leno (D)**
Title: Eviction Procedure
Fiscal: no **Urgency: no** **Introduced: 2/27/2009**
Disposition: Enacted **Location: Chaptered**

Amends the State Residential Care Facilities for the Elderly Act. Provides requirements for a licensed residential care facility for the elderly to evict a resident. Requires a licensee who sends an eviction notice to include specified information, including, but not limited to, information regarding the resident's right to file a complaint.

Status: 10/11/2009 - Signed by GOVERNOR.;10/11/2009 - Chaptered by Secretary of State.
Chapter No. 617

CSL Position:Support

SB 804 **Leno (D)**
Title: Mobilehomes: Sales and Replacements
Fiscal: no **Urgency: no** **Introduced: 2/27/2009**
Disposition: Enacted **Location: Chaptered**

Amends the Mobilehome Residency Law that requires a owner of a manufactured or mobile home to advise management that his or her home is for sale. Prohibits the management from requiring a homeowner, who is replacing a home on a space in the park, to use a specified broker, dealer, or other person as an agent in the purchase or installation of the replacement home.

Status: 08/06/2009 - Chaptered by Secretary of State. Chapter No. 66

CSL Position:Support