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ASSEMBLY COMMITTEE ON HUMAN SERVICES

2007–2008 Legislative Bill Summary



Committee Members

Jim Beall, Jr., Chair
Tom Berryhill, Vice Chair
Mike Davis
Mark DeSaulnier
Warren Furutani (2008)
Paul Krekorian
Laura Richardson (2007)
Todd Spitzer

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Eric Gelber, Chief Consultant
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2007-08

Assembly Committee on Human Services

2007- 2008

LEGISLATIVE BILL SUMMARY

Assemblymember Jim Beall, Jr., Chair

MEMBERS

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December 2008

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2007-2008 Legislative Summary
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Assembly Human Services Committee

Jim Beall, Jr., Chairperson

The Assembly Committee on Human Services has jurisdiction over programs and services designed to assist the state's most vulnerable populations – children who have been abused or neglected, people with disabilities, low-income families and the elderly. Its Chair is Jim Beall, Jr. (D-San Jose). The Committee was busy in 2007-2008 crafting public policies to improve the lives of California's disadvantaged residents while promoting efficiency and accountability in the delivery of social services. Its subjects included better services and benefits for foster children, simplification of the complex public benefit system, enhancement of housing, employment and other rights and services for persons with development disabilities and for seniors. Of the 142 bills referred to the Committee in 2007-2008, 73 passed the Legislature and 50 became law.

The Committee devoted much attention to the problems and concerns of the nearly 80,000 children in the care and custody of the state's foster care system as a result of abuse or neglect. There were more bills affecting this subject than any other – 46 were referred to the Committee, 23 passed the Legislature and 19 were enacted into law. Key among them in 2007 were **AB 1331 (Evans)**, assisting foster youth with disabilities to establish eligibility for federal disability benefits upon emancipation, and **AB 1453 (Soto)**, requiring the state to plan to convert group homes to residential based services. Also of significance were **SB 785 (Steinberg)**, facilitating access of foster children to mental health services when they are placed outside their original county and **AB 340 (Hancock)**, establishing pilot projects to implement a streamlined process for approving relatives, foster parents and adoptive parents to care for foster children. In 2007, the Chair also authored **AB 324** to increase rates paid to foster parents. After the Chair pressed the issue with the Assembly Budget Subcommittee on Health and Human Services, a 5 percent rate increase for foster family homes, group homes and kinship caregivers was incorporated into **SB 84 (Committee on Budget and Fiscal Review)**, the human services budget trailer bill. Key foster care-related bills in 2008 were **AB 2070 (Bass)** and **AB 2341 (Maze)**, increasing and clarifying the times during which reunification services may be available to parents whose children are in foster care, and **SB 1380 (Steinberg)**, expanding eligibility and revising the requirements of the Intensive Treatment Foster Care (ITFC) program.

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The Committee heard and approved significant human services bills affecting seniors and persons with developmental disabilities. Several of these were signed by the Governor. These included **AB 949 (Krekorian)**, establishing protection for residents when a residential care for the elderly facility closes, **AB 2370 (Bass)**, requiring the disclosure of the history of rate increases by residential care facilities for the elderly, **SB 868 (Ridley-Thomas)**, authorizing state payment of a share of the costs of criminal history background checks of persons seeking to be listed on a county's in-home supportive services registry, **AB 1402 (Evans)**, requiring the recording of Individual Program Plan proceedings upon request by the consumer of services for persons with developmental disabilities, and **SB 1175 (Steinberg)**, expanding a limited housing model and authorizing regional centers to partner with non-profit developers to increase the stock of permanent affordable housing for people with developmental disabilities.

The Committee took special interest in welfare-to-work and anti-hunger issues. In early March, the Committee heard and approved the Chair's **AJR 4**, which urged Congress to revisit and revise elements of the Deficit Reduction Act of 2005 limiting state discretion in its CalWORKs welfare-to-work and child support programs. The Committee also passed **AB 98 (Niello)**, signed by the Governor, which helps fund county wage-based employment programs for CalWORKs participants, and **AB 1078 (Lieber)**, which eases retirement and savings accumulation rules for CalWORKs families and encourages maximum utilization of the Earned Income Tax Credit.

The Chair authored **AB 433** to improve participation in the food stamp program by adopting a federal program option called expanded categorical eligibility. This option is estimated to allow 86,000 more individuals to gain access to food assistance, generating nearly \$130 million in additional federal funds for the state. The bill is now law. The Committee passed three other food assistance bills of consequence, **AB 1060** and **AB 2844 (Laird)**, establishing simplified reporting for families and counties, and **AB 1382 (Leno)**, repealing fingerprint imaging requirements. AB 1060 failed to pass the Senate after the reporting issue was not included in the final budget agreement and AB 2844 was vetoed by the Governor due to the state's adverse fiscal situation and the bill's one-time upfront costs. AB 1382 was vetoed by the Governor because he believes that the requirement deters fraud.

In addition to acting on human services legislation, in 2007 the Committee began a comprehensive review of the Lanterman Developmental Disabilities Services Act, originally enacted in 1969. Having a personal interest in the issues covered by the Act, the Chair consulted with and convened a wide range of consumers, family members, advocates, service providers and administrators to explore key themes essential to the continuing vitality of the Act in the face of new developments. These include the steep increase in the incidence of autism, the quality of employment and day programs, rights and due process in the individual program plans (IPPs), ethnic and language disparities in service delivery, improved conditions for direct service workers, and methods of outcome monitoring and evaluation. Two roundtables of diverse stakeholders were held in the summer of 2007 followed by committee hearings in October and November of 2007. Efforts to address many of these issues were begun in 2008 and are expected to continue in the 2009-2010 legislative session.

A complete summary of bills referred to the Human Services Committee in 2007-2008 follows.

CHILD WELFARE SERVICES/FOSTER CARE

**AB 149 (Bass) – Dependent children; caregivers
Vetoed by the Governor**

Required the Department of Social Services to enter into a contract for technology to assist counties in searching for relatives to serve as caretakers for foster children and youth and create two pilot projects to assist counties in identifying family members and in understanding and navigating the system of out-of-home care.

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (12-3)
Assembly Floor (56-17)
Assembly concurrence (54-23)

Senate Human Services (3-2)
Senate Appropriations (10-7)
Senate Floor (26-14)

**AB 172 (Bass) - Foster care instruction and education pilot project
Died; held on Assembly Appropriations Suspense file**

Required the Department of Social Services to contract with an entity with specified qualifications to establish a foster care parent and child home instruction and education pilot project.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

**AB 184 (Dymally) – Medi-Cal reimbursement rates
(As amended September 7, 2007 became Dymally bill relating to Medi-Cal)
Died; held on Senate Appropriations Suspense file.**

1. As introduced by Assemblymember Bass and considered in the Assembly Human Services Committee, extended eligibility and appropriated \$3 million for the Independent Living Program (ILP) for former foster youth.
2. Required that ILP be provided for former foster youth who are (a) placed with a nonrelated legal guardian if the child is receiving permanent placement services (b) placed as wards with a nonrelated legal guardian who receive AFDC-FC benefits and case management services; or (c) adopted at 14 years of age or older.
3. Amended late in the year to increase Medi-Cal reimbursement rates for family planning services, authored by Assemblymember Dymally.

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Legislative History

Assembly Human Services (5-0) not relevant
Assembly Appropriations (13-4) not relevant
Assembly Floor (77-1) not relevant

Senate Human Services (3-2) not relevant
Senate Judiciary (3-2) not relevant
Senate Appropriations (16-0)
Senate Rules (withdrawn – 24-15)
Senate Rules (S.R. 29.10)
Senate Health (6-2)
Senate Health (8-3)
Senate Rules (re-referred – S.R. 29.10)

**AB 190 (Bass) – Child welfare services
Chapter 588, Statutes of 2008, as amended to contain unrelated subject matter**

As introduced, established funding for the child welfare system based upon child welfare worker caseload standards.

1. Phased in equally over a five year period, commencing in the 2007-08 fiscal year, budgeting standards that implement the following optimal caseload standards identified in the survey conducted pursuant to SB 2030 (Costa) of 1998.
2. Required that counties, in order to be eligible for increased funding, must provide county matching funds sufficient to fully match the county's base funding allocation, excluding child welfare augmentation funds.
3. Required the Department of Social Services (DSS) to update caseload budgeting standards annually to reflect changes in statutory, regulatory, and practice changes that have occurred since the most recent update.

AB 190 was amended into a different subject and re-referred to the Assembly Transportation Committee.

Legislative History

Assembly Human Services (5-1) not relevant
Assembly Rules (10-0)
Assembly Transportation (12-0)
Assembly Appropriations (15-0)
Assembly Floor (72-1)
Assembly Concurrence (71-0)

Senate T & H (9-1)
Senate Appropriations (14-0)
Senate Appropriations (13-0)
Senate Floor (39-0)

**AB 273 (Jones) – Public health: foster children
Died; held on Senate Appropriations Suspense file**

Extended health care and Medi-Cal benefits for foster children and youth. Required a child removed from his or her home as a result of abuse or neglect to receive, specified services, including:

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1. A preventive health assessment from a Child Health and Disability Prevention (CHDP) provider, as specified, or an equivalent provider who has been approved by the appropriate county department;
2. If the child is under three years of age, a CHDP preventive health assessment, or its equivalent, on a periodicity schedule for that age group as recommended by current law;
3. If the child is three years or older, a preventive health assessment annually;
4. Immunizations on a schedule recommended by the United States Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP).

Legislative History

Assembly Health (16-1)

Senate Health (7-2)

Assembly Human Services (7-0)

Senate Human Services (3-2)

Assembly Appropriations (12-0)

Senate Appropriations (Held on Suspense)

Assembly Floor (72-4)

**AB 298 (Maze) – Relative caregivers
Chapter 565, Statutes of 2007**

Provides support and priority for relative caregivers of children under the jurisdiction of the juvenile court.

1. Provides that a relative caregiver's preference for legal guardianship over adoption does not provide a basis for the social services agency or licensed county adoption agency to recommend removal of the child from the relative caregiver for purposes of adoption, provided the relative is not unwilling to accept legal or financial responsibility for the child.
2. Provides that the juvenile court, in order to provide stable, permanent homes for children under its jurisdiction, shall consider, in order of preference:
 - a) Terminating parental rights and proceeding with adoption; Appointing a relative caregiver with whom the child is currently residing as the child's legal guardian;
 - b) Ordering efforts made to locate an appropriate adoptive family;
 - c) Appointing a non-relative guardian for the child; or
 - d) Ordering the child placed in long-term foster care.
3. Requires a court, prior to termination of a legal guardianship, to order the county child welfare agency to evaluate whether the child can safely remain in or be returned to the guardian's home if services are provided to the child or guardian and, if appropriate, to identify recommended family maintenance or reunification services to maintain the legal guardianship

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Legislative History

Assembly Judiciary (10-0) rec. consent
Assembly Human Services (7-0)
Assembly Appropriations (16-0) rec. consent
Assembly Floor (73-0)
Assembly Concurrence (78-0)

Senate Judiciary (5-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (39-0)

**AB 312 (Dymally) – Dependent children: reunification services
Died; not heard in Assembly Human Services Committee**

Extended the period for which child welfare unification services can be offered from 18 to 24 months, and to 36 months for incarcerated parents.

Legislative History

Assembly Human Services (Not heard)

**AB 324 (Beall, Jr.) – Foster care
Died; held on Senate Appropriations Suspense file**

1. Increased by 5% rates for foster family home providers, relatives aided by the Kinship Guardian Assistance Program (Kin-GAP), and adoptive parents receiving benefits under the Adoption Assistance Program.
2. Provided for an annual cost-of-living adjustment for these benefits over the succeeding five years.
3. Appropriated \$25 million for the Foster and Adoptive Parent Recruitment and Retention supports.

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (Held on Suspense)

**AB 340 (Hancock) – Child welfare services: resource family pilot program
Chapter 464, Statutes of 2007**

Creates the Unified Resource Family Approvals Pilot Project in five counties to allow county welfare departments to merge duplicative foster placement processes for licensing and approving relatives, foster families and adoptive parents.

1. Defines a "resource family" as an individual or couple a participating county has approved to care for a child under the jurisdiction of the juvenile court, based upon a demonstration of an understanding of specified qualifications.
2. Permits a child to be placed with a resource family that has received home approval prior to a permanency assessment only for compelling reasons and requires completion of the assessment within 90 days of the child's placement in the approved home unless good cause exists.

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3. Permits a child to be placed with a relative or nonrelated extended family member prior to a home approval and permanency assessment only in specified emergencies.
4. Requires any county, state, or federal savings in the foster care program that occur as a result of the demonstration project be reinvested by the counties in child welfare services program improvements.

Legislative History

Assembly Human Services (7-0) rec. consent
Assembly Appropriations (12-4)
Assembly Floor (78-0)
Assembly Concurrence (78-0)

Senate Human Services (4-1)
Senate Appropriations (10-6)
Senate Floor (32-6)

**AB 638 (Bass) – Dependent children and wards of the juvenile court: access to services
Chapter 628, Statutes of 2008, as amended to contain unrelated subject matter**

As introduced, required county welfare departments to provide the same level of services to foster youth who subsequently come under the jurisdiction of the juvenile court as a "ward" supervised by the county probation department as those under the juvenile court's jurisdiction as a "dependent" supervised by the county welfare department.

1. Required that if the court determines the foster youth should be within the juvenile justice system the county child welfare department shall retain jurisdiction to provide services to the youth regardless of whether the child is placed in a licensed foster care facility.
2. Required that foster youth within the juvenile justice system be provided services which include, but are not limited to, permanency case management, independent living, education, transitional living, and housing.

AB 638 was amended into a different subject and re-referred to the Assembly Business and Professions Committee.

Legislative History

Assembly Human Services (7-0)
Assembly Rules (10-0)
Assembly B. & P. (9-0)
Assembly Health (12-0)
Assembly Appropriations (16-0)
Assembly Floor (75-0)
Assembly Concurrence (71-0)

Senate Health (10-0)
Senate Education (9-0)
Senate Appropriations (13-0)
Senate Floor (36-1)

**AB 672 (Beall, Jr.) – Child Welfare Council: children of color
Died; held on Assembly Appropriations Suspense file**

Required the California Child Welfare Council to develop a statewide vision and strategy for reducing the disproportionate representation of children of color in the child welfare system, and perform various functions, including:

1. Collaboratively develop a statewide vision and strategies that clearly articulate a firm commitment to the development and implementation of public policies and practices that will reduce the disproportionate representation of children of color in all aspects of the child welfare and foster care systems;
2. Emphasize strategies that focus on prevention, early intervention, and cross-system approaches to service delivery that safely keep children in their homes and strengthens families;
3. Develop a workplan for multiple agencies and stakeholders with articulated responsibilities.

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (Held on Suspense)

**AB 845 (Bass) – Foster youth: transitional housing: funding
Senate Third Reading – June 28, 2007, urgency clause refused adoption**

1. Appropriated \$10,525,000 from the General Fund to fund increased costs in the Transitional Housing for Foster Youth Program in the 2006-07 fiscal year.
2. Stated legislative findings and declarations that foster youth aging out of foster care often lack families to assist them in transitioning into adulthood; transitional housing is an important part of avoiding risks associated with transitioning out of foster care; and, there is an inadequate supply of transitional housing beds to meet statewide need which can be met in part with additional funding in the current year.

Legislative History

Assembly Human Services (7-0) rec. consent

Assembly Appropriations (16-0)

Assembly Floor (78-0) urgency clause adopted

Senate Appropriations (1-0)

Senate Floor (23-13) (urgency clause refused)

**AB 914 (Saldaña) – Foster caregivers: non-relative community support system caregivers
Died; not heard in Assembly Human Services Committee**

1. Authorized the County of San Diego to establish a pilot program to test the effectiveness of non-relative community support system caregivers on increasing the availability of recruiting neighborhood placements, and reducing the number of placements in emergency shelter facilities.

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2. Extended the same evaluation and approval requirements applicable to a foster family home to a non-relative community support system caregiver.

Legislative History

Assembly Human Services (Not heard)

**AB 1217 (S. Runner) – Foster care: AFDC-FC supplemental clothing allowance
Died; not heard in Assembly Human Services Committee**

Authorized the use of the foster care supplemental clothing allowance for the purchase of a foster child's diapers.

Legislative History

Assembly Human Services (Not heard)

**AB 1330 (Evans) – Foster children: psychotropic drugs: data
Died; held on Assembly Appropriations Suspense file**

1. Required the Department of Social Services (DSS) to collect specified information regarding foster youth who are prescribed psychotropic medication and monitor their usage:
 - a) The youth's sex, age, and ethnicity or race and number of years the youth has been in the foster care system;
 - b) The type of placement within the system; and
 - c) The type of drug prescribed.
2. Required DSS to monitor each foster youth who is prescribed a psychotropic medication before and after the prescription to determine whether the youth is receiving appropriate medical care and supervision, in accordance with the recommendations made for the medication by the federal Food and Drug Administration (FDA).

Legislative History

Assembly Human Services (6-0)

Assembly Health (17-0)

Assembly Appropriations (Held on Suspense)

**AB 1331 (Evans) – Foster youth: federal benefits
Chapter 465, Statutes of 2007**

1. Requires counties to screen all foster youth who are in foster care and are 16 1/2 years of age to determine their potential eligibility for federal Supplemental Security Income (SSI) benefits and to make an application for the benefits prior to emancipation.
2. Requires counties to move foster youth that receive federal Foster Care benefits in an amount that exceeds the monthly SSI benefit amount onto state Foster Care benefits for one month in order to

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make an application for SSI benefits, subject to approval from the Social Security Administration that the process is consistent with federal law and rules.

Legislative History

Assembly Human Services (7-0)

Senate Human Services (4-1)

Assembly Appropriations (17-0)

Senate Appropriations (10-7)

Assembly Floor (77-2)

Senate Floor (29-11)

Assembly Concurrence (76-0)

**AB 1332 (Evans) – Adoption
Died; held on Assembly Appropriations Suspense file**

Made changes to adoption procedures and the Adoption Assistance Program (AAP):

1. Authorized a presumed father to execute a form waiving his right to notice of an adoption before a representative of a licensed California public or private adoption agency.
2. Required the State Registrar to establish procedures for the issuance of an expedited amended birth certificate within 30 days following an adoption and authorizes a fee to be charged for the issuance of the certificate.
3. Expanded eligibility for AAP benefits to include children between the ages of 18 and 19 years of age who are attending high school, or the equivalent level of vocational or technical training, or pursuing a GED and the child is reasonably expected to complete the program before his or her 19th birthday.

Legislative History

Assembly Human Services (5-1)

Assembly Appropriations (Held on Suspense)

**AB 1453 (Soto) – Foster care: residentially based services
Chapter 466, Statutes of 2007**

Directs the Department of Social Services (DSS) to develop a plan to transform the current statewide system of group homes into a system of residentially based services (RBS) and, in the interim, permits some counties to enter into voluntary agreements with private nonprofit agencies to transform individual group home programs.

1. Defines "residentially based services" as behavioral or therapeutic interventions delivered in non-detention group care settings and specifies that residentially based services are most effective when used as intensive, short-term interventions when children have unmet needs that render them or those around them unsafe or when services cannot be delivered in a child's home or a family setting.
2. Permits counties participating in the federal Title IV-E waiver capped allocation demonstration project, with the approval of DSS, to enter into a voluntary agreement to transform all or part of an existing group home in a RBS program, subject to specified requirements.

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3. Permits DSS to select one or more non-waiver counties to enter into voluntary agreements if one or more waiver counties opt to not enter into voluntary agreements and limits participation to not more than four counties.
4. Permits DSS to approve up to five models of alternative funding for participating counties Permits alternative funding models to include cost reimbursement, case rates, per diem or monthly rates, or combinations thereof, provided the funding model meets specified requirements.

Legislative History

Assembly Human Services (4-0)
Assembly Appropriations (12-5)
Assembly Floor (46-31)
Assembly Concurrence (53-24)

Senate Human Services (4-1)
Senate Appropriations (12-5)
Senate Floor (27-9)

**AB 1462 (Adams) – Foster care institutions
Chapter 65, Statutes of 2007**

1. Permits federal financial participation in specific circumstances for the limited placement of children in for-profit foster care facilities, when the following conditions are met:
 - a) The child has specified extraordinary and unusual special and behavioral and/or medical needs that make the child difficult to place;
 - b) The child has a developmental disability and is eligible for both federal Foster Care payments and for regional center services;
 - c) No other comparable private nonprofit facility or public licensed residential care home exists in the state that is willing to accept the placement and is capable of meeting the child's extraordinary needs; and
 - d) The county placement agency has demonstrated that no other alternative placement option exists for this child.
2. Provides that the for-profit authorization is effective only if and during such federal fiscal year when no restriction, as defined by the department, on federal matching AFDC-FC payment exists.
3. Specifies the conditions under which federal financial participation is available for children placed in for-profit facilities, which must be documented in the county welfare department case file.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (15-0)
Assembly Floor (70-0)
Assembly Concurrence

Senate Human Services (4-0)
Senate Floor (37-0)

**AB 1494 (DeSaulnier) – Foster care: group homes
Vetoed by the Governor**

Expanded the definition of a group home to include the Chris Adams Center, a nondetention licensed residential care home with a capacity of up to 25 beds operated by the County of Contra Costa and authorized the Department of Social Services (DSS) to establish a rate for the facility.

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (13-4)
Assembly Floor (54-22)
Assembly Concurrence (54-23)

Senate Human Services (5-0)
Senate Appropriations (11-6)
Senate Floor (27-12)

**AB 1512 (Torrico) – Medical: Foster children
Chapter 467, Statutes of 2007**

1. Requires expedited disenrollment of a foster child from a County Organized Health System (COHS), when that child has received out-of-county placement (OCP), to allow the child to be enrolled in Medi-Cal fee-for-service or managed care in the county where the child has been placed.
2. Requires that whenever a foster child enrolled in a COHS is placed in an OCP, the placing county has the responsibility to notify the county organized health system of the placing county within one working day of the placement and the county organized health system receiving the notice must, within two working days disenroll the child from its system to allow the child to enroll for Medi-Cal in the receiving county.

Legislative History

Assembly Health (13-2)
Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (79-0)
Assembly Concurrence (74-0)

Senate Health (11-0)
Senate Human Services (5-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (39-0)

**AB 1578 (Leno) – Foster Youth Higher Education Preparation and Support Act of 2007:
California Competitive Grant Program
Died; held on Senate Appropriations Suspense file**

Enacted the "Foster Youth Higher Education Preparation and Support Act of 2007," expanding the higher educational opportunities for foster youth and former foster youth, including the following:

1. Required that Cal Grant B recipients who are current or former foster youth enrolling for the first time in an institution of post secondary education be eligible for payment of tuition and fees in their first academic year of attendance.

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2. Established the California Competitive Grant Program (CCGP) to be administered by the SPI for the purpose of providing comprehensive support on college and university campuses to students who are current or former foster youth and requires that participating campuses receive an annual grant for five years that shall be utilized for the costs of years one to three, and shall be \$40,000 in years four and five.
3. Permitted the administrator of the CCPG to award 50% matching grants to applicants for the purpose of funding the proposed project and requires each project that receives a CCPG grant to provide matching funds from existing funds received from a federal, state, local, or private source or a budget increase in those funds, with preference given to projects that have the strongest demonstrated institutional commitment.
4. Required UC, CSU, and California Community Colleges (CCC) to give student housing priority to current and former foster youth in order to ensure stable housing for these students, and further requires UC, CSU, and CCC to give first priority to foster youth for residence in housing facilities that are open for uninterrupted year-round occupation and secondarily, for housing that is open for occupation during most days throughout the calendar year.

Legislative History

Assembly Human Services (5-0)

Senate Education (9-0)

Assembly Higher Education (6-0)

Senate Appropriations (Held on Suspense)

Assembly appropriations (13-4)

Assembly Floor (75-3)

**AB 1687 (Brownley) – Dependency and delinquency: disclosure of health records
Chapter 552, Statutes of 2007**

Clarifies existing law that authorizes the disclosure of health and mental health records by mental health providers for the purpose of the treatment and coordination of health care for children in foster care.

1. Clarifies that a psychotherapist, as defined in Evidence Code Section 1010, is a provider of health care for the purposes of protecting the confidentiality and disclosure of medical information in the Confidentiality of Medical Information Act (CMIA).
2. Incorporates the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191) regulations which specify the permissive disclosure of health information for the purpose of protecting a serious and imminent threat to the health or safety of a person or the public or to identify.

Legislative History

Assembly Human Services (6-0)

Senate Health (11-0)

Assembly Appropriations (16-0) rec. consent

Senate Appropriations (S. R. 28.8)

Assembly Floor (77-0)

Senate Floor (39-0)

Assembly Concurrence (77-0)

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**AB 2029 (Tran) Dependent children: visitation
Died; held on Senate Appropriations Suspense file**

Authorized any person, including a child who is a dependent of the court, to petition the court for an order visitation between the dependent child and a relative if court determines that it is in the best interest of the child.

Legislative History

Assembly Judiciary (10-0)

Senate Judiciary (5-0)

Assembly Human Services (6-0)

Senate Appropriations (Held on Suspense)

Assembly Appropriations (16-0)

Assembly Floor (78-0)

**AB 2070 (Bass) Foster care: incarcerated parents
Chapter 482, Statutes of 2008**

Increases the time reunification services may be available to parents whose children are dependents of the court in consideration of barriers faced by parents who are incarcerated, institutionalized, or in residential substance abuse treatment to accessing services.

Legislative History

Assembly Human Services (6-0)

Senate Human Services (4-0)

Assembly Judiciary (9-1)

Senate Judiciary (5-0)

Assembly Appropriations (12-5)

Senate Appropriations (13-0)

Assembly Floor (66-8)

Senate Floor (37-0)

Assembly Concurrence (70-4)

**AB 2096 (Bass) Foster children: extracurricular activities
Chapter 483, Statutes of 2008**

Specifies the standard by which group home providers shall decide whether or not to give permission to a child in foster care to participate in extracurricular, enrichment or social activities.

Legislative History

Assembly Human Services 6-0) rec. consent

Senate Human Services (4-0)

Assembly Floor (68-0) rec. consent

Senate Floor (39-0) Spec. Consent

Assembly Concurrence (76-0) Spec. Consent

**AB 2117 (Evans) Dependent children: psychotropic medications
Died; held on Senate Appropriations Suspense file**

Created new safeguards before and after juvenile court judicial officers authorize the administration of psychotropic medications to foster youth.

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Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (13-0)
Assembly Floor (75-3)

Senate Human Services (4-0)
Senate Appropriations (Held)

**AB 2238 (Smyth) Dependent children: out-of-home placements
Died; failed in Assembly Human Services Committee**

Allowed a 17-year-old minor in foster care to enlist in the military with the consent of a foster caregiver or social worker.

Legislative History

Assembly Human Services (2-3)

**AB 2252 (DeSaulnier) Youth policy
Vetoed by the Governor**

Established a state advisory commission on youth, prescribing its membership and duties.

Legislative History

Assembly Human Services (4-2)
Assembly Floor (45-32)
Assembly Concurrence (47-32)

Senate Human Services (4-0)
Senate Appropriations (9-5))
Senate Floor (24-14)

**AB 2310 (Maze) Dependent children
Chapter 131, Statutes of 2008**

Requires county child welfare departments to provide certain information to foster children who have reached the age of majority before the juvenile court terminates jurisdiction over that child. Specifically, requires the county child welfare department to verify in its report to the court that the following information has been provided to the child:

- a) Any known information regarding the child's Indian heritage or tribal connections.
- b) Any photographs of the child or his or her family in the possession of the county welfare department, with the exception of forensic photographs.
- c) A letter with the child's name and birth date, the dates during which the child was in care, and a statement that the child was a foster youth.

Legislative History

Assembly Human Services (6-0) rec. consent
Assembly Judiciary (10-0) rec. consent
Assembly Appropriations (17-0)
Assembly Floor (75-0) consent

Senate Human Services (4-0)
Senate Floor (37-0)

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**AB 2338 (Beall) Foster care placement: children 12 years of age and younger
Died; held on Assembly Appropriations Suspense file**

Limited the circumstances under which children 12 and younger may be placed in group homes or shelters.

Legislative History

Assembly Rules (9-0)
Assembly Human Services (4-0)
Assembly Appropriations (Held on Suspense)

**AB 2341 (Maze) Reunification services
Chapter 457, Statutes of 2008**

Specifies time periods during which children who are dependents of the juvenile court and the parent or guardian(s) from whom they were removed receive services to support their reunification and the limited circumstances under which those services can be terminated during those time periods.

Legislative History

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|--------------------------------|------------------------------|
| Assembly Human Services (6-0) | Senate Human Services (4-0) |
| Assembly Judiciary (10-0) | Senate Judiciary (5-0) |
| Assembly Appropriations (17-0) | Senate Appropriations (15-0) |
| Assembly Floor (77-0) | Senate Floor (35-0) |

**AB 2571 (Sharon Runner) Foster family homes and certified family homes: Investigations
Died; held on Assembly Appropriations Suspense file.**

Required that any report of an investigation of a certified family home or foster family home include, separately for each allegation: (1) a summary of the facts of the allegation; (2) a summary of the evidence obtained supporting and refuting each allegation; (3) a finding, based on the preponderance of the evidence, that the allegation is substantiated, inconclusive, or unfounded; and (4) the detailed reason or reasons for the determination.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (Held on Suspense)

**AB 2575 (Sharon Runner) Child welfare: investigations: audio recording
Died; held on Assembly Appropriations Suspense File.**

Allowed foster caregivers to record specified communications with licensing and child protective services personnel.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

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**AB 2651 (Aghazarian) Foster care, adoption, and dependent children
Chapter 701, Statutes of 2008**

Makes federal conformity changes to various child welfare laws, and ensures the continuation of child welfare federal funding.

Legislative History

| | |
|--------------------------------|------------------------------|
| Assembly Human Services (6-0) | Senate Human Services (4-0) |
| Assembly Judiciary (10-0) | Senate Public Safety (5-0) |
| Assembly Appropriations (17-0) | Senate Appropriations (14-0) |
| Assembly Floor (78-0) | Senate Floor (74-1) |
| Assembly Concurrence (74-1) | |

**AB 2736 (Cook) Indian children: parental rights: tribal customary adoptions
Died; held on Senate Inactive File**

Provided an additional exception to the termination of parental rights for parents of Indian children who have been adjudicated as dependent children of the court.

Legislative History

| | |
|--------------------------------|------------------------------------|
| Assembly Human Services (6-0) | Senate Human Services (4-0) |
| Assembly Judiciary (9-0) | Senate Judiciary (5-0) |
| Assembly Appropriations (17-0) | Senate Appropriations (J. R. 28.8) |
| Assembly Floor (76-0) | Senate Floor (Inactive File) |

**AB 2748 (Soto) Foster care: children: expanded rights
Died; not heard in the Assembly Human Services Committee**

Expanded the rights of children in foster care to include fair, equal, and reasonable access to household amenities, as described, not to be arbitrarily excluded from family activities, to be helped in preserving the child's culture and heritage, and to be provided products and services necessary or appropriate to the child's cultural background, race, or ethnicity. Required the Department of Social Services to adopt regulations consistent with protection of the enumerated rights of children in foster care.

Legislative History

Assembly Human Services (Not Heard.)

**AB 2904 (Hayashi) County child welfare services: mortality review
Chapter 255, Statutes of 2008**

Permits county boards of supervisors to review specified information when foster children die.

Legislative History

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|--|------------------------|
| Assembly Human Judiciary (10-0) rec. consent | Senate Judiciary (5-0) |
| Assembly Human Services (7-0) rec. consent | Senate Floor (35-0) |
| Assembly Floor (76-0) | |
| Assembly Concurrence (77-0) | |

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**AB 3015 (Brownley) - Foster care
Chapter 557, Statutes of 2008**

Requires mandatory trainings of foster care providers to include training on existing laws regarding the safety of foster youth at school, including the California Student Safety and Violence Prevention Act of 2000.

Legislative History

Assembly Human Services (4-1)

Senate Human Services (3-0)

Assembly Appropriations (12-5)

Senate Floor (21-15)

Assembly Floor (48-29)

**AJR 26 (Bass) – United State Census: Foster Child Category
Died; not heard in the Assembly Human Services Committee**

Expressed the Legislature's opposition to the decision of the United States Census Bureau to remove the foster child relationship category from the 2010 United States Census and the American Community Survey, and called on the federal government to recognize the importance of collecting census information relating to foster children.

Legislative History

Assembly Human Services (Not heard)

**SB 39 (Migden) – County welfare agencies and departments: child abuse and neglect files
Chapter 468, Statutes of 2007**

Provides for the release of specified information by county welfare agencies regarding a deceased child where the death is the result of abuse or neglect.

1. Requires that juvenile case files pertaining to a child who has died as a result of abuse or neglect be released to the public either administratively or by the court, as specified.
2. Adds county counsel, city attorney or other attorneys representing the petitioning agency in dependency actions to the list of individuals who may inspect juvenile court files.
3. Requires a county welfare agency, within five days of the death of a child where there is a reasonable suspicion that the child died as a result of abuse or neglect, to disclose, upon request, the age, gender, date of death of the deceased child, whether an investigation is being conducted by law enforcement or the child welfare agency, and whether the child was in foster care or in the home of his or her parent or guardian at the time of death.
4. Requires that, as to deaths occurring after January 1, 2008, if (1) the county child protective services determines that abuse or neglect was substantiated, (2) a law enforcement investigation

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concludes that abuse or neglect occurred, or (3) the coroner or medical examiner concludes that the deceased child had suffered abuse or neglect, specified documents must, upon request, be released upon completion of the child abuse or neglect investigation.

5. Requires each county welfare department to report to DSS on every child fatality occurring within its jurisdiction that was the result of abuse or neglect. Requires DSS to annually issue a report identifying child fatalities and systemic issues or patterns revealed by the fatality information received from the counties

Legislative History

Senate Judiciary (5-0)

Senate Appropriations (16-0) rec. consent

Senate Floor (38-0)

Senate Concurrence (38-0)

Assembly Judiciary (10-0)

Assembly Human Services (7-0)

Assembly Appropriations (16-0) rec. consent

Assembly Floor (73-0)

**SB 703 (Ducheny) – Placement of children
Chapter 583, Statutes of 2007**

1. Conforms various state adoption and child welfare laws to federal law, including the following:
2. Requires that within 60 days after receiving a request from another state to conduct a home study for the purposes of assessing the safety and suitability of placing a child, the child welfare agency shall complete the home study and return a report to the requesting state.
3. Requires the Department of Justice to maintain and disclose California child abuse and neglect registry information to out-of-state agencies responsible for approving prospective foster or adoptive parents or relative caregivers for placement of a child, provided that criminal penalties for unlawful disclosure are equivalent to penalties in California.
4. Requires DSS to develop before June 30, 2008, a comprehensive plan to ensure that 90 percent of foster children are visited by their caseworkers on a monthly basis by October 1, 2011, and that the majority of the visits occur in the residence of the child and include in the plan any data reporting requirements necessary to comply with federal law.
5. Implements the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoptions.

Legislative History

Senate Human Services (5-0)

Senate Judiciary (5-0) rec. consent

Senate Appropriations (16-0)

Senate Floor (40-0)

Senate Concurrence (39-0)

Assembly Human Services (7-0)

Assembly Judiciary (10-0)

Assembly Appropriations (17-0)

Assembly Floor (78-0)

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**SB 720 (Kuehl) – Foster children
Chapter 475, Statutes of 2007**

Makes clarifying changes to recent state law to encourage the joint placement of infants and their teen parent when both are in foster care:

1. Clarifies that an existing foster home, related guardian's home under the Kin-GAP program, or a non-related legal guardian's home where the guardianship was established by the dependency court and not the probate court can become a whole family foster home.
2. Requires that the same payment be made in a whole family foster home for the care and supervision of a child who is living with his or her teen parent as would be made for a child living with his or her teen parent in a group home.
3. Clarifies that a teen parent includes a current or former dependent child who is a parent.

Legislative History

Senate Human Services (5-0)
Senate Appropriations (S.R. 28.8)
Senate Floor (35-0)

Assembly Human Services (7-0) rec. consent
Assembly Appropriations (16-0) rec. consent
Assembly Floor (78-0)

**SB 785 (Steinberg) – Foster children: mental health services
Chapter 469, Statutes of 2007**

Facilitates the access to mental health services for foster children who are placed outside of the original county of jurisdiction, including those being adopted or entering into a guardianship with a relative.

1. Requires the Department of Mental Health (DMH) to facilitate the receipt of medically necessary specialty mental health services by foster children who are placed outside of their county of original jurisdiction.
2. Requires that foster children who become the subject of a legal guardianship or whose adoption has become final, who receive assistance, under the Kin-Gap program or the Kin-Gap Plus program, or the Adoption Assistance Program, and whose foster care court supervision has been terminated, be provided by the local mental health plan in the county of residence of their legal guardian any medically necessary specialty mental health services.
3. Requires the county of origin to retain responsibility for the authorization of services utilizing and expedited Treatment Authorization request (TAR) process.
4. Requires the host county mental health plan be responsible for submitting TARs to the mental health plan in the county of origin and requires the requesting public or private service provider to prepare the TAR.

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Legislative History

Senate Health (10-0)

Senate Human Services (5-0)

Senate Appropriations (16-0)

Senate Floor (36-0)

Senate Concurrence (35-0)

Assembly Human Services (7-0)

Assembly Health (17-0)

Assembly Appropriations (17-0)

Assembly Floor (77-0)

**SB 1380 (Steinberg) Intensive treatment foster care program
Chapter 486, Statutes of 2008**

Expands eligibility and revises operational, reporting and training requirements of Intensive Treatment Foster Care (ITFC) program; and extends rate classification adjustments for certain group home programs.

1. Expands ITFC eligibility, at participating county option, to children with a serious behavioral problem or emotional disturbance who are placed, or assessed to be at imminent risk of being placed, in a group home with a Rate Classification Level (RCL) of 9 through 11, inclusive.
2. Specifies that no more than 1000 children who were in or at imminent risk of placement in group homes with RCLs 9 through 11 may be placed in ITFC programs at the same time from January 1, 2009 through December 31, 2011. This limitation does not apply to children in the Title IV-E waiver demonstration project counties of Alameda and Los Angeles.
3. Requires Foster Family Agencies (FFAs) participating in ITFC to develop a child's needs and services plan and provide the identified services and supports that are allowable under California's foster care program. Requires FFAs to arrange for needed services for which the child meets eligibility criteria for publicly funded programs. Specifies that children who qualify for public mental health services shall have them funded by the Early Periodic Screening, Diagnosis, and Treatment program and other sources.
4. Requires that contracts or memorandums of understanding between FFAs and counties identify how the FFA will develop a service plan approved by the placing agency that assesses the child's needs in "life domains," such as health, education, and social well-being. Changes description of services and supports associated with the plan.
5. Deletes the requirement that FFAs provide therapists for the child, his/her biological parents, and the foster parents. Requires FFAs to arrange for respite care services, rather than provide them directly and changes content of evaluation-related reporting from service-oriented to prior and subsequent placement-related data.
6. Requires that FFAs pay certified foster parents no less than, rather than exactly, \$1,200 per month per child.
7. Changes experience required for ITFC support counselors. Allows waiver of support counselor training requirements under limited circumstances. Redefines alternative services that may be

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provided by FFA instead of in-home counselor supports to include those in the Multidimensional Treatment Foster Care program.

8. Changes distribution of required training hours for certified ITFC foster parents, decreasing the hours required before child placement and increasing the hours required after care begins. Allows the county to waive training requirements upon proof of prior experience.
9. Requires the Department to develop, in collaboration with others, cost reporting, claiming and other procedures to maximize federal financial participation in ITFC.
10. Specifies that no appropriation for public assistance pursuant to Welfare and Institutions Code Section 15200 shall be made for the purposes of this act.
11. Extends adjustment of RCL point ranges for group homes that received Aid to Families with Dependent Children- Foster Care (AFDC-FC) payments, which applied in 2002-03 through 2007-08, to also apply during 2008-09.
12. Makes numerous minor and technical changes.

Legislative History

Senate Human Services (5-0)
Senate Appropriations (13-0)
Senate Floor (35-0)
Senate Concurrence (36-0)

Assembly Human Services (7-0)
Assembly Appropriations (16-0)
Assembly Floor Amends (47-31)
Assembly Floor (61-28)

IN-HOME SUPPORTIVE SERVICES

**AB 182 (Bass) – In-home supportive services: provision of training for providers and recipients
Vetoed by the Governor**

Required that the Department of Social Services (DSS) develop standards and core topics to be used in training provided by public authorities and nonprofit consortia for in-home supportive services providers and recipients.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (12-5)
Assembly Floor (74-3)
Assembly Concurrence (71-5)

Senate Human Services (3-2)
Senate Appropriations (10-7)
Senate Floor (26-14)

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**AB 238 (Beall, Jr.) – In-home supportive services: reading services for blind and visually impaired recipients
Vetoed by the Governor**

Added assistance in reading financial and other documents for blind or visually impaired recipients to the list of supportive services available under the in-home supportive services (IHSS) program.

Legislative History

Assembly Human Services (5-1)

Assembly Appropriations (12-5)

Assembly Floor (48-28)

Senate Human Services (3-2)

Senate Appropriations (9-7)

Senate Floor (22-15)

**AB 459 (Cook) – In-home supportive services: criminal background checks
Died; not heard by the Assembly Human Services Committee**

Authorized criminal background checks of potential in-home supportive services personnel conducted by the Department of Justice or investigative consumer reporting agency, and allowed potential providers or service recipients to be charged for the cost of conducting the investigations.

Legislative History

Assembly Human Services (Not heard)

**AB 836 (Bass) – In-home supportive services providers: pay warrants
Chapter 397, Statutes of 2007**

Requires the State Controller to provide in all payroll warrants issued to in-home supportive services (IHSS) providers between January 1 and April 15 of each year a notice informing providers that they may qualify for the federal Earned Income Tax Credit (EITC).

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (12-3)

Assembly Floor (60-13)

Assembly Concurrence (60-14)

Senate Human Services (4-1)

Senate Appropriations (S.R. 28.8)

Senate Floor (27-9)

**AB 979 (Price) – In-home supportive services: pilot project: provider selection
Vetoed by the Governor**

Required the State Department of Social Services (DSS) to work aggressively to obtain federal funding for all aspects of the in-home supportive services (IHSS) program, including training for providers of services.

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (12-5)

Assembly Floor (62-13)

Senate Human Services (3-2)

Senate Appropriations (9-2)

Senate Floor (24-12)

AB 1386 (Price) – Public social services assistance during health-related and alternative site appointments

Died; held on the Assembly Appropriations Suspense file

Included the amount of time when the provider's presence is needed for travel and the provision of necessary assistance during a medical appointment within the hours authorized for compensation under the in-home supportive services (IHSS) program.

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (Held on Suspense)

AB 1674 (Jones (substituting for Richardson)) – In-home supportive services

Chapter 319, Statutes of 2008

Requires the Department of Social Services to develop and administer a pilot project giving severely impaired recipients who receive IHSS through a public authority a choice of whether to receive services through a nonprofit or proprietary agency.

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (12-5)

Assembly Floor (65-8)

Senate Human Services (3-2)

Senate Appropriations (10-7)

Senate Floor (25-14)

Senate Floor (25-12)

AB 2263 (Caballero) In-Home Supportive Services program: Case Management Information and Payroll System

Died; held on the Senate Appropriations Suspense file.

Required the Case Management Information and Payroll System (CMIPS) to include the "In-Home Supportive Services (IHSS)-Plus Waiver Program (IPW)" and would add to the required characteristics of the CMIPS that it shorten the average time period in which lost or stolen provider checks are reissued.

Legislative History

Assembly Human Services (5-1)

Assembly Appropriations (12-5)

Assembly Floor (47-26)

Senate Human Services (4-0)

Senate Appropriations (Held on Suspense)

AJR 11 (Swanson) - In-Home Supportive Services (IHSS) Plus Waiver

Resolution Chapter 108, Statutes of 2007

Encourages state agencies and the federal government to ensure the renewal and protection of the In-home Supportive Services (IHSS) Plus Waiver program.

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Legislative History

Assembly Human Services (7-0) rec. consent
Assembly Appropriations (17-0) rec. consent
Assembly Floor (76-0)

Senate Human Services (5-0) rec. consent
Senate Appropriations (S. R. 28.8)
Senate Floor (38-0)

**SB 434 (Romero) - In-Home Supportive Service program: provider wages and benefits
Died; held in Senate Rules Committee**

1. Increased the cap on state participation in wage and benefits for in-home supportive services (IHSS) workers from \$12.10 to \$13.35 per hour, with \$0.25 dedicated to increasing funding for health care coverage.
2. Allowed future increases to \$14.35 and \$15.35 per hour in succeeding years when revenue is projected by the Department of Finance in its May Revision to increase by 5% over the prior year.

Legislative History

Senate Human Services (3-2)
Senate Appropriations (S. R. 28.8)
Senate Floor (22-13)
Senate Health Concurrence (7-3)

Assembly Rules (10-0)
Assembly Human Services (5-1)
Assembly Appropriations (13-4)
Assembly Floor Amends (46-29)
Assembly Health (12-4)
Assembly Appropriations 12-4)
Assembly Floor (47-31)

**SB 692 (Ashburn) In-home supportive services: criminal background checks
Chapter 2, Statutes of 2008**

Authorizes a public authority or nonprofit consortium to assist a recipient of care who is not eligible to receive In-Home Supportive Services (IHSS) in obtaining a criminal background check.

1. Authorizes a public authority or nonprofit consortium established to deliver IHSS services to assist an employer, as defined, in obtaining through the Department of Justice (DOJ) a criminal background check of a provider of nonmedical domestic or personal care services upon the employer's request.
2. Defines "employer" for these purposes as an aged or disabled adult, or that adult's authorized representative, who is ineligible for IHSS benefits and receives care by an IHSS provider, as defined.
3. Defines "provider" for these purposes to mean a person who is unlicensed and provides nonmedical domestic or personal care to an aged or disabled adult ineligible to receive IHSS in the adult's own home.
4. Authorizes the public authority or nonprofit consortium to recover the cost of administering the section, including the cost to DOJ for processing the criminal background check, from the individual making the request.

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5. Provides that no General Fund moneys be used to implement the program authorized by the bill.
6. Amends the definition of employer for the purposes of requesting a criminal background check from DOJ to include an aged or disabled adult ineligible for IHSS benefits who receives care by a person who is unlicensed and provides nonmedical domestic or personal care in the home of the aged or disabled adult.

Legislative History

Senate Public Safety (4-0)

Senate Appropriations (S. R. 28.8)

Senate Floor (38-0)

Senate Concurrence (36-0)

Assembly Human Services (6-0)

Assembly Appropriations (16-0)

Assembly Floor (73-0)

**SB 867 (Ridley-Thomas) – As Introduced: In-Home Supportive Services
Amended into different subject matter, author changed (Cedillo), re-referred to Assembly
Committee on Labor and Employment
Vetoed by the Governor**

As introduced, extended to recipients of publicly funded programs who are receiving personal care and in-home services the right to select any qualified person to provide that care. Later amended into unrelated subject.

Legislative History

Senate Health (not relevant)

Senate Human Services (not relevant)

Senate Appropriations (not relevant)

Senate Floor (not relevant)

Senate Concurrence (23-13)

Assembly Health (not relevant)

Assembly Human Services (not relevant)

Assembly Appropriations (not relevant)

Assembly Floor (not relevant)

Assembly Labor & Employment (6-2)

Assembly Floor (47-31)

**SB 868 (Ridley-Thomas) – In-home supportive services: criminal background checks
Chapter 447, Statutes of 2007**

1. Authorizes criminal background checks conducted by the Department of Justice (DOJ) of applicants for the registry of In-Home Supportive Services (IHSS) providers maintained by the county Public Authority, and prohibits assessment of the costs of those checks to IHSS workers or consumers.
2. Authorizes state reimbursement of the nonfederal costs of the background checks when more than half of the list of registry applicants have received a DOJ background check.
3. Requires that a Public Authority deny a request to be placed on the registry when criminal history information reveals conviction of a list of specified crimes, including those involving great bodily harm, fraud or elder abuse.
4. Allows an applicant to contest the information contained within a DOJ criminal history report.

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Legislative History

| | |
|------------------------------|--------------------------------|
| Senate Public Safety (5-0) | Assembly Human Services (6-1) |
| Senate Appropriations (16-0) | Assembly Appropriations (12-4) |
| Senate Floor (38-1) | Assembly Human Services (5-0) |
| Senate Concurrence (24-12) | Assembly Floor (67-10) |

**SB 945 (Padilla) – In-home supportive services: notices of action
Vetoed by the Governor**

1. Permitted an applicant or recipient of in-home supportive services (IHSS) to authorize any person, including a family member or provider, to receive a copy of the notice of action affecting the amount of services to be provided and to request a hearing to challenge any proposed action.
2. Allowed an IHSS provider to be compensated for performing tasks during a state hearing if the tasks are within otherwise authorized hours for the IHSS consumer.

Legislative History

| | |
|------------------------------|--------------------------------|
| Senate Human Services (3-1) | Assembly Human Services (5-2) |
| Senate Appropriations (10-6) | Assembly Appropriations (12-5) |
| Senate Floor (23-13) | Assembly Floor (46-31) |
| Senate Concurrence (24-14) | |

CalWORKs

**AB 22 (Lieber) – CalWORKs: maximum aid determination
Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

Repeals the "maximum family grant" rule denying incremental CalWORKs payments for children born to a family which has received CalWORKs for 10 consecutive months

Legislative History

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| Assembly Human Services (5-0) |
| Assembly Appropriations (Held on Suspense) |

**AB 98 (Niello) – CalWORKs eligibility: work activities
Chapter 589, Statutes of 2007**

1. Requires the Department of Social Services (DSS) to pay 50% of the wage subsidy for programs operated by counties pursuant to private or public subsidized employment programs for CalWORKs welfare-to-work participants, independent of the county allocations for employment services.
2. Limits state participation to county programs providing a maximum of six months of wage subsidies for each participant.

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Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (78-0)
Assembly Concurrence

Senate Human Services (5-0)
Senate Appropriations (16-0)
Senate Floor (26-4)

**AB 167 (Bass) – CalWORKs eligibility; asset limits
Died; held on Senate Appropriations Suspense file**

1. Repealed the existing \$2,000 limit (or \$3,000 for a family with an aged or disabled member) on the value of assets which can be owned by an applicant or recipient of the California Work Opportunity and Responsibility to Kids (CalWORKs).
2. Defined “assets” to include investments that appreciate over time, including but not limited to investments that can be converted into cash, as well as personal or real property that holds monetary value, such as a house, automobile or small business.

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (12-5)
Assembly Floor (47-30)

Senate Human Services (3-2)
Senate Appropriations (Held on Suspense)

**AB 176 (Jones) – CalWORKs: child support
Chapter 488, Statutes of 2007**

Implements child support program options and mandates contained in the federal Deficit Reduction Act of 2005.

1. Requires that Local Child Support Agencies (LCSA) review at least once every three years and, if appropriate, modify child support orders for families receiving CalWORKs benefits.
2. Requires, effective October 12, 2009, that a family no longer be mandated to assign their rights to past-due child support that accrued before receiving cash assistance when they apply for cash assistance.

Legislative History

Assembly Human Services (7-0) rec. consent
Assembly Appropriations (12-5)
Assembly Floor (75-2)
Assembly Concurrence (74-0)

Senate Judiciary (3-2)
Senate Appropriations (9-7)
Senate Floor (26-9)

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**AB 314 (Soto) – CalWORKs: welfare-to-work activities
Vetoed by the Governor**

Permitted structured and monitored study time hours related to vocational training and education to count as a core welfare-to-work activity for up to 12 months in the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (10-5)
Assembly Floor (44-32)
Assembly Concurrence (46-32)

Senate Human Services (3-2)
Senate Appropriations (9-6)
Senate Floor (21-15)

**AB 335 (De Leon) – CalWORKs: homeless assistance
Chapter 726, Statutes of 2007**

Conforms the verification requirement for the domestic violence exception to the once-per-lifetime limit on CalWORKs homeless assistance to the verification provisions of the Family Violence Option.

1. Limits the use of verification by sworn statements for purposes of establishing an exception to the once-per-lifetime limit on homeless assistance to two periods of temporary assistance and two payments for permanent housing assistance.
2. Requires counties who verify domestic violence with a sworn statement to inform the victim of the availability of domestic violence counseling and services, refer her to those services upon her request, and review whether domestic violence services were offered to a recipient who is seeking homeless assistance based upon domestic violence a second or subsequent time.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (12-5)
Assembly Floor (71-6)
Assembly Concurrence (73-1)

Senate Human Services (5-0)
Senate Appropriations (12-5)
Senate Floor (32-6)

**AB 674 (C. Calderon) – CalWORKs: aid payment increase: parental involvement
Died; not heard by the Assembly Human Services Committee**

1. Provided that a family receiving CalWORKs receive an increase of \$50 per year for each child for whom the parent fully complies with the school parental involvement policy set forth federal law, and at a minimum who participates in back-to-school night, open house and parent-teacher conferences.
2. Required that verification of parental participation be provided as part of the quarterly report submitted by each CalWORKs family.

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Legislative History

Assembly Human Services (Not heard)

**AB 1062 (Ma) – As introduced: CalWORKs: work support pilot project
Chapter 653, Statutes of 2008.**

**Amended into different subject matter, re-referred to Senate Committee on Environmental
Quality**

As introduced, required the Department of Social Services to establish a three-year work support pilot project in consenting counties to alleviate housing instability for the California Work Opportunity and Responsibility to Kids (CalWORKs) families. Later amended to unrelated subject.

Legislative History

Assembly Human Services (5-0) (not relevant)

Senate Human Services (3-2) (not relevant)

Assembly Appropriations (17-0) (not relevant)

Senate Appropriations (Held on Suspend)

Assembly Floor (77-0) (not relevant)

**AB 1078 (Lieber) – CalWORKs: eligibility: income and assets
Chapter 622, Statutes of 2007**

Adopts several measures to promote earnings and assets of CalWORKs recipients:

1. Sets forth legislative intent to maximize the ability of CalWORKs recipients in specified welfare-to-work activities to benefit from the federal EITC, and to educate and empower CalWORKs recipients to use their credits to build their assets and savings.
2. Repeals the existing \$5,000 limit on the amount of funds which can be placed in a restricted account owned by a CalWORKs family.
3. Excludes the principal and interest in specified retirement accounts for applicants as well as for recipients of CalWORKs.
4. Specifies that the agreement between a county and participant in grant-based on-the-job training activities include information related to the EITC, food stamp and social security benefits.
5. Includes the percentage of CalWORKs cases with earned income equaling or exceeding the maximum EITC level among the measures for which ranking in the top 20% of counties permits counties to earn incentive payments under the pay for performance program, subject to a Department of Social Services (DSS) determination that implementation will not create a substantial risk of the state's failure to meet federal work participation requirements.

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Legislative History

Assembly Human Services (5-1)

Assembly Revenue & Taxation (6-2)

Assembly Appropriations (12-5)

Assembly Floor (47-32)

Assembly Concurrence (47-30)

Senate Human Services (3-2)

Senate Appropriations (10-7)

Senate Floor (23-17)

**AB 2389 - (Benoit) CalWORKs eligibility: drug testing
Died; failed passage in Assembly Human Services Committee**

Required random drug testing of all CalWORKs recipients and denied aid if the recipient refuses to attend or fails a one-year mandated drug treatment program.

Legislative History

Assembly Human Services (2-5) failed passage

**AB 2480 - (Sharon Runner) CalWORKs eligibility: asset limits: vehicles
Died; failed passage in Assembly Human Services Committee**

Expanded the vehicle asset test to include leased vehicles, as specified, when determining CalWORKs eligibility.

Legislative History

Assembly Human Services (2-5) failed passage

**AB 2844 - (Laird) Public social services: CalWORKs and the Food Stamp Program:
redetermination and recertification
Vetoed by the Governor**

Required semi-annual redeterminations of eligibility and benefit amounts for CalWORKs and food stamps based upon semi-annual reports of income and circumstances of recipient households.

Legislative History

Assembly Human Services (4-2)

Assembly Appropriations (12-5)

Assembly Floor (50-28)

Assembly Concurrence (47-28)

Senate Human Services (4-0)

Senate Appropriations (9-6)

Senate Floor (23-11)

**AJR 4 (Beall, Jr.) – Temporary Assistance for Needy Families: child support: Deficit Reduction
Act of 2005
Resolution Chapter 123, Statutes of 2007**

Urges the United States Congress and President to revise and repeal elements of the Deficit Reduction Act of 2005 (DRA) affecting the California Work Opportunity and Responsibility to Kids (CalWORKs) and child support programs, specifically to amend the act as follows:

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1. Modify work participation rules to give credit for partial participation by persons with disabilities, allow credit for vocation training and education programs and allow credit for blended activities including barrier removal as part of an employment program;
2. Replace the caseload reduction credit with one based upon adults leaving aid with employment, eliminate the separate work participation rate for two-parent households and simplify the tracking, recording and reporting of work activities; and,
3. Repeal the prohibition on states' claiming federal matching funds for child support activities paid with performance incentives and repeal the imposition of an annual fee for each family not assisted by the Temporary Assistance for Needy Families (TANF) block grant.

Legislative History

Assembly Human Services (5-1)
Assembly Floor (45-30)
Assembly Concurrence (46-29)

Senate Human Services (3-2)
Senate Floor (24-15)

**SB 42 (Torlakson) – CalWORKs
Died; placed on the Assembly Inactive File**

Allowed persons who have applied for but not yet been accepted in a qualifying degree or certificate program to be considered "enrolled" for purposes of participation in a CalWORKs self-initiated welfare-to-work program.

1. Defined "enrolled" to include a person who has submitted a timely application for a qualifying program to an undergraduate degree or certificate program and is awaiting but has not yet received an acceptance.
2. Required a person to participate in welfare-to-work activities as otherwise required while awaiting acceptance to a qualifying program.

Legislative History

Senate Human Services (3-1)
Senate Appropriations (10-3)
Senate Floor (27-11)

Assembly Human Services (4-1)
Assembly Appropriations (12-5)
Assembly Floor (Placed on Inactive)

**SB 179 (Ashburn) – CalWORKs: reporting requirements
Died; not heard in Assembly Human Services Committee**

Adopted semi-annual reporting for CalWORKs and food stamps, replacing the existing quarterly reporting system, and incorporating a "change reporting" requirement mandating families to report when their income increases or decreases by an unspecified amount during the reporting period.

Legislative History

Senate Human Services (5-0)
Senate Appropriations (11-4)
Senate Floor (31-7)

Assembly Human Services (Not heard)

**SB 1341 - (Padilla) CalWORKs personal property retention
Chapter 485, Statutes of 2008**

Permits current families participating in the California Work Opportunity & Responsibility to Kids program (CalWORKs) to utilize money within "restricted savings accounts" (Restricted Accounts) to avoid homelessness situations. Specifically, expands the definition of what is a qualified expenditure for funds deposited into Restricted Accounts by including costs associated with securing permanent rental housing or making rent payments to overcome an episode of homelessness.

Legislative History

Senate Human Services (3-2)
Senate Appropriations(9-7)
Senate Floor (24-13)
Senate Concurrence (23-14)

Assembly Human Services (5-2)
Assembly Appropriations (12-5)
Assembly Floor (47-31)

DEVELOPMENTAL DISABILITIES

**AB 825 (Silva) – Persons with developmental disabilities: disclosure of information
Died; not heard in Assembly Human Services Committee**

Permitted regional centers and state developmental centers to disclose information and records to a school district or county office of education.

Legislative History

Assembly Human Services (Not heard)

**AB 1031 (Levine) – Developmental services
Died; held in Assembly Appropriations Committee**

Created an accessible and affordable housing program for the development of community-based housing for persons with developmental disabilities.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (Held in Comm.)

**AB 1128 (Evans) Developmental services: Blue-Ribbon Commission
Died; not heard in Assembly Human Services Committee**

Established the Lanterman Developmental Disabilities Services Act Working Group to review, study and investigate updating the Lanterman Act, and to make recommendations to improve that act the Legislature by one year after the first meeting of the working group or June 30, 2009, whichever occurs first.

Legislative History

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Assembly Human Services (Not heard)

**AB 1184 (Lieber) – Closure of Agnews Developmental Center: advisory tax force
Vetoed by the Governor**

Required the Department of Developmental Services (DDS) to establish a task force to monitor community placements of former residents of Agnews Developmental Center (Agnews).

1. Required DDS to establish the Agnews Transition Advisory Task Force (task force) composed of family members of consumers who reside in Agnews and consumers who reside or formerly resided at Agnews.
2. Required the task force to provide the DDS Director and the regional centers recommendations to enhance the provision of services and supports for transitioned consumers.
3. Established the task force as part of the Bay Area Quality Management System.

Legislative History

Assembly Human Services (6-0)

Senate Human Services (5-0)

Assembly Appropriations (12-5)

Senate Appropriations (9-5)

Assembly Floor (48-31)

Senate Floor (25-15)

Assembly Concurrence (47-29)

**AB 1192 (Evans) - Developmental services: consumer abuse registry
Vetoed by the Governor**

Required regional centers and community care facilities to report evidence of abuse of persons with developmental disabilities by a provider of services to a department designated by the Health and Human Services Agency ("designated department") which must develop a registry to maintain substantiated histories of abuse. (See also, AB 1983 (Evans).)

Legislative History

Assembly Human Services (6-0)

Senate Human Services (5-0)

Assembly Appropriations (12-5)

Senate Judiciary (5-0)

Assembly Floor (74-1)

Senate Appropriations (17-0)

Assembly Concurrence (76-0)

Senate Floor (33-0)

**AB 1402 (Evans) – Individual program plan meetings: recordation: appeals procedure
information
Chapter 512, Statutes of 2007**

1. Permits the recording of Individual Program Plan (IPP) meetings upon request by a consumer and requires that regional centers (RCs) and vendors post an Internet Web link to the Department of Developmental Services' (DDS) Web page on appeal information.
2. Permits a RC to electronically record an IPP meeting when a notice of intent to record has been given by the consumer or on the consumer's behalf.

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3. Requires consumers be notified orally and in writing, upon request, a service agency's mediation and fair hearing procedure.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (16-0)
Assembly Floor (75-2)
Assembly Concurrence (76-0)

Senate Human Services (3-2)
Senate Judiciary (3-2)
Senate Appropriations (S.R. 28.8)
Senate Floor (27-13)

**AB 1427 (Krekorian) – Developmental services: training pilot program
Vetoed by the Governor**

Created a developmental services training pilot program to improve the use of recognized training resources for direct support workers in consumer-directed developmental services.

1. Permitted the Department of Developmental Services (DDS) to select up to six regional centers to participate in the pilot program.
2. Required DDS to award, upon recommendation of a participating regional center, a rate augmentation to an eligible agency for specified services when the agency achieves the required benchmarks.
3. Required reimbursement rates for regional centers in the pilot project be increased for supported living, independent living, supported employment, in home-respite, and day services, if the services are community integrated services.
4. Required participating regional centers to distribute authorized rate augmentations to qualifying agencies to fund the costs of training implementation, administration, and compensation enhancements to reward and retain trained, qualified workers when the agency meets the specified benchmarks.
5. Required DDS to augment the rates for qualifying services by specified percentages within the pilot project, upon recommendation of participating regional centers, for meeting specific training benchmarks.

Legislative History

Assembly Human Services (5-1)
Assembly Appropriations (9-5)
Assembly Floor (41-32)
Assembly Concurrence (42-32)

Senate Human Services (3-2)
Senate Appropriations (9-7)
Senate Floor (21-13)

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**AB 1872 (Coto) Special education: autism spectrum disorders: clearinghouse
Vetoed by the Governor**

Established the California Autism Spectrum Disorder Clearinghouse within the Department of Education (DOE) to provide evidence-based and recommended information and practices regarding the education of pupils with autism spectrum disorders (ASD).

Legislative History

Assembly Education (10-0)

Assembly Human Services (6-0)

Assembly Appropriations (13-0)

Assembly Floor (75-2)

Assembly Concurrence (74-0)

Senate Education (9-0)

Senate Appropriations (14-0)

Senate Floor (32-0)

**AB 1983 (Evans) Developmental services: consumer abuse registry
Died; held on Assembly Appropriations Suspense file.**

Required regional centers and providers of community services to report evidence of consumer abuse to the Department of Developmental Services (DDS) and develop a registry identifying providers or others with histories substantiated reports of abuse.

Legislative History

Assembly Human Services (6-0)

Assembly Health (15-1)

Assembly Appropriations (Held on suspense)

**AB 2038 (Lieber) Persons with disabilities: victims of crime
Died; held on Senate Appropriations Suspense file**

Changed terminology, and reorganized and renumbered code sections. Revised and added myriad provisions related to victims of crimes with disabilities, including provisions related to peace officer training courses, reporting requirements, warrantless arrests, caregiver background checks, advisory committees, victim-witness assistance programs, sentencing, hate crimes, and state agency responsibilities.

Legislative History

Assembly Public Safety (5-1)

Assembly Human Services (6-1)

Assembly Appropriations (12-5)

Assembly Floor (49-27)

Senate Human Services (4-0)

Senate Appropriations (Held on suspense)

**AB 2424 (Beall) Persons with developmental disabilities: IPP process and employment
Died; held on Senate Appropriations Suspense file**

Established an Employment Opportunities Initiative (EOI) and made modifications to the regional center Individual Program Plan (IPP) process to enhance opportunities for integrated work and other integrated activities for people with developmental disabilities.

1. Established an EOI intended to result in a significant increase in the number of Californians with developmental disabilities who are productive, tax-paying, more self-sufficient, and more involved in their communities.
2. Required that, in support of the EOI, for consumers over age 16, at least general information must be provided to the consumer about: a) maintaining benefits with employment; b) integrated adult activities, including employment, postsecondary education and vocational education; c) and, inclusive living options. The consumer must also be informed that any of these topics may be discussed and evaluated further, based on the consumer's needs, interests, and preferences.
3. Required, when the consumer's primary language is not English, that regional centers shall take appropriate steps to ensure that the consumer is able to actively participate in the IPP process and that they understand the contents of the IPP.
4. Required the IPP team to consider opportunities to live, work, and participate in inclusive and integrated settings, without regard to current availability of the services and supports needed to effectuate those opportunities and to document that the information was discussed with the consumer.
5. Required that IPP teams consider segregated, disability-only services only after consideration of integrated options for which the individual is eligible and, if integrated services are not currently available, that the team identify steps that may be taken to obtain those services.

Legislative History

Assembly Education (7-0)

Assembly Human Services (4-2)

Assembly Appropriations (12-5)

Assembly Floor 49-24)

Senate Human Services (4-0)

Senate Appropriations (Held on suspense)

**AB 2891 (Levine and Beall) Developmental services
Died; held on Assembly Appropriations Suspense file.**

Created an accessible and affordable housing program for the development of community-based housing for persons with developmental disabilities.

1. Established the Lanterman Accessible and Affordable Housing Program requiring the Department of Developmental Services (DDS) to:

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- a) Set aside funds, upon appropriation by the Legislature, that remain unspent in the regional center purchase of services budget;
 - b) Use appropriated funds to invest in accessible and affordable residential resources for persons with developmental disabilities;
 - c) Adopt regulations specifying standards for issuing grants for the purchase of housing that require grantees to maintain and insure the property, including appropriate deed restrictions; placing consumers into financed property and providing services and supports; and setting forth rights of consumers.
 - d) Establish regional center contract controls regarding the award of grants, placement of consumers, provision of necessary services and supports, and the regional center's role in ensuring that the property grantee complies with his or her duties to maintain and insure the premises.
2. Required DDS to ensure that rents for residential properties shall not exceed 30% of the consumer's income and that the remaining sharing ratio of the rent, if any, between the state and the grantee is specified.
 3. Created the Lanterman Accessible and Affordable Housing Fund in the state treasury to include all moneys appropriated by the Legislature for accessible and affordable housing for consumers and to permit DDS to use the funds to make grants for the purchase of housing and employ professionals to assist in the management of the program, as specified in regulations.
 4. Created the Lanterman Accessible and Affordable Housing Advisory Committee to advise DDS on program priorities and specifies the members of the committee which includes persons with developmental disabilities and their relatives and families, major stakeholder agencies, and persons with experience in trust fund or large foundation management, real estate law, property management, and housing policy.

Legislative History

Assembly Human Services (4-2)

Assembly Appropriations (Held on suspense)

SB 292 (Wiggins) Seriously emotionally disturbed children: out-of-home placement

Held on Assembly Third Reading file

The provisions of this bill were amended into AB 1805 (Committee on Budget), which was vetoed by the Governor.

Authorized payments for care and supervision of a child classified as seriously emotionally disturbed and placed out-of-home in an out-of-state, for-profit residential facility pursuant to special education provisions.

1. Authorized payments to out-of-state, for-profit residential facilities that meet applicable licensing requirements in the state in which they are located for 24-hour, out-of-home care of a seriously emotionally disturbed child placed there pursuant to an Individualized Education Program (IEP) IF:

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- a) The county or Local Education Agency (LEA) has placed the child in the for-profit facility after dispute (due process) proceedings were initiated, and either:
 - i) A hearing officer issued a decision including a finding that, after a thorough search, no other comparable nonprofit or public facility was identified that is willing to accept placement and capable of providing an appropriate education; or
 - ii) A written mediation or settlement agreement was reached and includes documentation that after a thorough search no other comparable nonprofit or public facility was identified that is willing to accept placement and capable of providing an appropriate education; OR
 - b) The IEP team agreed, and the placement was made, after a thorough search in which no other comparable nonprofit or public facility was identified that is willing to accept placement and capable of providing an appropriate education. The agencies responsible for the child's placement shall document their search efforts and the reasons that no other placement option can be identified.
2. Specified that the provisions described above are not intended to change existing procedures, protections or requirements regarding the placement of children in out-of-state facilities.
 3. Required the Department of Mental Health (DMH) and the Department of Education to annually provide information regarding placements that may be affected by the above provisions to Senate and Assembly budget committees, including:
 - a) The number of in-state and out-of-state placements of children with serious emotional disturbances in nonprofit and for-profit residential facilities;
 - b) The average lengths of stay of those children in each type of facility; and
 - c) The number of those children who were dependents, wards or voluntarily placed in foster care at the time of their placement pursuant to an IEP.
 4. Deemed allowable mental health treatment and out-of-home care expenses for 24-hour care of a child classified as seriously emotionally disturbed and placed out-of-state in a for-profit residential facility as reimbursable to counties for time on or before January 1, 2009. Specifies that the state Controller may still dispute whether claims for costs exceed what is allowable.

Legislative History

Senate N. R. & W. (vote not relevant)
Senate Appropriations (vote not relevant)
Senate V. A. (vote not relevant)

Assembly Human Services (7-0)
Assembly Education (11-0)
Assembly Floor (Held on 3rd reading)

**SB 527 (Steinberg) Autism Spectrum Disorders: screening
Vetoed by the Governor**

Established a pilot program to identify best practices for early screening, diagnosis, referral, and treatment of children with Autism Spectrum Disorders.

Legislative History

| | |
|-----------------------------|--------------------------------|
| Senate Health (8-3) | Assembly Health (15-0) |
| Senate Appropriations (9-0) | Assembly Human Services (7-0) |
| Senate Floor (25-10) | Assembly Appropriations (13-3) |
| Senate Concurrence (27-9) | Assembly Floor (73-0) |

**SB 725 (Alquist) – Agnews Developmental Center closure: outpatient clinic
Died; held on Assembly Appropriations Suspense file**

Required the Department of Developmental Services (DDS) to continue the operation of the outpatient clinic at the Agnews Developmental Center (Agnews) until DDS no longer manages the property or there is an approved relocation of the services.

Legislative History

| | |
|----------------------|--|
| Senate Health (6-0) | Assembly Human Services (6-1) |
| Senate Floor (24-11) | Assembly Health (12-5) |
| | Assembly Appropriations (Held on Suspense) |

**SB 1175 - (Steinberg) Developmental services: regional center housing
Chapter 617, Statutes of 2008**

Authorizes the Department of Developmental Services (DDS) to approve regional center proposals for leasing housing for people with developmental disabilities under specified conditions, and adds these and other residential facilities for people with developmental disabilities to the definition of facilities that can be financed by the California Health Facilities Financing Authority.

Legislative History

| | |
|------------------------------|--------------------------------|
| Senate Human Services (5-0) | Assembly Human Services (7-0) |
| Senate Appropriations (14-0) | Assembly Appropriations (12-5) |
| Senate Floor (35-0) | Assembly Floor (75-3) |
| Senate Concurrence (33-5) | |

**SB 1183 - (Wiggins) Developmental disabilities: health services: Sonoma Developmental Center
Died; held on Assembly Appropriations Suspense file.**

Required the Department of Developmental Services to provide health-related and other ancillary services through an outpatient clinic operated by Sonoma Developmental Center.

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Legislative History

Senate Human Services (3-2)
Senate Appropriations (8-4)
Senate Floor (25-14)

Assembly Human Services (5-2)
Assembly Appropriations (Held on Suspense)

**SB 1475 (Torlakson) Autism pilot project
Vetoed by the Governor**

Established a 2-year pilot project to improve transition of children with autism from regional centers to programs provided by school districts.

Legislative History

Senate Human Services (3-2)
Senate Appropriations (8-4)
Senate Floor (28-8)
Senate Concurrence (29-8)

Assembly Human Services (6-1)
Assembly Appropriations (12-4)
Assembly Floor (55-18)

**SB 1687 (Negrete-McLeod) State contracts: participation on goals: persons with developmental disabilities business enterprises
Died; held on Assembly Appropriations Suspense file.**

1. Created the Persons with Developmental Disabilities Business Enterprise Program (PDDBE) and required that state agencies take all practical actions to encourage the awarding of contracts for goods and services to persons with developmental disabilities business enterprises.
2. Defined a PDDBE as one that is either at least 51% owned by one or more persons with developmental disabilities; managed by, and the daily business operations controlled by, one or more persons with developmental disabilities; or a community-based nonprofit organization that employs persons with developmental disabilities.
3. Required the Department of General Services to report annually to the governor and Legislature on the levels of participation of PDDBEs in state contracts.

Legislative History

Senate G. O. (9-1)
Senate Appropriations (9-3)
Senate Floor (26-13)

Assembly Human Services (6-0)
Assembly J., E. D. & E. (7-0)
Assembly Appropriations (Held on Suspense)

**SB 1774 (Corbett) State Council on Developmental Disabilities
Chapter 419, Statutes of 2008**

Changes the composition of the State Council on Developmental Disabilities (State Council).

1. Increases the number of voting members of the State Council from 29 to 31 by:

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- a) Increasing from 2 to 3 the representatives from the university centers for excellence in developmental disabilities education, research and service (UCEDDs); and,
 - b) Increasing by one the number of appointees who must be individuals with a developmental disability.
2. Authorizes the heads of state departments and agencies to designate their State Council representative.

Legislative History

Senate Human Services (5-0)
Senate Floor (38-0)

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (76-0)

COMMUNITY CARE LICENSING

**AB 277 (Soto) – Foster care: foster family home licensing
Vetoed by the Governor**

Specified requirements for foster caregiver training programs:

1. Increased from 8 to 12 the annual number of post-placement training hours that a foster parent must complete to retain eligibility for foster child placements.
2. Specified that the post-placement annual training include courses that cover the dependency court process, the participation of foster children and foster parents in the court process, permanency options for foster children; and supports available to foster parents that provide permanent placements for foster children.
3. Specified that each community college district with a foster care education program make available orientation and training programs for relatives and non-relative extended family members that cover the dependency court process and participation by foster children and foster parents in the court process

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (79-0)
Assembly Concurrence (77-0)

Senate Human Services (5-0)
Senate Appropriations (10-0)
Senate Floor (36-3)

**AB 304 (Huff) – Community care facilities: disaster and mass casualty plans
Chapter 18, Statutes of 2007**

Requires licensed community care facilities and residential care facilities for the elderly to provide upon request a copy of their disaster and mass casualty plans to fire, police and disaster authorities in the area.

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Legislative History

Assembly Human Services (7-0)
Assembly Floor (74-0)
Assembly Concurrence (78-0)

Senate Human Services (4-0)
Senate Floor (38-0)

**AB 370 (Adams) – Sex offenders: residency restrictions
Died; held in Assembly Appropriations Suspense file**

Permitted a city or county to prohibit a registered sex offender released on parole from residing with any other person on parole in a licensed residential facility serving six or fewer residents, unless the other resident is related by blood, marriage or adoption.

Legislative History

Assembly Human Services (4-3)
Assembly Public Safety (4-1)
Assembly Appropriations (Held on Suspense)

**AB 411 (Emmerson) – Residential care facilities: overconcentration
Died; held on Assembly Appropriations Suspense file**

Permitted a city or county to submit to the Department of Social Services additional evidence, including a listing of other residential care facilities or land uses in the immediate vicinity, regarding the siting of a proposed residential care facility designed for six or fewer residents.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

**AB 978 (Benoit) – Care facilities
Chapter 291, Statutes of 2008**

Strengthens the enforcement methods for violations of serious health and safety violations for vulnerable persons who utilize Community Care Facilities or Child Day Care Facilities. Defines serious violations subject to a penalty of \$150 per day to include fire clearance, absence of supervision, accessible bodies of water, accessible firearms and ammunition, and presence of an excluded person on the premises.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (77-0)
Assembly Concurrence (77-0)

Senate Human Services (5-0)
Senate Appropriations (16-1)
Senate Floor (33-1)

**AB 1558 (Soto) – Community care facilities: licenses information system
Died; not heard in Assembly Human Services Committee**

1. Required the Director of the Department of Social Services (DSS) to update and maintain the automated community care license data system containing prescribed information about licensees, including inspections, complaints and violations.
2. Required DSS to make public information contained in the system to the public by prescribed dates, depending upon the type of care facility and format of the data, and to report to the Legislature annually.

Legislative History

Assembly Human Services (Not heard)

**AB 1875 (Huff) Residential care facilities: overconcentration: licensure applications: local notification
Died; held in Assembly Human Services Committee**

Changed the definition of "overconcentration" to mean that a new license may not be issued for a residential care facility if it is located within 1,000 feet of another residential care facility. Required that notification to a city or county planning agency, by the state or county licensing agency, of an application for a new residential care facility be provided by certified mail.

Legislative History

Assembly Human Services (Held under submission)

**AB 2598 (Leno) Residential care facilities for the elderly: rent
Died; held on Assembly Third reading.**

Authorized local government entities to impose rent controls upon residential care facilities for the elderly (RCFEs).

1. Authorized the governing body of a city, county, or city and county to impose, by ordinance, controls on rent upon RCFEs.
2. Defined rent as the portion of the fee charged to RCFE residents that is consideration for the use or occupancy of the facility, including monies paid for housing services, as defined.
3. Defined "housing services" as including, but not limited to, repairs, maintenance, painting, light, heat, water, elevator service, laundry facilities and privileges, janitor services, refuse removal, furnishings, telephone, parking, food services, and any other benefits, privileges or facilities.
4. Excluded from the definition of rent payment for the care, supervision, protective supervision, personal care, special food services or products, or health-related services provided to residents.

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5. Authorized a local governing body that imposes rent controls on RCFEs to also require the facility to:
 - a) Inform each resident, or his or her representative, of the amount of the monthly fee that is attributable to rent; and,
 - b) Provide each resident, or his or her representative, with a monthly written statement that specifies the amount of rent.

Legislative History

Assembly Human Services (5-2)
Assembly Floor (Held on 3rd reading)

**AB 2978 (Soto) Residential care facilities: overconcentration
Died; not heard in Assembly Human Services Committee**

Expanded the definition of "overconcentrations" of licensed residential facilities to include residential care facilities for the chronically ill and residential care facilities for the elderly, which are excluded from overconcentration provisions under current law.

Legislative History

Assembly Human Services (Not heard)

**SB 104 (Machado) – Crisis nurseries
Chapter 288, Statutes of 2007**

1. Extends the sunset for the authorization for the licensure and regulation of crisis nurseries from January 1, 2008, to July 1, 2011.
2. Requires licensed crisis nurseries that accept children placed directly by county child welfare agencies to annually provide a summary written report to the Department of Social Services (DSS) indicating the total number of children placed in the crisis nursery by the county child welfare agency, the length of stay and age for each child, and the reasons given by the county for the use of the crisis nursery for these children.
3. Requires county child welfare agencies to inform the crisis nursery of the reason for the selection of the crisis nursery as the placement choice when placing a child in a crisis nursery.

Legislative History

Senate Human Services (5-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (36-0)
Senate Concurrence (38-0)

Assembly Human Services (6-0)
Assembly Appropriations (16-0)
Assembly Floor (77-0)

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**SB 776 (Vincent) – Community care facilities: criminal history clearance
Chapter 580, Statutes of 2007**

Permits county child welfare agencies to exchange criminal record clearances when a child in foster care moves with a relative from one county to another.

1. Permits the Department of Social Services (DSS) and any county office with licensing authority delegated by DSS to accept a criminal record clearance or exemption from each other with respect to relatives and non-relative extended family members who provide foster care, and authorizes any county office with DSS-delegated licensing authority to accept a criminal record clearance or exemption from another such county office.
2. Provides that when a relative who has been assessed and approved as a caregiver moves to a different county and continued placement of the child with that person is intended, the move shall be considered an emergency situation.

Legislative History

Senate Human Services (5-0)

Senate Public Safety (5-0)

Senate Appropriations (S. R. 28.8)

Senate Floor (38-0)

Senate Concurrence (38-0)

Assembly Human Services (6-0)

Assembly Appropriations (16-0)

Assembly Floor (74-0)

HUMAN SERVICES ADMINISTRATION

**AB 56 (Ma) – Secretary for Poverty
Died; held on Assembly Appropriations Suspense file**

1. Created a cabinet level position of Secretary of Poverty, appointed by the Governor, responsible for reviewing the work of state agencies that administer antipoverty programs.
2. Required the Secretary to submit a report on the results of the review to the Legislature and Governor, and report to the Legislature on a regular basis regarding pending bills that may impact programs for the working poor.

Legislative History

Assembly Human Services (5-1)

Assembly Appropriations (Held on suspense)

**AB 315 (Berg) – Integrated health and human services programs
Chapter 264, Statutes of 2007**

Repeals the sunset on demonstration programs in Humboldt, Mendocino and Alameda counties to fund and deliver services and benefits through an integrated and comprehensive county health and human services system.

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Legislative History

| | |
|---|------------------------------------|
| Assembly Human Services (7-0) rec. consent | Senate Human Services (10-0) |
| Assembly Appropriations (16-0) rec. consent | Senate Appropriations (S. R. 28.8) |
| Assembly Floor (74-0) | Senate Floor (35-1) |

**AB 921 (Krekorian) – Public social services: hearings
Chapter 502, Statutes of 2007**

1. Permits hearing and rehearing requests as to cases for which the Department of Social Services (DSS) conducts administrative hearings beyond the specified time periods when there is a lack of notice of the decision or if good cause otherwise exists.
2. Deletes the provision automatically denying a request for rehearing if not acted upon within 15 days of the request, instead requiring the director to act upon a request within 35 days.
3. Defines good cause, allows it to be claimed for late filing within 180 days of the date of the action or decision of the director of DSS and authorizes the director to make determination in individual cases.

Legislative History

| | |
|--------------------------------|-----------------------------|
| Assembly Human Services (6-1) | Senate Human Services (3-2) |
| Assembly Appropriations (12-5) | Senate Appropriations (9-7) |
| Assembly Floor (56-23) | Senate Floor (24-16) |
| Assembly Concurrence (55-22) | |

**AB 959 (Soto) – Blind Vendor Revolving Loan Fund
Chapter 687, Statutes of 2007**

1. Requires the Department of Rehabilitation (DOR) to serve as a state loan guarantee agency for the Blind Vendor Revolving Loan Fund (BVRLF).
2. Renames the BVRLF as the BEP Vendor Loan Interest Rate Buy-Down Fund (Fund).
3. Requires that the issuance of moneys from the Fund be contingent upon the vendor's good standing in the Business Enterprise Program and a determination that DOR has not paid interest on any other loan obtained by the vendor.
4. Limits the amount that may be paid to a lender from the Fund on behalf of a vendor to no more than \$5,000.00 to reduce the fair market value interest rate by up to 3 percent.
5. Requires that, in the event of a default by the vendor, a lender reimburse the Fund for the Fund's share of any interest that has not yet accrued at the time of a default.

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Legislative History

| | |
|---|------------------------------|
| Assembly Human Services (7-0) rec. consent | Senate Human Services (5-0) |
| Assembly Appropriations (16-0) rec. consent | Senate Appropriations (13-0) |
| Assembly Floor (73-0) | Senate Floor (38-0) |
| Assembly Concurrence (67-11) | |

**AB 1118 (Jones) – Childhood poverty
Died; held on Assembly Appropriations Suspense file**

Established state goals of reducing child poverty in half within 10 years and eliminating it entirely within 20 years and establishes a Child Poverty Council to develop a plan to achieve the goals.

Legislative History

Assembly Human Services (5-1)
Assembly Appropriations (Held on Suspense)

**AB 1824 (Beall) – Regional centers: employee liability
Chapter 51, Statutes of 2008**

Repeals the January 1, 2009 sunset on provision providing qualified immunity to employees of regional centers for civil damages.

Legislative History

| | |
|-------------------------------|------------------------|
| Assembly Judiciary 10-0) | Senate Judiciary (5-0) |
| Assembly Human Services (6-0) | Senate Floor (35-0) |
| Assembly Floor (68-0) | |

**AB 2352 (Fuentes) Health services: confidential information
Chapter 700, Statutes of 2008**

1. Amends the Lanterman-Petris-Short Act to provide that information and records obtained in the course of providing mental health or developmental disability services may be disclosed to a county social worker, probation officer, or another person who is legally authorized to have custody or care of a minor for the purpose of coordinating health care and medical treatment, mental health, or developmental disability-related services;
2. Specifies that its provisions are not intended to compel physicians, nurses, attorneys and other professionals to disclose information given to them in confidence by the minor's family members;
3. Prohibits the further disclosure of information by the recipient, except to coordinate those services or to individuals who would otherwise be able to obtain the information; and
4. Specifies that information disclosed pursuant to its provisions may not be admitted into evidence in any criminal or delinquency proceeding against the minor.

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Legislative History

Assembly Human Services (6-0)
Assembly Judiciary (10-0)
Assembly Appropriations (17-0)
Assembly Floor (68-0)
Assembly Concurrence (77-0)

Senate Health (11-0)
Senate Judiciary (5-0)
Senate Floor (39-0)

**AB 2399 (Portantino) Independent Living Program
Died; held on Senate Appropriations Suspense file.**

Required that services available for emancipated foster youth through the Independent Living Program (ILP) also be available for former dependents of the juvenile court who have been placed with non-related legal guardians.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (13-4)
Assembly Floor (74-0)

Senate Human Services ((3-0)
Senate Appropriations (held on suspense)

**AB 2608 (Davis) Department of Rehabilitation: funding
Died; held on Assembly Appropriations Suspense file.**

Continuously appropriated funds from the Federal Trust Fund (FTF) to the Department of Rehabilitation to administer programs pending enactment of the Budget Act.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (held on suspense)

**AB 2927 (Bass) Juveniles: dual status children
Died; not heard in Assembly Human Services Committee**

Required the county child welfare agency to assess a dual status child for prompt return to the jurisdiction of the dependency court and for services by the county child welfare agency immediately after that child has fulfilled the requirements imposed by the delinquency court.

Legislative History

Assembly Human Services (not heard)

**SB 330 (Senate Human Services) – Community services programs
Chapter 46, Statutes of 2007**

Makes technical changes in state statutes governing the Department of Community Services and Development to reflect changes in federal and state law.

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Legislative History

Senate Human Services (5-0)
Senate Floor (36-0)
Senate Concurrence (37-0)

Assembly Human Services (6-0)
Assembly Floor (76-0)

**SB 468 (Padilla) – Shaken baby syndrome
Died; held on Assembly Appropriations Suspense file**

Established a three-year pilot public education program in up to ten counties to prevent incidents of shaken baby syndrome.

1. Required the Department of Social Services (DSS), in consultation with the Department of Public Health, to establish a three-year shaken baby syndrome education pilot program in up to 10 counties that volunteer to participate which uses delivery approaches and public education materials for the prevention of shaken baby syndrome based on current best scientific evidence and practices.
2. Required the entity selected to implement the pilot program select or develop instructional materials for parents and other caregivers; provide information and materials to parents and other caregivers; provide materials to all health facilities in participating counties; train staff and volunteers at health facilities to deliver presentations to parents and other caregivers; provide support in all aspects of program implementation; and prepare and submit to the Legislature an evaluation of the effectiveness of the pilot program.
3. Required that the pilot program and other activities be funded exclusively with funds allocated to DSS from the State Children's Trust Fund.

Legislative History

Senate Human Services (3-2)
Senate Appropriations (13-2)
Senate Floor (30-7)

Assembly Human Services (6-1)
Assembly Appropriations (Held on Suspense)

**SB 825 (Padilla) Public health: shaken baby syndrome
Died; held on Assembly Appropriations Suspense file**

Created a time-limited public education program for the prevention of Shaken Baby Syndrome.

1. Required the Department of Social Services (DSS):
 - a) In consultation with the State Department of Public Health (DPH), the Department of Justice, the Office of Emergency Services, First Five California and other stakeholders, to develop and implement, by July 1, 2009, the Shaken Baby Syndrome (SBS) Education Program (program). Specified the program's intent to use best practices for public education materials and delivery approaches to present information on SBS.

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- b) In consultation with others specified above and based on a process it develops, to select eligible counties to voluntarily participate in the program.
 - c) To design the program using its own experts and the input of stakeholders and to select and develop instructional materials for parents and caregivers, provide the information using best practices, and develop an implementation plan for statewide awareness-raising.
 - d) To report to the Legislature by January 1, 2012 on the effectiveness of the program, including reductions in injuries and infant deaths from SBS.
2. Specified that the program shall be in effect for no more than 3 years.
 3. Specified that funding for the program shall come from the Children's Trust Fund and not from the state's General Fund. Authorized DSS to accept and expend other private funds from donations received to support the program.

Legislative History

Senate Human Services (4-1)
Senate Appropriations (10-2)
Senate Floor (34-6)

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

**SB 1136 (Alquist) Public social services: unreasonable fees
Chapter 479, Statutes of 2008**

Defines and creates a private right of action for unfair or deceptive trade practices consisting of charging unreasonable fees for providing assistance in obtaining public social services.

1. Provides, under the Consumer Legal Remedies Act (CLRA), Civil Code section 1750 et seq., that it is an unfair or deceptive trade practice for any person to charge or receive an unreasonable fee to prepare, aid, or advise any prospective applicant, applicant, or recipient in the procurement, maintenance or securing of public social services.
2. Defines "unreasonable fee" as a fee that is exorbitant and disproportionate to the services performed based on the circumstances existing at the time of the service and on consideration, as appropriate, of factors including, but not limited to, all of the following:
 - a) The time and effort required;
 - b) The novelty and difficulty of the services;
 - c) The skill required to perform the services;
 - d) The nature and length of the professional relationship; and,
 - e) The experience, reputation, and ability of the person providing the services.

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3. Incorporates the definition of "public social services" from existing law.
4. Requires that, in addition to other available remedies, the court award treble actual damages whenever it is proven by a preponderance of the evidence that a defendant has charged or received unreasonable fees for providing assistance in procuring, maintaining or securing public social services.
5. Exempts from the unreasonable fee provisions California licensed attorneys, who are subject to the State Bar Rules of Professional Conduct and mandatory fee arbitration provisions, when the fees charged are for providing representation in administrative appeals or court proceedings to obtain or maintain public social services for an individual or group of individuals.

Legislative History

Senate Human Services (5-0)
Senate Judiciary (5-0)
Senate Floor (34-0)
Senate Concurrence (36-0)

Assembly Human Services (7-0)
Assembly Judiciary (10-0)
Assembly Floor (75-0)

**SB 1160 (Alquist) Children's social services programs
Chapter 484, Statutes of 2008**

Simplifies the California Work Opportunity & Responsibility to Kids Program (CalWORKs) reapplication process for relative caregivers of foster children when they move to a new county and extends the sunset date for the Youth Pilot Program.

1. Exempts any "caregiver relative" of foster children from having to submit to a personal face-to-face interview when reapplying for CalWORKs benefits on behalf of the child, if all of the following apply:
 - a) He or she is an approved relative, as defined, and is caring for a dependent child of the court and is receiving CalWORKs benefits on behalf of that child;
 - b) He or she is changing residence to a different county and is applying for benefits in the new county on behalf of the dependent child of the court; and,
 - c) He or she is not an applicant for, or a recipient of, benefits under CalWORKs.
2. Requires the county to verify that the caregiver relative meets the criteria for this exemption.
3. Extends the sunset date for the Youth Pilot Program (YPP) to January 1, 2013.

Legislative History

Senate Human Services (3-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (24-14)
Senate Concurrence (23-12)

Assembly Human Services (5-0)
Assembly Appropriations (17-0)
Assembly Floor (70-2)

CARE AND SERVICES FOR THE ELDERLY

AB 749 (Wolk) – Residential care facilities for the elderly: hospice care patients

Chapter 477, Statutes of 2008

Amended in the Senate from a different subject matter and to change author from Berg to Wolk

As introduced (AB 749 (Berg)), stated that it is the intent of the Legislature to remove cumbersome regulatory obstacles to the placement of hospice patients in residential care facilities for the elderly (RCFEs) to ensure that bedridden, terminally ill individuals avoid unnecessary institutionalization. Further allowed a RCFE to admit or retain an individual receiving hospice care to the facility beyond the 14-day period allowed for bedridden individuals regardless of the hospice patient's nonambulatory or bedridden condition.

As enacted (AB 749 (Wolk)), requires RCFEs to have an emergency plan available to residents and to local emergency responders, and requires the Department of Social Services to confirm, during comprehensive licensing visits, that the plan is on file at the facility.

Legislative History

Assembly Aging & Long Term Care (6-0) not relevant

Assembly Human Services (7-0) not relevant

Assembly Appropriations (16-0) not relevant

Assembly Floor (72-0) not relevant

Assembly Concurrence (78-0)

Senate Human Services (4-0) not relevant

Senate Appropriations (14-0)

Senate Floor (37-0)

AB 853 (Jones) – The Home Care Services Act of 2007

Died; held on the Assembly Appropriations Suspense file

Established the Home Care Services Act to license and regulate home care services for the elderly, frail and persons with disabilities.

1. Required licensure as home care organizations by the Department of Social Services of every entity providing services in a private home by a home care aid.
2. Established requirements for home care organizations, including maintenance of workers' compensation coverage, procedures for investigating complaints of health care aides, notification to clients of enumerated rights, and compliance with specified rules governing employment of health care aides.

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (Held on Suspense)

AB 949 (Krekorian) – Residential care facilities for the elderly: resident transfers

Chapter 686, Statutes of 2007

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Establishes procedures to be followed by a residential care facility for the elderly (RCFE) prior to transferring a resident to another facility or living arrangement as a result of forfeiture of a license or change in the use of the facility, and provides remedies for noncompliance.

1. Requires that RCFEs give written notice to residents, perform evaluations of each resident's needs and develop a relocation plan.
2. Authorizes the Department of Social Services to request that state or local attorneys initiate enforcement action under the unfair business practice law.
3. Provides that civil penalties for violations of relocation requirements be issued immediately following written notice.
4. Prohibits issuance of penalties against a licensee for violations of relocation requirements not presenting an immediate or substantial threat to health or safety if the licensee corrects the violation within three days after notice.
5. Authorizes a resident of an RCFE to bring a civil action against any person or entity owning or operating an RCFE who violates the rights of a resident set forth in this bill, and provided that the owners and operators are responsible for the acts of the facility's employees and liable for costs and attorney fees.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (11-5)
Assembly Floor (42-1)
Assembly Concurrence (47-30)

Senate Human Services (3-2)
Senate Appropriations (9-3)
Senate Floor (24-15)

**AB 1022 (Saldaña) – Continuing care: funding: audits
Vetoed by the Governor**

Established a category of continuing care home programs in which services are provided to elderly persons in their own residences by continuing care retirement communities (CCRC), and exempts the residences from licensing provisions applicable to residential care facilities.

Legislative History

Assembly Human Services (6-0)
Assembly Aging & Long Term Care (6-0)
Assembly Appropriations (15-0)
Assembly Floor (72-1)
Assembly Concurrence (73-0)

Senate Human Services (4-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (35-0)

**AB 1526 (Lieber) – Housing for elderly or disabled persons
Amended into different subject matter, related to the Budget, and to change author to
Committee on Budget
Vetoed by the Governor**

As introduced, exempted from community care licensing certain low-income housing occupied by elderly or disabled persons; and prohibited the transfer of persons in Continuing Care Retirement Communities unless specific conditions are met.

Legislative History

| | |
|---|---|
| Assembly Human Services (7-0) not relevant | Senate Human Services (4-0) not relevant |
| Assembly Appropriations (15-0) not relevant | Senate Appropriations (S. R. 28.8) not relevant |
| Assembly Floor (70-0) not relevant | Senate Human Services (5-0) not relevant |
| Assembly Floor (68-5) | Senate Appropriations (S. R. 28.8) not relevant |
| | Senate Floor (30-7) |

**AB 1999 (Adams) – Residential care facilities for the elderly: resident property
Died; not heard in Assembly Human Services Committee**

Prohibited residential care facility for the elderly operators from purchasing or receiving property with a fair market value above \$100 from residents except under specified conditions.

Legislative History

Assembly Human Services (Not Heard)

**AB 2101 (Wolk) - Residential care facilities for the elderly
Died; held on the Assembly Appropriations Suspense file; some provisions modified and
amended into AB 749 (Wolk)**

Required that residential care facilities for the elderly (RCFEs) develop emergency plans; specified requirements for notices of rate increases given to current residents of RCFEs; and required that prospective residents of an RCFE be given information about prior rate increases.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

**AB 2370 (Bass) - Residential care facilities for the elderly: rate increases
Chapter 478, Statutes of 2008**

Requires disclosure of specified information on the history of rate increases by residential care facilities for the elderly (RCFEs).

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Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (12-5)
Assembly Floor (46-31)
Assembly Concurrence (48-29)

Senate Human Services (3-1)
Senate Appropriations (S. R. 28.8)
Senate Floor (21-15)

**SB 489 (Steinberg) – Continuing care contracts: retirement communities: closure
Vetoed by the Governor**

Imposed requirements on continuing care retirement communities (CCRCs) in the event of permanent or temporary closure.

1. Required written notice to residents and the Department of Social Services (DSS), development of an approved relocation plan, and offer of an alternative comparable placement or cash "buy-out" depending upon whether the closure is temporary or permanent.
2. Established requirements when a provider proposes to temporarily close a CCRC, including submission of a temporary draft closure and relocation plan to CCCB; provision of a unit in a facility most closely approximating the cost, size, services, features and amenities of the unit being vacated; payment by the licensee of all moving costs to a new facility and to the reconstructed facility.
3. In cases of permanent closure, required the provider to offer a resident a choice of placement options in a unit of comparable cost, size, services and amenities, or a "buy-out" based upon a prescribed formula in cases where comparable replacement housing and care in other communities operated by the provider are not available to the resident or cannot be mutually agreed upon by the parties or the resident does not agree to that option.
4. Required the provider, within 30 days of receiving approval for the relocation plan for a permanent closure, to fund a reserve, set up a trust fund, or secure a performance bond to ensure fulfillment of costs associated with the relocation.

Legislative History

Senate Human Services (3-0)
Senate Appropriations (10-6)
Senate Floor (23-13)
Senate Concurrence (25-14)

Assembly Human Services (5-2)
Assembly Appropriations (11-5)
Assembly Floor (42-30)

CHILD CARE

**AB 313 (Benoit) – Child day care facility rating system
Died; held on Assembly Appropriations Suspense file**

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Required the State Department of Social Services (DSS) to develop and implement a licensed child day care facility rating system for quality of care and child safety.

1. Established several ratings depending upon a facility's record of compliance with state licensing laws, from "A" to "C", with a "Not Rated" level for facilities for which there is insufficient information.
2. Required DSS to post ratings on its website and update the ratings as often as possible, and provide each facility with a written copy the information used in the determination.

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (Held on Suspense)

**AB 344 (Huff) – Child day care facilities
Died; not heard in Assembly Human Services Committee**

Exempted from the Child Day Care Facilities any program providing instruction based upon the language, customs and traditions of a population group primarily located outside the United States, and the program is registered as a trustline provider requiring criminal background checks.

Legislative History

Assembly Human Services (Not heard)

**AB 659 (Ma) Child care: locally funded child care and development program
Vetoed by the Governor**

1. Allowed San Francisco to supersede state law on a pilot project basis to ensure continuity of child care for families who live in San Francisco and whose children are no longer eligible to attend a locally funded program to transfer to a state or federally funded program, under specified conditions, and only until January 1, 2011.
2. Required a locally funded program, in order to qualify as a local program, to meet both of the following requirements:
 - a) Public funding constitutes at least 50% of the total program funding, excluding family fees; and,
 - b) The family meets existing state eligibility requirements.

Legislative History

Assembly Higher Ed. (not relevant)

Assembly Appropriations (not relevant)

Assembly Floor (not relevant)

Assembly Human Services (5-1 concur in Sen. Amends)

Assembly Concurrence (47-29)

Senate Health (8-3)

Senate Education (7-2)

Senate Appropriations (withdrawn)

Senate Education (6-1)

Senate Appropriations (S.R. 28.8)

Senate Floor (25-12)

**AB 905 (Arambula) – Child care eligibility
Chapter 110, Statutes of 2007**

1. Authorizes the Superintendent of Public Instruction (SPI) to extend the 60-working day period specified in state regulations by an additional 60 working days for families whose basis of need for child care is that they are seeking employment if the SPI determines that opportunities for employment have diminished to the degree that one or both parents cannot reasonably be expected to find employment within 60 days and that granting the extension is in the public interest.
2. Expresses the Legislature’s intent that extensions granted pursuant to the bill improve services in areas with high unemployment rates and areas with disproportionately high numbers of seasoned agricultural jobs.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (17-0)
Assembly Floor (75-0)

Senate Human Services (9-0)
Senate Appropriations (11-0)
Senate Floor (40-0)

**AB 975 (Solorio) – Child care resource and referral programs
Died; held on Assembly Appropriations Suspense file**

1. Appropriated \$2.9 million to the State Department of Education for distribution to child care resource and referral agencies for the purpose of providing support and training to license-exempt child care providers.
2. Required a child care resource and referral agency serving a defined geographic area to provide training and support to license-exempt child care providers in a culturally and linguistically sensitive manner.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (Held on Suspense)

**AB 1028 (Caballero) – Child care: funding: audits
Vetoed by the Governor**

Established accounting rules and auditing practices for child care and development centers and agencies which contract with the State Department of Education (SDE), and prohibited consideration of unrestricted donations in state funding determinations for child care contractors.

1. Authorized a child care contractor to pay from its own funds additional sums for the child care of a subsidized child, and accept funds from the state, county or other funding entity to augment a program or fund additional child care openings.

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2. Required a contractor to separately account for all sources of funds where additional funding is provided to augment a program to ensure the state is not reimbursing a contractor for the same activity, personnel or function for which another funding entity has paid.

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (17-0)

Assembly Floor (58-0)

Assembly Concurrence (51-25)

Senate Education (8-0)

Senate Appropriations (S. R. 28.8)

Senate Floor (33-3)

**AB 1888 (Huff) Child care licensure requirements: heritage schools
Died; held on Assembly Appropriations Suspense file**

1. Exempted "heritage schools" from child day care licensure laws.
2. Defined a "heritage school" as a school that does all of the following:
 - a) Runs on a regular schedule.
 - b) Offers education or academic tutoring, or both, in a foreign language.
 - c) Offers education on the culture, traditions, or history of a country other than the United States.
 - d) Offers culturally enriching activities, including, but not limited to, art, dancing, games, or singing, based on the culture or customs of a country other than the United States.
 - e) Operates for purposes not solely related to child care.
3. Required the State Department of Social Services to monitor compliance regarding the following health and safety requirements, and required that the heritage school:
 - a) Require each staff member to complete a health screening report, including a tuberculosis test, and further develop and maintain an emergency disaster plan;
 - b) Develop and maintain an emergency disaster plan;
 - c) Require each staff member to sign a statement acknowledging the requirement to report suspected child abuse, as specified.
 - d) Provide accessible drinking water; and
 - e) Require each staff member to complete a current criminal record clearance administered by the Department of Justice pursuant to subdivisions (a) and (b) of Section 11105.3 of the Penal Code.

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Legislative History

Assembly Human Services (4-1)
Assembly Appropriations (Held on Suspense)

**SB 197 (Ducheny) – Child care: eligibility: termination of services
Died; held on Assembly Appropriations Suspense file**

Allowed foster children who are enrolled in a subsidized child care program and who are placed in a different foster home to remain in child care for up to 30 days while the eligibility for child care of their new caretakers is verified.

Legislative History

| | |
|-----------------------------|--|
| Senate Human Services (6-0) | Assembly Human Services (6-0) |
| Senate Appropriations(17-0) | Assembly Appropriations (Held on Suspense) |
| Senate Floor (37-0) | |

**SB 1304 (Simitian) child care: County of San Mateo child care subsidy plan
Chapter 61, Statutes of 2008**

1. Extends three different but related deadlines for the San Mateo County's subsidized child care pilot program:
 - a) From January 1, 2009 to January 1, 2014, the sunset date of the County's authority to develop and implement its "individualized county child care subsidy plan" (Plan).
 - b) From January 1, 2014 to January 1, 2016, the date by which the County shall phase out the Plan and revert back to the state's requirements for child care subsidies.
 - c) From January 1, 2009 to January 1, 2014, the date after which a child can no longer enroll in the pilot program and will be subject to existing state laws and regulations regarding child care eligibility and priority.

Legislative History

| | |
|------------------------|-------------------------------|
| Senate Education (8-0) | Assembly Human Services (7-0) |
| Senate Floor (30-1) | Assembly Floor (78-0) |

FOOD ASSISTANCE

**AB 433 (Beall, Jr.) – Food Stamp Program: Categorical eligibility
Chapter 625, Statutes of 2008**

1. Requires the Department of Social Services (DSS) in consultation with a diverse group of stakeholders to propose a new name for the Food Stamp Program, reflecting its current realities and function as a health and nutrition program.

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2. Requires DSS to establish categorical eligibility for food stamp benefits for households who are eligible for services funded by the Temporary Assistance for Needy Families (TANF) block grant.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (12-5)
Assembly Floor (47-32)
Assembly Concurrence (44-29)

Senate Human Services (3-2)
Senate Appropriations (17-0)
Senate Floor (24-14)

**AB 508 (Swanson) – Food stamps: eligibility: drug felonies
Vetoed by the Governor**

Repealed the lifetime disqualification from food stamps for persons convicted of a felony involving controlled substances.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (11-5)
Assembly Floor (42-34)

Senate Human Services (3-2)
Senate Appropriations (10-7)
Senate Floor (21-16)

**AB 1060 (Laird) – Public social services: CalWORKs and the Food Stamp Program:
redetermination and recertification
Chapter 427, Statutes of 2008**

Required semi-annual redeterminations of eligibility and benefit amounts for the California Opportunity and Responsibility to Kids (CalWORKs) and food stamps based upon semi-annual reports of income and circumstances of recipient households, replacing existing quarterly reporting system.

1. Establishes procedures for adoption of reporting cycles, criteria for a complete semi-annual report, and steps to be taken when a recipient fails to submit a completed report, consistent with procedures currently used in quarterly reporting.
2. Provides that rules and procedures governing reporting for food stamps and CalWORKs be consistent with federal food stamp rules and procedures for simplified reporting.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (12-5)
Assembly Floor (47-32)
Assembly Health (16-0)
Assembly concurrence (77-0)

Senate Human Services (3-2)
Senate Appropriations (withdrawn)
Senate Health (10-0)
Senate Floor (37-0)

**AB 1382 (Leno) – Public social services: Food Stamp Program: fingerprint imaging
Vetoed by the Governor**

Eliminated the requirement that fingerprint images be obtained from applicants for and recipients of Food Stamp benefits not receiving cash assistance as a condition of receiving benefits.

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Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (12-5)
Assembly Floor (46-32)

Senate Human Services (3-2)
Senate Appropriations (9-7)
Senate Floor (23-17)

**AB 1996 (Swanson) Food stamps: eligibility: drug felonies
Vetoed by the Governor**

1. Expanded eligibility for food stamp benefits, from convicted drug felons who used or possessed drugs, to a person who has been convicted of unlawfully "transporting, importing into this state, selling, furnishing, administering, giving away, possessing for sale, purchasing for purposes of sale, manufacturing a controlled substance, possessing precursors with the intent to manufacture a controlled substance, or cultivating, harvesting, or processing marijuana" if that person provides proof of one of the following current law eligibility criteria subsequent to the most recent drug-related conviction:
 - a) Completion of a government-recognized drug treatment program;
 - b) Participation in a government-recognized drug treatment program;
 - c) Placement on a waiting list for a government-recognized drug treatment program; or,
 - d) Other evidence that the illegal use of controlled substances has ceased, as established by the Department of Social Services (DSS) regulations.
2. Specified that the provisions of the bill be implemented through an All County Letter or similar instructions from the Director of DSS during the 2008 portion of the 2007-2008 regular legislative session but no later than January 1, 2008.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (10-6)
Assembly Floor (42-35)

Senate Human Services (3-1)
Senate Public Safety (3-2)
Senate Appropriations 99-6)
Senate Floor (22-14)

2007-2008 Assembly Human Services bills

| <u>Subject</u> | <u>Referred</u> | <u>Analyzed</u> | <u>Heard</u> | <u>Passed HS</u> | <u>Enrolled</u> | <u>Chaptered</u> | <u>Vetoed</u> |
|--------------------------------------|-----------------|-----------------|--------------|----------------------|-----------------|------------------|---------------|
| Child welfare/ Foster Care | 46 | 41 | 41 | 40 | 23 | 19 | 4 |
| IHSS | 14 | 14 | 13 | 13 | 9 | 5 | 4 |
| CalWORKs | 15 | 14 | 13 | 11 | 7 | 5 | 2 |
| Developmental disabilities | 23 | 21 | 21 | 21 | 11 | 3 | 8 |
| Community Care Licensing | 11 | 9 | 9 | 8 | 5 | 4 | 1 |
| Human services administration | 15 | 14 | 14 | 14 | 9 | 9 | 0 |
| Care and Services for the elderly | 9 | 9 | 8 | 8 | 5 | 3 | 2 |
| Child care | 9 | 8 | 8 | 8 | 4 | 2 | 2 |
| Food assistance | | | | | | | |
| TOTAL | 142 | 130 | 127 | 123 | 73 | 50 | 23 |

Bills are not counted as enrolled or chaptered if they passed after being amended to a subject unrelated to human services.