Call to Order:
Co-chair Diane Lawrence called the meeting to order at 9:05am

Roll Call:
Present: Diane Lawrence, Margaret Graf, Allegra Fortunati

Absent: Commissioner Carrington, Bettye Hammond, Anne Warren, Commissioner Lum, Commissioner Bittner, Patti Spaniak

Staff: Cindy Kauffman

Approval of Agenda: No quorum. Unable to approve March 17, 2021 agenda. Item will be added to April agenda.

Approval of Minutes: No quorum. Unable to approve February 17, 2021 minutes. Item will be moved to April agenda.

Legislative Reports: Staff reviewed new legislation that had been added to tracked items since the previous meeting. New legislation was prioritized into two sections. The first included items relevant to the Master Plan on Aging and DAS Advisory Committee. The second was all other new legislation. The Joint Legislative Committee discussed the first section and will discuss the remaining bills during the April meeting. Bills discussed are attached.

Staff provided a brief update on the Senate Budget Committee, Subcommittee #3 which met and reviewed aging issues, including C4A’s budget requests for nutrition, ADRC, falls prevention, and AAA baseline. The Assembly Budget Subcommittee #1 is schedule to review aging issues later this month. For federal updates, staff informed committee that the American Rescue Plan was signed into law which included enhanced Medicaid funding for Home and Community Based Services (HCBS). A summary of the relevant items included in the plan will be sent to committee members.
California Senior Legislature: Prior to the meeting, Allegra shared bills that are being sponsored and/or supported by CSL. They were emailed to committee members and incorporated into the bills being tracked.

New Business: no new business.

Old Business: no old business.

ANNOUNCEMENTS: no announcements.

NEXT JOINT LEGISLATIVE COMMITTEE MEETING: Wednesday, April 21, 2021

Meeting was ADJOURNED at 10:00 am
AB 123
Gonzalez
Paid Family Leave: Weekly Benefit Amount
Existing law defines "weekly benefit amount" for purposes of both employee contributions and benefits under this program to mean the amount of weekly benefits available to qualifying disabled individuals pursuant to unemployment compensation disability law, calculated pursuant to specified formulas partly based on the applicable percentage of the wages paid to an individual for employment by employers during the quarter of the individual’s disability base period in which these wages were highest, but not to exceed the maximum workers’ compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations.

This bill would revise the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90% of the wages paid to an individual for employment by employers during the quarter of the individual’s disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers’ compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations.

By providing for the deposit of additional contributions in, and by authorizing an increase in disbursements from, the Unemployment Compensation Disability Fund, this bill would make an appropriation.

AB 234
Ramos
Office of Suicide Prevention
Existing law authorizes the State Department of Public Health to establish the Office of Suicide Prevention within the department, and requires the office to perform specified duties, including providing information and technical assistance to statewide and regional partners regarding best practices on suicide prevention policies and programs and reporting on progress to reduce rates of suicide.

Status:
1/11/21 Referred to Com on Insurance
1/11/21 Read first time
12/19/21 From printer. May be heard in committee Jan. 18

Organization & Support:
MPA Goal 4

Status:
3/15/21 Set for Hearing 3/23/21
1/28/21 Referred to Com. On Health
1/13/21 From printer: May be heard in Advisory Council
suicide, and authorize the office to apply for and use federal, state, and foundation grants.

This bill would remove the limitation that, should the office be established, all duties and responsibilities of the office be carried out using existing staff and resources.

**AB 279**

**Intermediate care facilities and skilled nursing facilities.**

(1) Existing law requires the State Department of Public Health to license, inspect, and regulate intermediate care facilities (ICF) and skilled nursing facilities (SNF). Existing law generally requires an ICF or SNF to comply with certain procedures and disclosures when transferring ownership or management of the facility, as specified. Existing law imposes criminal penalties on a person who violates the requirements imposed on these facilities. This bill would prohibit the owner of an ICF or SNF from ceasing to deliver or making significant changes to the nature of residential care services, or from transferring a resident to another facility, during any declared state of emergency relating to the coronavirus disease 2019 (COVID-19), except if the owner files for bankruptcy. The bill would require, upon termination of the same type of state of emergency, the owner of an ICF or SNF to issue a 6-month advance notice of any proposed sale or termination of the licensed operation of the facility to each resident before the sale or termination goes into effect. The bill would also prohibit during the same type of state of emergency, any changes in all conditions for the sale of assets imposed by the Attorney General, except if the owner of an ICF or SNF files for bankruptcy. By expanding the requirements and prohibitions imposed on a licensee of ICF or SNF, the failure to comply with would be a crime, this bill would impose a state-mandated local program. The bill would repeal these provisions on January 1, 2026. This bill contains other related provisions and other existing laws.

**AB 457**

**Telehealth Patient Bill of Rights**

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. Under existing law, Medi-Cal services may be provided pursuant to contracts with various types of managed care health plans, including through a county organized health system. Under existing law, in-person contact between a health care provider and a patient is not required under the Medi-Cal program for services appropriately provided through telehealth.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and 

**committee Feb. 12**

1/12/21 Read first time. To print.

1/28/21 Referred to Com. on HEALTH.

1/22/21 From printer. May be heard in committee February 21.

1/21/21 Read first time. To print.

2/18/21 Referred to Com on Health

2/9/21 From printer. May be heard in committee March 11

2/8/21 Read first time. To print.

AA Advocates for Nursing Home Reform

MPA Goal 2

Advisory Council (Self Sufficiency Tracking)
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 requires a contract issued, amended, or renewed on or after January 1, 2021, between a health care service plan or health insurer and a health care provider to require the plan or insurer to reimburse the provider for the diagnosis, consultation, or treatment of an enrollee, subscriber, insured, or policyholder appropriately delivered through telehealth services on the same basis and to the same extent as the same service through in-person diagnosis, consultation, or treatment.

This bill would create the TeleHealth Patient Bill of Rights, which would, among other things, protect the rights of a patient using telehealth to be seen by a health care provider with a physical presence within a reasonable geographic distance from the patient’s home, unless specified exceptions apply. The bill would require a health plan, as defined, to comply with the requirements in the Telehealth Patient Bill of Rights and to provide written notice to patients of all their rights under the Telehealth Bill of Rights. The bill would also exempt a health care service plan or a health insurer from the existing telehealth payment parity provisions for any interaction where the health care provider is not located within a reasonable geographic distance of the patient’s home, unless that provider holds specialized knowledge not available in the patient’s region. Because a willful violation of the bill’s requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.
<table>
<thead>
<tr>
<th>AR 695</th>
<th>Arambula</th>
<th>Elder and Dependent Adults</th>
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<tbody>
<tr>
<td>Existing law authorizes, in certain circumstances, an elder or dependent adult to be taken into temporary emergency protective custody.</td>
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<td>For the purposes of the above-described provisions, existing law defines an elder as a person who is 65 years of age or older and a dependent adult as an adult between 18 and 64 years of age who has specific limitations.</td>
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<td>This bill would instead define an elder as a person who is 60 years of age or older and a dependent adult as a person who is between 18 and 59 years of age and has those specific limitations. The bill would also specifically identify that a person in that age range with traumatic brain injuries or cognitive impairments is a dependent adult. By requiring counties to provide services under the above described provisions for additional individuals, and by expanding the scope of a crime under the Elder Abuse and Dependent Adult Civil Protection Act, this bill would impose a state-mandated local program.</td>
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<td>(2) Existing law establishes the Home Safe Program, which requires the State Department of Social Services to award grants to counties, tribes, or groups of counties or tribes, that provide services to elder and dependent adults who experience abuse, neglect, and exploitation and otherwise meet the eligibility criteria for adult protective services, for the purpose of providing prescribed housing-related supports to eligible individuals.</td>
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<td>This bill would expand the list of housing-related supports and services to include services to support housing transitions.</td>
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<td>Existing law requires counties that receive grants under the Home Safe Program to provide matching funds.</td>
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<td>This bill would provide that, on and after the effective date of the bill, grantees are not required to match any funding provided that is above the base level of funding provided in the Budget.</td>
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(3) The Elder Abuse and Dependent Adult Civil Protection Act requires, as part of the procedures described in paragraph (1), each county to establish an adult protective services program that includes specific policies and procedures, including provisions for emergency shelter or in-home protection.

This bill would also require the policies and procedures to include provisions for homeless prevention and longer term housing assistance and support through the Home Safe Program. The bill would authorize a county that receives grant funds under the Home Safe Program to, as part of providing case management services to elder or dependent adults who require adult protective services, provide housing assistance to those who are homeless or at risk of becoming homeless. If an elder or dependent adult comes to the attention of adult protective services because they are homeless, and an investigation indicates that they are homeless because they have a serious mental illness or substance use disorder, the bill would require the county to refer the adult to the appropriate state or local agency to receive services and supports. By imposing additional duties on counties in the administration of their adult protective services programs, this bill would impose a state-mandated local program.

The bill would require the department to convene a workgroup to develop recommendations to create or establish a statewide adult protective services case management or data warehouse system. The bill would require the department to submit the recommendations to the Legislature by November 1, 2022.

The bill would establish the Adult Protective Services FAST/Forensic Center Grant Program, to be administered by the department, for the purpose of awarding grants to counties to create, enhance, and maintain a FAST or forensic center. The bill would define, for these purposes, a FAST as a team that handles cases involving financial abuse and a forensic center as a cross-disciplinary group of professionals who collectively review, make recommendations, and provide assistance on the most complex cases of elder and dependent adult abuse and neglect.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.
Existing law requires the California Department of Aging to establish a task force of certain members to study and make recommendations to the Legislature on the improvement of legal services delivery to senior citizens in California by exploring specified matters, including ways to ensure uniformity in the provision of legal services throughout the state and the possible establishment of a statewide legal hotline for seniors. Existing law requires the task force to report and make its recommendations to the Legislature on or before September 1, 2002.

This bill would require the department to establish a similar task force to assess the implementation of the recommendations made pursuant to the above-mentioned provisions, make additional recommendations by exploring the same matters explored by the initial task force, and to report the assessment and make its recommendations to the Legislature on or before September 1, 2023.

Increases the personal needs allowance from $35 to $80 per month and annually adjusts the allowance by the same percentage as the Consumer Price Index.

Existing law authorizes a current or former resident or patient of a skilled nursing facility or intermediate care facility, as defined, to bring a civil action against the licensee of a facility who violates any of specified rights of the resident or patient or any other right provided for by federal or state law or regulation. Existing law makes the licensee liable for up to $500.

This bill would make the licensee liable for up to $500 per violation.
Existing law requires the Secretary of CA and the Director of the Dept. of Aging, with the assistance of the MPA workgroup, to work with specified agencies, as needed, to identify policies, efficiencies, and strategies necessary to implement the master plan. Existing law requires the workgroup to solicit input and gather information to assist with the implementation of the master plan.

This bill would establish the California Long-Term Services and Supports Benefits Board (LTSS Board), to be composed of 10 specified members, including, among others, the Treasurer as chair, the Secretary of California Health and Human Services as vice chair, and 3 members to be appointed by the Governor. The bill would require the LTSS Board to manage and invest revenue deposited in the California Long-Term Services and Supports Benefits Trust Fund (LTSS Trust), which the bill would create in the State Treasury, to, upon appropriation, finance long-term services and supports for eligible individuals. The bill would require the Long Term Supports and Services Subcommittee of the Master Plan on Aging to provide ongoing advice and recommendations to the board.

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**AB 1083**  Nazarian  **Senior Affordable Housing: Nursing Pilot Program**

This bill would require the Department of Aging to establish and administer the Housing Plus Services Nursing Pilot Program in the Counties of Los Angeles, Orange, Riverside, Sacramento, and Sonoma. The program would provide grant funds to qualified nonprofit organizations that specialize in resident services for the purposes of hiring one full-time registered nurse to work at 3 senior citizen housing developments in each county to provide health education, navigation, coaching, and care to residents. The bill would require the department to submit a report to specified legislative committees and state agencies on or before January 1, 2026, and would repeal the program as of January 1, 2027.

**AB 1234**  Arambula  **Physician Orders for Life Sustaining Treatment Forms: Registry**

This bill would allow an electronic signature to be used for the purposes of an advance health care directive and POLST form.

The bill would enact the California POLST eRegistry Act, which would require the California
Health and Human Services Agency to create a statewide electronic POLST registry system for the purpose of collecting a patient’s POLST information received from a health care provider or the provider’s designee and disseminating the information therein to an authorized user, as defined. The bill would require the agency to promulgate regulations necessary for the operation of the POLST eRegistry, as specified, and set timelines for implementation. The bill would allow an electronic representation of a POLST form and the electronic communication of the information contained in a POLST form to have the same legal standing as a paper hardcopy of a POLST form.

AB 1243  Blanca Rubio  Protective Orders: Elder and dependent Abuse

This bill would require an action seeking a protective order to be heard in the probate or family division of the superior court. The bill would include within the definition of protective order an order enjoining a party from isolating an elder or dependent adult. The bill would require certain requirements to be met for that order to be issued, including a showing by a preponderance of the evidence that the respondent’s past act or acts of isolation of the elder or dependent adult prevented contact with the interested party and that the elder or dependent adult desires contact with the interested party. The bill would authorize the order to specify the actions to be enjoined, including enjoining the respondent from preventing an interested party from in-person or remote online visits with the elder or dependent adult. The bill would also include within the definition of protective order an order that specific debts were incurred as the result of financial abuse of the elder or dependent adult.

AB 1300  Voepel  Residential Care Facilities for the Elderly: Electronic Monitoring

This bill would enact the Electronic Monitoring in Residential Care Facilities for the Elderly Act to authorize the use of electronic monitoring devices either inside a resident’s room by a resident or in certain areas of a facility by the facility under specified conditions. For the use of a personal electronic monitoring device inside a resident’s room by a resident, the bill would require, among other things, the resident or the resident’s representative, as defined, to provide the facility with a completed notification and consent form, as specified, that includes the consent of the resident’s roommate, if any. The bill would also require the resident or the resident’s representative to post a sign at the entrance to the resident’s room stating that the room is monitored electronically. For the use of a facility electronic monitoring device, the bill would require the facility to, among other things, post signage at all entrances and exits that provides notice of electronic monitoring, archive the electronic monitoring digital data for 365 days, and provide the department access to the data upon 24 hours’ notice. By expanding the duties of licensed facilities under the act with regard to authorizing residents and facilities to conduct electronic monitoring under these conditions, the bill
would expand an existing crime, thereby imposing a state-mandated local program.

The bill would make it a misdemeanor to knowingly hamper, obstruct, tamper with, or destroy a personal electronic monitoring device or a facility electronic monitoring device or the recordings made therefrom, except as provided. The bill would make it a felony to knowingly hamper, obstruct, tamper with, or destroy a personal electronic monitoring device or a facility electronic monitoring device or the recordings made therefrom in the commission of, or in the attempt to conceal the commission of, a felony. By creating new crimes, the bill would impose a state-mandated local program.

| SB 91 | Com Budget & Fiscal Review | Extend eviction moratorium until June 30, 2021. Provide rental assistance for tenants facing financial hardship due to COVID. | 1/29/21 Chaptered by Secretary of State  
1/29/21 Approved by Governor  
1/28/21 Enrolled and presented to Governor  
1/28/21 Assembly amendments concurred  
1/28/21 In Senate. Concurrence in Assembly amendments pending | MPA Goal 1 |
| SB 256 | Pan | Medi-Cal: Covered Benefits  
This bill would require those mandatorily developed health-plan- and county-specific rates for specified Medi-Cal managed care plan contracts to include in lieu of services and settings provided by the Medi-Cal managed care plan. The bill would require each Medi-Cal managed care plan to disclose the availability of in lieu of services on its internet website and its beneficiary handbook, and to disclose to the department specified information on in lieu of services that are plan specific, including the number of people receiving those services. The bill would require the department to publish that information on its internet website.  
This bill would, to the extent that federal financial participation is available and any necessary | 2/22/21 Joint Rule 55 suspended.  
2/22/21 Art. IV. Sec 8(a) of the Constitution dispensed with.  
2/3/21 Referred to Com on Health  
1/27/21 From printer. May be acted upon on or after Feb 26. | MPA Goal 2 (Self Sufficiency tracking) |
federal approvals have been obtained, expand the schedule of benefits under the Medi-Cal program to include enhanced care management if the service is provided in person to a beneficiary and, at a minimum, the service includes coordinating primary, acute, behavioral, oral, and long-term services and supports for that person. The bill would authorize the department to implement these provisions by various means, including all-county letters or provider bulletins, without taking regulatory action. The bill would require the department to adopt, by July 1, 2024, regulations on these provisions, and, commencing January 1, 2023, to provide a status report to the Legislature on a semiannual basis until regulations are promulgated. The bill would make technical, nonsubstantive changes to provisions on the Medi-Cal schedule of benefits.

**SB 258** Laird Aging

Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging and sets forth its mission to provide leadership to the area agencies on aging in developing systems of home- and community-based services that maintain individuals in their own homes or least restrictive homelike environments. Existing law requires the department, in allocating specified state and federal funding to area agencies on aging, to ensure that priority consideration is given to criteria that reflect the state’s intent to target services to those in greatest economic or social need. Existing law defines “greatest social need” to mean the need caused by noneconomic factors, including physical and mental disabilities, that restrict an individual’s ability to perform normal daily tasks or that threaten the individual’s capacity to live independently.

This bill would revise this definition to include human immunodeficiency virus (HIV) status as a specified noneconomic factor.

**SB 281** Dodd Medi-Cal: California Community Transitions Program

This bill would require the DHCS to provide those services, consistent with Money Follows the Person Rebalancing Demonstration transitions, for individuals who have not resided in the facility for at least 60 days, and would make conforming changes. This bill would instead require the department to provide those services for individuals who have not resided in the facility for at least 60 days, and would make conforming changes. The bill would require the department to use federal funds, which are made available through the Money Follows the Person Rebalancing Demonstration, to implement prescribed services, and to administer those services in a manner that attempts to maximize federal financial participation if those services are not reauthorized or if there are insufficient funds. The bill would extend the provision of those services to January 1, 2029, and
would extend the repeal date of those provisions to January 1, 2030. This bill would require the department to implement and administer the California Community Transitions program to provide services for qualified beneficiaries who have resided in the facility for 60 days or longer. The bill would require a lead organization to provide services under the program. The bill would require program services to include prescribed services, such as transition coordination services. The bill would authorize a Medi-Cal beneficiary to participate in this program if the Medi-Cal beneficiary meets certain requirements, and would require eligible Medi-Cal beneficiaries to continue to receive program services once they have transitioned into a qualified residence. The bill would require the department to use federal funds, which are made available through the Money Follows the Person Rebalancing Demonstration, to implement this program, and to administer the program in a manner that attempts to maximize federal financial participation if that program is not reauthorized or if there are insufficient funds. The bill would repeal these provisions January 1, 2030.

This bill would declare that it is to take effect immediately as an urgency statute.

SB 591
Senior Citizens: Intergenerational Housing Developments
This bill would, among other things, permit the covenants, conditions, and restrictions to permit the establishment of an intergenerational housing development that includes senior citizens along with caregivers and transition age youths. The bill would define, among other terms, “senior citizen” to mean a person 55 years of age or older for these purposes. The bill would permit the establishment of an intergenerational housing development if (1) at least 80 percent of the occupied dwelling units are occupied by at least one senior citizen, as specified, and up to 20 percent of the occupied dwelling units are occupied by at least one caregiver or transition age youth, as defined, and (2) the development is an affordable rental housing development, as defined, and has received an allocation of low-income housing tax credits from the California Tax Credit Allocation Committee.

This bill would prohibit a housing facility or community from evicting or terminating the lease of a family with children in order to comply with the requirement that at least 80 percent of the occupied units be occupied by at least one senior citizen.

SB 648
Hurato
Care Facilities
This bill would provide that a resident in an adult residential facility or a residential care facility for

3/3/21 Referred to Com on Human Services
MPA Goal 2
the elderly in which at least 75 percent of the residents receive benefits pursuant to the State Supplementary Program for the Aged, Blind, and Disabled is also eligible to receive IHSS following an assessment for IHSS. The bill would authorize an adult residential facility or residential care facility to receive up to 60 hours of IHSS a week and would require an adult residential facility or residential care facility that receives benefits pursuant to those provisions to use the savings derived from IHSS towards certain expenses, including, among others, facility upkeep or upgrades. By imposing additional administrative duties on local officials administering the IHSS program and by expanding the scope of an existing crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

<table>
<thead>
<tr>
<th>SB 675</th>
<th>Bogh</th>
<th>Property Taxation: Automated Clearing House Payments</th>
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<tbody>
<tr>
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<td>This bill would state that the Legislature encourages every board of supervisors to establish payment systems authorizing homeowners to pay their real property taxes in monthly installments with an Automated Clearing House Payment system.</td>
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<td>This bill would authorize a county board of supervisors to adopt a resolution or ordinance to implement a monthly property tax payment program, which would authorize a homeowner to pay, in monthly installments, their real property taxes on their principal residence, as defined.</td>
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suspended.
2/22/21 Art. IV. Sec. 8(a) of the Constitution dispensed with.
2/22/21 Read for the first time
2/22/21 From printer. May be acted upon or after March 24.

3/10/21 From committee with author’s amendments. Read second time and amended. Re-referred to Com on RLS
3/3/21 Referred to Com on RLS
2/22/21 Joint Rule 55 suspended
2/22/21 Art. IV. Sec. 8(a) of the Constitution dispensed with
2/22/21 Read first time

MPA Goal 1