

State Bar Legislative Report

Friday, June 21, 2013

Auto

AB 60 (Alejo) Drivers Licenses: Eligibility: Required Documentation S. Trans & Housing

Repeals provisions of existing law that requires the Department of Motor Vehicle to require an applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law, requiring the department to adopt regulations, and the requirement to issue a temporary license under certain conditions. Provides that the form used to apply or renew a license may also contain specified identification information.

AB 64 (Donnelly) Vehicles: Recreational Off-Highway Vehicles S. Trans & Housing

Amends existing law that establishes rules for the operation of off-highway vehicles. Repeals all provisions applicable to the operation of recreational off-highway vehicles.

AB 1113 (Fraizer) Provisional Driver's Licenses: Restrictions Sen. Trans (6/18)

Requires a person to hold an instructional driver's permit for a minimum of 9 months prior to applying for a provisional driver's license (PDL). The bill also requires all PDL restrictions to remain in effect for provisional licensees until the driver reaches 18 years of age and prohibits a provisional licensee from driving between the hours of 10 p.m. to 5 a.m., or from transporting passengers who are under 21 years of age, except as specified.

AB 1391 (Assm Ins. Comm) Insurance: Omnibus Sen. Insurance (6/26)

Among other things, the bill would delete the requirements for cancellation of a motor vehicle insurance policy less than 60 days old, and would apply the requirements regarding notice of cancellation for nonpayment of premiums, and other specified reasons, to all cancellation circumstances. The bill authorizes an exemption from the continuing education requirements for an individual licensed as an insurance adjuster and as a property or casualty broker-agent who has met other specified continuing education requirements. The bill also provides that upon issuance of the California additional lines of authority to the California resident license provided that the individual was previously licensed in good standing for the requested additional lines of authority, and the application is received within 12 months of the cancellation of the applicant's previous resident license in another state. (CDI sponsored)

ACR 53 (Quirk-Silva) Sober Graduation Month. Assm. Insurance (6/26)

Designates May 31, 2013, to June 30, 2013, inclusive, as Sober Graduation Month and would encourage Californians to participate in this observance and join the Department of the California Highway Patrol in supporting efforts to save lives of young people through a Sober Graduation Month. ACIC supports the bill. The bill was adopted by the Assembly and was sent to the Senate Rules Committee.

SB 251 (Calderon) Insurance: Notice: Electronic Transmission. Asm. Ins. (6/26)

Authorizes certain notices and disclosures relating to renewal and conditional renewal of an offer of coverage for automobile and specified property insurance to be provided by electronic transmission if an insurer complies with certain requirements. *ACIC sponsored bill.*

Commercial Lines

AB 47 (Gatto) Emergency Telephone System: Abuse

Sen. Public Safety (7/2)

Provides that any person who calls the 911 telephone system to dispatch a police response to a residence or place of business where there is no emergency, with the intent to annoy or harass another person, and police are dispatched as a result of the call, is guilty of a misdemeanor punishable as specified.

AB 212 (Lowenthal) Unclaimed Property.

S. JUD.

The Unclaimed Property Law (UPL) specifies the circumstances under which unclaimed personal property held by banking or financial institution, business association, or other holder of personal property escheats to the state. The UPL requires a banking or financial organization, if it has in its records an address for the apparent owner, which the records do not disclose to be inaccurate, to make reasonable efforts to notify by mail any customer that the customer's deposit, account, shares, or other interest in the banking or financial organization will escheat to the state, as specified. The UPL provides an exception from this notice requirement for deposits, accounts, shares, or other interests of less than \$50. The UPL authorizes a banking or financial organization to impose a service charge for the notice on the deposit, account, shares, or other interest in an amount up to \$2 but not exceeding the administrative cost of mailing or electronically sending the notice, but prohibits a banking or financial institution from imposing a service charge for notice on items of less than \$50. The UPL requires every person holding funds or other property that escheated to the state to submit a report to the Controller that includes, among other items, the name and last known address of each person appearing to be the owner of any property worth at least \$50 that escheated to the state and, for items worth less than \$50, the nature and identifying number, if any, or description of any intangible property reported in aggregate. This bill would delete the notice exception for a deposit, account, shares, and other interest of less than \$50, thereby requiring a banking or financial institution to make reasonable efforts to notify the customer regardless of the value of the interest. The bill would authorize a banking or financial institution to impose a service charge for notice if the deposit, account, shares, or other interest has a value greater than \$2. The bill would require a person holding funds or other property escheated to the state to include in its report to the Controller the name and last known address of each person appearing to be the owner of any property escheated to the state, regardless of its value. The bill would allow the holder to report information regarding escheated items worth less than \$50 in aggregate if the name of the owner is not known and there is no last known address in the records of the holder. The bill also would make conforming changes.

AB 584 Perea) Insurance: Risk and Solvency Assessment.

Sen. Insurance (6/26)

Requires all domestic, foreign, and alien insurers doing business in this state, to submit to the Commissioner an Own Risk and Solvency Assessment (ORSA) Summary Report applicable to the insurer or the insurer's insurance group.

AB 841 (Torres) Junk Dealers and Recyclers: Nonferrous Materials

Sen. Floor

Would require junk dealers and recyclers to provide payment to sellers of nonferrous material by mailed check only.

AB 1236 (Hagman) Contractors: Limited Liability Companies. Sen. Insurance (6/26)
Allows a limited liability company that is issued a contractor's license to also obtain the appropriate insurance from a surplus lines insurer. ACIC sponsored bill.

Health

AB 219 (Perea D) Health Care Coverage: Cancer Treatment. S. Health (6/26)
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide coverage for all generally medically accepted cancer screening tests and requires those contracts and policies to also provide coverage for the treatment of breast cancer. Existing law imposes various requirements on contracts and policies that cover prescription drug benefits. This bill would prohibit a health care service plan contract and a health insurance policy issued, amended, or renewed on or after January 1, 2014, that provides coverage for prescribed, orally administered anticancer medications from requiring an enrollee or insured to pay a total cost-sharing amount of more than \$100 per filled prescription. This bill contains other related provisions and other existing laws.

AB 314 (Pan D) HCC: Self-funded Student Plans and Policies. Sen. Health (6/26)
Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA prohibits a health insurance issuer issuing health insurance coverage from establishing lifetime limits or unreasonable annual limits on the dollar value of benefits for any participant or beneficiary, as specified. This bill would additionally impose those requirements, to the extent required by federal law, on a plan directly operated by a bona fide public or private institution of higher learning that directly provides health care services only to its students, faculty, staff, administration, and their respective dependents or a health insurance policy directly offered by such an institution only to those persons. Because a willful violation of these requirements with respect to those plans would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 402 (Ammiano D) Disability Income Insurance: Mental Illness. Sen. Ins. (6/26)
Existing law defines disability income insurance as insurance against loss of occupational earning capacity arising from injury, sickness, or disablement. This bill would require every policy of disability income insurance that is issued, amended, or renewed on or after January 1, 2014, and that provides disability income benefits to provide coverage for disability caused by severe mental illnesses, as defined.

AB 460 (Ammiano) Health Care Coverage: Infertility. Sen. Health (6/26)
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law also imposes various requirements and restrictions on health care service plans and health insurers, including, among other things, a requirement that every health care service plan contract or health insurance policy that is issued, amended, or renewed on or after January 1, 1990, offer coverage for the treatment of infertility, except in vitro fertilization, under those terms and conditions as may be agreed upon between the group

subscriber or the group policyholder and the plan or the insurer, except as provided. This bill would require that the coverage for the treatment of infertility be offered and provided without discrimination on the basis of age, ancestry, color, disability, domestic partner status, gender, gender expression, gender identity, genetic information, marital status, national origin, race, religion, sex, or sexual orientation. Because a willful violation of the bill's provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 633 (Salas) Public Health: Veterans Access/Health Care Services. Sen. Health (6/26)

Existing law establishes the Office of Patient Advocate in the California Health and Human Services Agency and requires the office to provide assistance to and advocate on behalf of persons eligible for health care coverage. Existing law requires that the goal of the office be to help those individuals secure the health care services to which they are entitled or for which they are eligible under the law. This bill would state the intent of the Legislature to enact legislation that would facilitate the access by veterans to health care coverage and health care services, including the delivery of health care services via telehealth.

AB 809 (Logue R) Healing Arts: Telehealth. Sen. B&P (6/19)

Existing law requires a health care provider, as defined, prior to the delivery of health care services via telehealth, as defined, to verbally inform the patient that telehealth may be used and obtain verbal consent from the patient for this use. Existing law also provides that failure to comply with this requirement constitutes unprofessional conduct. This bill would delete those provisions. The bill would make additional conforming changes. This bill contains other related provisions.

AB 889 (Frazier) Health Care Coverage. Sen. Health (6/26)

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law requires health care service plan contracts to provide specified coverage to enrollees and subscribers, including specified benefits regarding prescription drugs. Existing law requires the department to develop a regulation outlining standards to be used in reviewing a plan's request for approval of its proposed copayment, deductible, limitation, or exclusion on its prescription drug benefits, and to consider alternative benefit designs in developing those standards. Existing law makes a willful violation of that act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. This bill would delete those provisions regarding development of a regulation outlining the standards to be used in reviewing a plan's request for approval. The bill instead would codify the department's regulation and require every health care service plan or health insurance policy that provides coverage for outpatient prescription drug benefits, as defined, to provide coverage for all medically necessary outpatient prescription drugs, except as specified. The bill would set forth additional standards regarding outpatient prescription drug benefits, including requiring a plan or insurer seeking to establish limitations or exclusions on outpatient prescription drug benefits to establish those limitations or exclusions consistent with up-to-date evidence-based outcomes and current published, peer-reviewed medical and pharmaceutical literature. The bill would also place restrictions on copayments, coinsurance and deductibles, including, among other things, prohibiting a copayment or percentage coinsurance from exceeding 50% of the cost to the plan or insurer. This bill contains other related provisions and other existing laws.

AB 912 (Quirk-Silva) Health Care Coverage: Fertility Preservation. Sen. Health (6/26)

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and

makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health care service plan and a health insurer are required to offer group coverage for the treatment of infertility, as defined. This bill would require a health care service plan and a health insurer to provide, on a group and individual basis, coverage for medically necessary expenses for standard fertility preservation services when a necessary medical treatment may directly or indirectly cause iatrogenic infertility to an enrollee or insured. This bill contains other related provisions and other existing laws.

AB 1180 (Pan) California Health Benefit Exchange. Sen. Health (6/26)

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. PPACA also authorizes the establishment of a basic health program under which a state may, if specified criteria are met, enter into contracts to offer one or more standard health plans providing a minimum level of essential health benefits to eligible individuals instead of offering those individuals coverage through an exchange. PPACA also establishes annual limits on deductibles for employer-sponsored plans and defines bronze, silver, gold, and platinum levels of coverage for the nongrandfathered individual and small group markets. This bill would make technical, nonsubstantive changes to those provisions. This bill contains other existing laws.

AB 1208 (Pan) Medical Homes. Sen. Health (6/26)

Existing law provides for the licensure and regulation of clinics and health facilities by the State Department of Public Health. Existing law also provides for the registration, certification, and licensure of various health care professionals and sets forth the scope of practice for these professionals. This bill would establish the Patient Centered Medical Home Act of 2013 and would define a "medical home" and a "patient centered medical home" for purposes of the act to refer to a health care delivery model in which a patient establishes an ongoing relationship with a licensed health care provider, as specified. The bill would specify that it does not change the scope of practice of health care providers.

AB 1231 (Manuel Pérez) Autism Services: Demonstration Program. Sen. HS (6/25)

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities, including autism. This bill would declare the intent of the Legislature to enact legislation that would promote the use of technology and telehealth for the delivery of regional center services for individuals with autism spectrum disorders.

SB 18 (Hernandez) Individual Health Care Coverage. Asm. Health (8/10)

Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA) enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charge by a health insurance issuer offering small group or individual coverage to vary only by family composition, rating area, age, and tobacco use, as specified, and prohibits discrimination against individuals based on health status. This bill would state the intent of the Legislature to enact legislation that would

reform the individual health care coverage market consistent with the PPACA. This bill contains other related provisions and other existing laws.

SB 20 (Hernandez) Health Care Coverage: Basic Health Program. Asm. Health (7/2)

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. PPACA also authorizes the establishment of a basic health program under which a state may, if specified criteria are met, enter into contracts to offer one or more standard health plans providing a minimum level of essential health benefits to eligible individuals instead of offering those individuals coverage through an exchange. This bill would state the intent of the Legislature to enact legislation that would establish a basic health program in California as described in PPACA.

SB 22 (Beall) Health Care Coverage: Mental Health Parity. Asm. Health

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts or health insurance policies issued, amended, or renewed on or after July 1, 2000, to provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses, as defined, and of serious emotional disturbances of a child, as specified, under the same terms and conditions applied to other medical conditions. This bill would state the intent of the Legislature to enact legislation that would ensure compliance with and implementation of state and federal mental health parity laws.

SB 28 (Hernandez) Medi-Cal: Eligibility. Asm. Health (8/13)

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. This bill would, commencing January 1, 2014, implement various provisions of the federal Patient Protection and Affordable Care Act (Affordable Care Act), as amended, by, among other things, modifying provisions relating to determining eligibility for certain groups. The bill would, in this regard, extend Medi-Cal eligibility to specified adults and would require that income eligibility be determined based on modified adjusted gross income (MAGI), as prescribed. The bill would prohibit the use of an asset or resources test for individuals whose financial eligibility for Medi-Cal is determined based on the application of MAGI. The bill would also add, commencing January 1, 2014, benefits, services, and coverage included in the essential health benefits package, as adopted by the state and approved by the United States Secretary of Health and Human Services, to the schedule of Medi-Cal benefits. This bill contains other related provisions and other existing laws.

SB 126 (Steinberg) Health Care Coverage: Pervasive Developmental. Asm. Health

Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plan contracts and health insurance policies to provide benefits for specified conditions, including coverage for behavioral health treatment, as defined, for pervasive developmental disorder or autism, except as specified. A willful violation of these provisions with respect to health care service plans is a crime. These provisions are inoperative on July 1, 2014, and are repealed on January 1, 2015. This bill would extend the operation of these provisions until July 1, 2019, and would repeal these provisions on January 1, 2020. By extending the operation of provisions establishing

crimes, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 138 (Hernandez) Confidentiality of Medical Information. Asm. Health

Existing federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), establishes certain requirements relating to the provision of health insurance, and the protection of privacy of individually identifiable health information. This bill would declare the intent of the Legislature to incorporate HIPAA standards into state law and to clarify standards for protecting the confidentiality of medical information in insurance transactions. The bill would define additional terms in connection with maintaining the confidentiality of this information, including an "authorization for insurance communications," which an insured individual may submit for the purpose of specifying disclosable medical information and insurance transactions, and permissible recipients. This bill contains other related provisions and other existing laws.

SB 158 (Correa) Autism Services: Demonstration Program. Asm. Human Services

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities, including autism. This bill would declare the intent of the Legislature to enact legislation that would establish a demonstration program that will provide technical assistance and best practices related to linguistic and cultural competency for autism services that are provided by regional centers to consumers and their families.

SB 161 (Hernandez) Stop-loss Insurance Coverage. Asm. Health (7/2)

Existing law prohibits a person from transacting any class of insurance business, including health insurance, in this state without first being an admitted insurer. Under existing law, admission is secured by procuring a certificate of authority from the Insurance Commissioner. Existing law prohibits a health insurance policy from being issued or delivered to any person in this state unless specified requirements have been met, including that a copy of the form and premium rates are filed with the commissioner. Under existing law, if the commissioner notifies the health insurer that the filed form does not comply with specified requirements, it is unlawful for that health insurer to issue any health insurance policy in that form. This bill would require a stop-loss carrier, as defined, to offer coverage to all employees and dependents of a small employer to which it issues a stop-loss insurance policy and would prohibit the carrier from excluding any employee or dependent on the basis of actual or expected health status-related factors, as specified. Except as specified, the bill would require a stop-loss carrier to renew, at the option of the small employer, all stop-loss insurance policies. The bill would prohibit a stop-loss insurance policy issued on or after January 1, 2014, to a small employer from containing certain individual or aggregate attachment points for a policy year or providing direct coverage, as defined, of an employee's health claims. The bill would make a stop-loss carrier in violation of these provisions subject to administrative penalties and would require those fine and penalty moneys to be deposited in the General Fund and be available upon appropriation by the Legislature. This bill contains other existing laws.

SB 224 (Walters) Newborn Screening Program. Asm. Health

Existing law requires the State Department of Public Health to establish a program for the development, provision, and evaluation of genetic disease testing. Existing law establishes the continuously appropriated Genetic Disease Testing Fund (GDTF), consisting of fees paid for newborn screening tests. Existing law states the intent of the Legislature that all costs of the genetic disease testing program be fully supported by fees paid for newborn screening tests, which are deposited in the GDTF. Existing law authorizes moneys in the GDTF to be used for the expansion of the Genetic Disease Branch Screening Information System, as specified, to

include cystic fibrosis, biotinidase, and severe combined immunodeficiency. Existing law exempts the amendment of contracts for this purpose from provisions of the Public Contract Code that establish standards for contracts and require the Department of General Services to approve these contracts. Existing law also exempts the amendment of contracts for this purpose from standards for personal services contracts and from provisions that give the California Technology Agency authority over the application of information technology for state agencies. This bill would require the department, until January 1, 2019, to expand statewide screening of newborns to include screening for 2 types of lysosomal storage diseases, Hurler syndrome and Krabbe disease, and would exempt the amendment of contracts for this purpose from provisions that establish standards for contracts, require the Department of General Services to approve contracts, and give the California Technology Agency authority over information technology projects, as described above. This bill contains other existing laws.

SB 353 (Lieu) Health Care Coverage: Language Assistance.

Asm. Desk

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A willful violation of the act is a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. This bill would require a health care service plan that advertises or markets in a language other than English, as provided, and that does not meet certain enrollment thresholds, to translate into that language specified documents. This bill would also require an insurer that markets, advertises, or produces educational materials for health insurance policies in a language other than English, as provided, and that does not meet certain enrollment thresholds, to translate into that language specified documents. This bill would require both those health care service plans and insurers to use trained and qualified translators. This bill contains other related provisions and other existing laws.

SB 494 (Monning) Health Care Providers: California Health Benefit Exchange. A. Desk

Existing law, the federal Patient Protection and Affordable Care Act, requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and qualified employers, as specified, and meets certain other requirements. Existing law establishes the California Health Benefit Exchange (the Exchange) within state government for that purpose. This bill would state the intent of the Legislature to ensure that qualified health plans participating in the California Health Benefit Exchange provide an adequate network of primary care providers, including non-physician providers.

SB 598 (Hill) Biosimilars.

Asm. Desk

The Pharmacy Law governs the practice of pharmacy in this state, including the permissible duties of licensed pharmacists. Among other permitted acts, a pharmacist filling a prescription order for a drug product prescribed by its trade or brand name may select another drug product with the same active chemical ingredients of the same strength, quantity, and dosage form, and of the same generic drug name as determined, as specified, of those drug products having the same active chemical ingredients. A person who knowingly violates the Pharmacy Law is guilty of a misdemeanor, as specified. This bill would authorize a pharmacist, in his or her discretion, except as specified, to select a biosimilar, as defined, when filling a prescription order for a prescribed biological product only if certain conditions are met. The bill would prohibit a pharmacist from substituting a biological product pursuant to these provisions unless the biological product selected costs the patient less than the prescribed biological product. The bill would also require that the substitution of a biosimilar be communicated to the patient and that the full name and manufacturer of the biosimilar be indicated on the prescription label. Because a knowing violation of these requirements would be a misdemeanor, the bill would create new

crimes, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 639 (Hernandez) Health Care Coverage: Cost Sharing.

Asm. Desk

Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA establishes annual limits on deductibles for employer-sponsored plans and defines bronze, silver, gold, and platinum levels of coverage for the nongrandfathered individual and small group markets. This bill would declare the intent of the legislature to enact legislation that would address cost sharing as contemplated by the PPACA. This bill contains other existing laws.

SB 746 (Leno) Health Care Coverage: Premium Rates.

Asm. Health (6/25)

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law requires health care service plans, for large group plan contracts, at least 60 days in advance of a rate change, to file with the department all specified rate information for unreasonable rate increases and, with that filing, to disclose specified aggregate data. This bill would instead require the plans to file all specified rate information for rate increases that exceed the Consumer Price Index as published by the United States Bureau of Labor Statistics. The bill would also require a health plan that exclusively contracts with no more than 2 medical groups in the state to disclose the amount of its actual trend experience for the prior contract year by aggregate benefit category, using benefit categories that are, to the maximum extent possible, the same or similar to those used for the individual and small group markets as well as those used by that plan for the individual and small group markets. This bill contains other related provisions and other existing laws.

SB 800 (Lara) California Health Benefit Exchange: Membership.

Asm. Desk

Existing law establishes the California Health Benefit Exchange, which is governed by a board composed of 5 members, including the Secretary of California Health and Human Services, or his or her designee, 2 members appointed by the Governor, and 2 members appointed by the Legislature in a specified manner. Existing law requires that appointments by the Governor made after January 2, 2011, be subject to confirmation by the Senate. This bill would instead require that the board consist of 7 members, of which 4 would be appointed by the Governor. This bill contains other related provisions.

SB 809 (DeSaulnier) Controlled Substances: Reporting.

Asm. Desk

Existing law classifies certain controlled substances into designated schedules. Existing law requires the Department of Justice to maintain the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of Schedule II, Schedule III, and Schedule IV controlled substances by all practitioners authorized to prescribe or dispense these controlled substances. This bill would establish the CURES Fund within the State Treasury to receive funds to be allocated, upon appropriation by the Legislature, to the Department of Justice for the purposes of funding CURES, and would make related findings and declarations. This bill contains other related provisions and other existing laws.

Homeowners

AB 127 (Skinner) Fire Safety: Fire Retardants: Building Insulation Sen. BP & ED (6/24)
Enacts legislation that would reduce the use of flame retardants in plastic foam building insulation.

AB 1188 (Bradford) Fire Protection: General Obligation Bonds Sen. Gov. & Fin
Authorizes bonded indebtedness under existing law upon approval of the voters to fund activities involving buildings, facilities and equipment for the direct and exclusive use of fire, emergency response, police, or sheriff personnel.

Life

AB 546 (Stone) Insurance: Life and Disability Insurance: Insurable Interest. 6/14 To Gov.
Existing law provides, among other things, that an insurable interest, with reference to life and disability insurance, is an interest based upon a reasonable expectation of pecuniary advantage through the continued life, health, or bodily safety of another person and consequent loss by reason of that person's death or disability or a substantial interest engendered by love and affection in the case of individuals closely related by blood or law. This bill would make technical, nonsubstantive changes to those provisions.

SB 13 (Negrete McLeod) Public Employees' Retirement Benefits. Asm PE,R & S (6/26)
The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS) and the Teachers' Retirement Law establishes the State Teachers' Retirement System for the purpose of providing pension benefits to specified public employees. Existing law also establishes the Judges' Retirement System II which provides pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. The County Employees Retirement Law of 1937 authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county, city, and district employees. This bill would correct an erroneous cross-reference in the above provision and would instead specify that the Judges' Retirement System I and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in other provisions for nonsafety and safety members. This bill contains other related provisions and other existing laws.

Legal

SB 46 (Corbett) Personal Information: Privacy Asm. Jud. (6/18)
Amends existing law that requires any agency, and any person or business conducting business that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or revise certain data elements within the definition of personal information, by adding certain information relating to an account other than a financial account.

AB 25 (Campos) Employment: Social Media Sen. Appr. (6/26)
Applies existing law that prohibits a private employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media to public employers.

AB 184 (Gatto) Statutes of Limitations

Sen. Pub. Safety (6/26)

Provides that if a person flees the scene of an accident that has caused permanent, serious injury or flees the scene of an accident and is charged with specified types of vehicular manslaughter, charges may be brought by a specified time or after the person is identified as a suspect in the commission of the offense, whichever is later.

AB 231 (Ting) Public Safety: Gun Violence

Sen. Pub. Safety (6/26)

A bill intended to mandate insurance for all gun owners was amended to define the offense of criminal storage of a firearm and all references to the civil or insurance code were removed. With the bill now limited to the penal code.

AB 265 (Gatto) Local Government Liability: Dog Parks

Sen. Jud. (6/19)

Provides that a city, county, or city and county that owns or operates a dog park with specified signage is immune from civil liability for damages suffered by any person who is bitten by a dog or suffers any other dog-inflicted injury while in the dog park.

AB 499 (Ting) Judicial Proceedings: Injunction Prohibiting Harassment

Sen. Floor

Provides that the injunction prohibiting harassment shall remain in effect, subject to termination or modification by further order of the court, for up to 10 years and would repeal the order renewal provisions. Establishes a default order period of five years if no expiration date is provided on the form.

AB 522 (Bloom) Civil Actions: Dismissal for Delay in Prosecution

Assembly Jud. (4/2)

Expands the types of actions to which an exception to dismissal of an action for delay in prosecution would apply and includes an action for the dissolution of a domestic partnership, an action based on void or voidable marriage, and an action relating to a child custody or visitation order.

AB 584 (Perea) Insurance: Risk and Solvency Assessment

6/17 to Engrossing

Requires all domestic, foreign, and alien insurers doing business in this state, to submit to the Insurance Commissioner an Own Risk and Solvency Assessment Summary Report applicable to the insurer or the insurer's insurance group.

AB 802 (Wieckowski) Private Arbitration: Companies: Disclosures

Asm. Inactive File.

Amends an existing law which requires a private arbitration company involved in consumer arbitration cases to collect and make certain information available to the public in computer-searchable format. Requires that information, made available to the public in a computer-searchable format on a private arbitration company's Internet Web site, to also be available in a sortable database format.

AB 1220 (Skinner) Unruh Civil Rights Act

Sen. Judiciary (6/18)

Makes a technical, nonsubstantive change to the Unruh Civil Rights Act that generally prohibits business establishments from discriminating on the basis of sex, race, color, religion, ancestry, national origin, disability, or medical condition.

SB 46 (Corbett) Personal Information: Privacy

Asm. Jud. (6/18)

Amends existing law that requires any agency, and any person or business conducting business that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or revise certain data elements within the definition of personal information, by adding certain information relating to an account other than a financial account.

SB 131 (Beall) Damages: Childhood Sexual Abuse: Statute of Limitations Asm. Jud. (6/18)

Recasts provisions of law relating to the recovery of damages in childhood sexual abuse actions. Provides that actions not barred by law in effect prior to a specified date are not subject to a statute of limitations and that an action for recovery of damages suffered as a result of childhood sexual abuse may be commenced at any time. Provides that actions may be commenced within 30 years of the date the plaintiff attains the age of majority or within five years of the date of the fact of the injury.

SB 176 (Galgiani) Administrative Procedures Asm A& R

Requires, in order to increase public participation and improve the quality of regulations, state agencies, boards, and commissions to publish a notice prior to any meeting date or report, provided the meeting or report is seeking public input.

SB 310 (Calderon R) Asm Jud

Makes technical, nonsubstantive changes to existing law that requires a claimant to file a written notice with the party alleged to have contributed to a construction defect before initiating litigation.

SB 315 (Lieu) Civil Actions: Telephonic Appearances Asm. Jud.

Makes a nonsubstantive change to provisions of existing law providing that courts should permit parties to appear by telephone at appropriate conferences, hearings, and proceedings in civil cases to improve access to the courts and reduce litigation costs.

Regulatory

AB 12 (Cooley D) State government: Administrative Procedure Act: Standardized Regulatory Impact Analyses. Sen. G.O (6/25)

The Administrative Procedure Act governs the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Existing law requires each state agency to prepare a standardized regulatory impact analysis, as specified, with respect to the adoption, amendment, or repeal of a major regulation, as defined, that is proposed on or after November 1, 2013. Existing law requires the Department of Finance and the office, from time to time, to review the standardized regulatory impact analyses for adherence to regulations adopted by the department. This bill would instead require the Department of Finance and the office to annually review the standardized regulatory impact analyses for adherence to the regulations adopted by the department. This bill contains other related provisions and other existing laws.

Tax and Financial Issues

AB 32 (Perez J) Community Development Investment Tax Credits Sen. Gov & Finance

Amends the Personal Income Tax Law and the Corporation Tax Law that provides a credit for a qualified investment made into a community development financial institution. Increases the limitation on the aggregate amount of qualified investments.

AB 279 (Dickinson) Financial Affairs Sen. BFI (6/19)

relates to the instruments in, and criteria by, which a local agency, may invest and deposit its funds, including its surplus funds. Removes the term certificates of deposit and instead

authorizes a local agency to invest in deposits. Excludes from public funds reporting requirements a private sector entity that assists a selected depository institution of a local agency's deposits under certain conditions.

AB 978 (Blumenfield) Financial Institutions: Iran Sanctions **Sen. Labor (6/26)**

Requires prescribing regulations under the Financial Institutions Law for correspondent account or payable-through account with a foreign financial institution to establish diligence policies, procedures, and controls so the Secretary of Treasury can determine the foreign financial institution activities are subject to sanctions under the Comprehensive Iran Sanctions, Accountability, and Divestment Act.

Workers' Compensation Bills

AB 25 (Campos) Employment: Social Media **Sen. Appr. (6/26)**

Applies existing law that prohibits a private employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media to public employers.

AB 454 (Dickinson) Worker's Comp Benefits: Prevailing Wages **Senate Labor (6/26)**

Provides that, for purposes of determining temporary disability, temporary total disability, permanent total disability, and permanent partial disability, the amount of benefits for a worker who is injured while performing work under a contract requiring a federal, state, county, city, or city and county prevailing wage requirement shall be based on the average weekly earnings for prevailing wage contracts in the area if the worker received less than the prevailing wage.

AB 607 (Perea) Worker's Compensation: Dependent Children **Senate Labor (6/26)**

Amends existing law that establishes a workers' compensation system. Eliminates the requirement that, in order to conclusively presume that children under 18, or certain adult children, are wholly dependent for support on the deceased employee-parent, there not be a surviving totally dependent parent.

AB 1309 (Perea) Workers' Compensation: Professional Athletes. **Senate Labor (6/26)**

Exempts professional athletes from California's workers' compensation law who are working temporarily within the state. The bill also defines date of injury and provides that an employer of a professional athlete that is subject to California's workers' compensation laws is not liable for occupational disease or cumulative injury under specified conditions.

AB 1373 (Perez) Workers Compensation: Firefighters and Officers **Sen. Labor (6/26)**

Provides that certain proceedings related to the collection of death benefits for firefighters and peace officers may be commenced within an unspecified period of time if specified criteria are met, including that the employee's death is the result of a specified injury.

SB 36 (Hueso) Internet: Workers' Compensation Insurers: Data **Asm. Insurance**

Requires the Department of Insurance to include on its Internet Web site a dedicated Internet Web page that includes workers' compensation data, statistics, and reports covering both insurers and self-insurers. The bill would require the Department to only use data already collected by the Department or the Department of Industrial Relations.

SB 146 (Lara) Workers' Compensation: Medical Treatment: Billing Asm. Floor

Amends provisions regarding workers' compensation medical services billing and pharmacy payment requests. Prohibits a copy of a prescription from being required with a request for payment of pharmacy services. Gives an entity an extended time period to resubmit pharmacy bills for payment that were filed after a specified date and were denied due to the lack of the copy of the prescription. Authorizes certain entities to request a copy of the prescription during a review of drugs dispensed by the pharmacy.

SB 487 (Calderon R) Workers Compensation Insurance: Self-Insured Group Asm. Appr.

Expresses the intent of the Legislature to enact legislation to establish a Self-Insured Group Security Fund for the purposes of workers' compensation insurance.

SB 527 (Block) Workers Compensation: Public Employees: Leave Asm. Ins. (6/25)

Relates to public employees who are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment. Extends this leave of absence entitlement to lifeguards and employees of the city of San Diego.

SB 809 DeSaulnier) Controlled Substances Reporting. Assembly

Provides funding for the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of Schedule II, Schedule III, and Schedule IV controlled substances by all practitioners authorized to prescribe or dispense these controlled substances. The bill would also impose a tax upon specific Licensees and would allow admitted health and workers' compensation insurers to voluntarily contribute to the CURES Fund.