



Date: October 2018  
To: All Council Members  
From: Legislation Committee

CHAIRPERSON  
Raja Mitry

EXECUTIVE OFFICER  
Jane Adcock

Re: 2018 Year-End Legislation

This document is submitted to the California Behavioral Health Planning Council to inform its members about the legislative efforts and activities of the 2017-2018 legislative cycle.

The Advocacy/Legislation committee took the following positions on legislation:

- Support- 10 bills
- Oppose- 9 bills
- Neutral/Watch- 10 bills

In addition to sending position letters for these bills at various stages of the legislative cycle, staff also worked with the author's offices and key sponsors to voice the Council's position and provide input on potential amendments. Additionally, staff met with Donna Campbell, Deputy Legislative Secretary on Health from the Governor's office to voice the Council's concerns regarding Senate Bill 1004.

The attached chart provides a summary of the bills reviewed this year, as well as the position taken by the Advocacy/Legislation Committee and the bills final outcome. This year concludes the 2-year legislative cycle so bills that didn't progress may be introduced again in January for the 2019-2020 legislative cycle.

- **Advocacy**
- **Evaluation**
- **Inclusion**

**California Behavioral Health Planning Council  
Year-End Legislation Report**

Bill	Author	Summary	Position	Outcome
<a href="#"><u>AB 186</u></a>	Eggman	<p><b>AB-186 Controlled substances: overdose prevention program.</b> This bill authorizes the City and County of San Francisco to approve entities to operate an overdose prevention program for adults supervised by healthcare professionals or other trained staff where people who use drugs can safely consume drugs and get access to referrals to addiction treatment. Establishes a sunset date of January 1, 2022.</p>	<b>Support</b> Letter Sent	Vetoed by the Governor 9/30/18.
<a href="#"><u>AB 254</u></a>	Thurmond	<p><b>AB-254 Local Educational Agency Behavioral Health Integration Pilot Program.</b> This bill establishes a grant program, in order to encourage schools to provide additional behavioral health services to students.</p>	<b>Support</b> Letter Sent	Held in committee and under submission 9/1/17.
<a href="#"><u>AB 1136</u></a>	Eggman	<p><b>AB-1136 Health facilities: residential mental health or substance use disorder treatment.</b> This bill would require the Department of Public Health (DPH) to develop and submit a proposal to solicit a federal grant to develop an Internet-based database to collect information about beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and residential substance use disorder (SUD) treatment facilities.</p>	<b>Watch</b>	Held in committee and under submission 8/16/18.
<a href="#"><u>AB 1436</u></a>	Levine	<p><b>AB-1436 Board of Behavioral Sciences: licensees: suicide prevention training.</b> This bill requires, commencing January 1, 2021, an applicant for licensure with the Board of Behavioral Sciences (BBS) as a licensed marriage and family</p>	<b>Support</b> Letter Sent	Signed by the Governor 9/19/18. Chaptered by Secretary of State. Chapter 527, Statutes of 2018.

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		therapist (LMFT), licensed educational psychologist (LEP), licensed clinical social worker (LCSW), or licensed professional clinical counselor (LPCC) to show that the applicant has completed a minimum of six hours of coursework or specified supervised experience in suicide risk assessment and intervention.		
<a href="#"><u>AB 1795</u></a>	Gipson	<b>AB-1795 Emergency medical services: behavioral health facilities and sobering centers.</b> This bill allows specially trained paramedics to transport an individual to a designated behavioral health facility or sobering center instead of a hospital emergency department (ED).	<b>Support</b> Letter Sent	Held in committee and under submission 5/25/18.
<a href="#"><u>AB 1927</u></a>	Bonta	<b>AB-1927 Firearms: prohibition: voluntary list.</b> This bill requires the Department of Justice (DOJ) to study options, and recommend an approach, for allowing a person to register himself or herself on a list or database that prohibits the person from being able to purchase a firearm. It also requires DOJ to report its findings and recommendations to the Legislature by January 1, 2020.	<b>Oppose</b> Letter Sent	Vetoed by the Governor 9/26/18.
<a href="#"><u>AB 1968</u></a>	Low	<b>AB-1968 Mental health: firearms.</b> This bill requires that a person who has been taken into custody, assessed, and admitted to a designated facility because he or she is a danger to himself, herself, or others, as a result of a mental health disorder more than once within a one-year period be prohibited from owning a firearm for the	<b>Oppose</b> Letter Sent	Signed by the Governor 9/28/18. Chaptered by Secretary of State. Chapter 861, Statutes of 2018.

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		remainder of his or her life, subject to the right to challenge the prohibition at periodic hearings.		
<a href="#"><u>AB 1971</u></a>	Santiago	<p><b>AB-1971 Mental health services: involuntary detention: gravely disabled.</b> This bill expands the definition of “gravely disabled” in existing law, as implemented in the County of Los Angeles, to include a person’s inability to provide for his or her basic personal needs for medical treatment, as specified, and contains specified reporting requirements. Sunsets the provisions in this bill on January 1, 2024.</p>	<b>Oppose</b> Letter Sent	Ordered to inactive file by Senator Stern 8/31/18.
<a href="#"><u>AB 2018</u></a>	Maienschein	<p><b>AB-2018 Mental health workforce planning: loan forgiveness, loan repayment, and scholarship programs.</b> This bill expands eligibility of the Steven M. Thompson Loan Physician Corps Loan Repayment Program (STLRP) by expanding the definition of “practice setting” to include a program or facility operated by, or contracted to, a county mental health plan. The bill would require the Office of Statewide Healthcare Planning and Development (OSHPD) to include, in its five-year plan, expansion plans for loan forgiveness and scholarship programs for a commitment to employment in California’s public mental health system.</p>	<b>Support</b> Letter Sent	Held in committee and under submission 8/16/18.
<a href="#"><u>AB 2022</u></a>	Chu	<p><b>AB-2022 Pupil mental health services: school notification.</b> This bill requires each school of a school district or county office of education and charter schools to notify students and parents or guardians of pupils,</p>	<b>Watch</b>	Signed by the Governor 9/18/18. Chaptered by Secretary of State. Chapter 484, Statutes of 2018.

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		at least twice per school year, how to initiate access to available student mental health services on campus or in the community.		
<a href="#"><u>AB 2112</u></a>	Santiago	<b>AB-2112 Federal 21st Century Cures Act: community-based crisis response plan: grant.</b> This bill requires the Department of Health Care Services (DHCS) to develop and submit an application to solicit a grant authorized under the federal 21st Century Cures Act (Cures Act) to develop a community-based crisis response plan.	<b>Support</b> Letter Sent	Signed by the Governor 9/10/18. Chaptered by Secretary of State. Chapter 315, Statutes of 2018.
<a href="#"><u>AB 2138</u></a>	Chiu & Low	<b>AB-2138 Licensing boards: denial of application: revocation or suspension of licensure: criminal conviction.</b> This bill reduces barriers to licensure for individuals with prior criminal convictions by limiting a regulatory board's discretion to deny a new license application to cases where the applicant was formally convicted of a substantially related crime or subjected to formal discipline by a licensing board, with offenses older than seven years no longer eligible for license denial, with several enumerated exemptions.	<b>Watch</b>	Signed by the Governor 9/30/18. Chaptered by Secretary of State. Chapter 995, Statutes of 2018.
<a href="#"><u>AB 2156</u></a>	Chen	<b>AB-2156 Mental health services: gravely disabled.</b> This bill would change the definition of "gravely disabled" for these purposes to read, in part, a condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about, or providing for, his or her own basic personal needs for food, clothing, shelter, or	<b>Oppose</b> Letter Sent	First hearing canceled at the request of author 4/3/18.

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		<p>medical care without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm, dangerous worsening of a concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of his or her essential needs that could result in bodily harm. By increasing the level of service required of county mental health departments, this bill would impose a state-mandated local program.</p>		
<a href="#"><u>AB 2315</u></a>	<p>Quirk-Silva</p>	<p><b>AB-2315 Pupil health: mental and behavioral health services: telehealth technology: guidelines.</b>            This bill requires the California Department of Education (CDE), in consultation with the Department of Health Care Services (DHCS) and appropriate stakeholders with experience in telehealth, to develop guidelines on or before July 1, 2020, for the use of telehealth technology to provide mental health and behavioral health services to pupils on public school campuses, including charter schools.</p>	<p style="text-align: center;"><b>Watch</b></p>	<p>Signed by the Governor 9/26/18. Chaptered by Secretary of State. Chapter 759, Statutes of 2018.</p>
<a href="#"><u>AB 2316</u></a>	<p>Eggman</p>	<p><b>AB-2316 Mental health: county patients' rights advocates: training materials.</b>            Requires the State Department of Hospitals (DSH) and the Department of Health Care Services (DHCS) to develop a comprehensive training and certification program for county patients' rights</p>	<p style="text-align: center;"><b>Co-Sponsored</b></p>	<p>Signed by the Governor 8/28/18. Chaptered by Secretary of State. Chapter 237, Statutes of 2018.</p>

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		advocates (PRAs) that is accessible remotely and at any time.		
<a href="#"><u>AB 2317</u></a>	Eggman	<p><b>AB-2317 Whistleblower protection: county patients' rights advocates.</b> This bill extends the protections afforded to employees under these provisions to county patients' rights advocates appointed or under contract to provide services relating to mental health advocacy. The bill would provide that prohibitions against retaliation by an employer apply to the state or local contracting agency under these provisions.</p>	<b>Co-Sponsored</b>	Vetoed by the Governor 9/19/18.
<a href="#"><u>AB 2413</u></a>	Chiu	<p><b>AB-2413 Tenancy: law enforcement and emergency assistance.</b> This bill expands protections for survivors of domestic violence and other types of abuse to not face eviction or other penalties on the basis of having summoned law enforcement or 9-1-1 emergency assistance on their own behalf, or on behalf of another, to respond to incidents of violence or abuse, as provided.</p>	<b>Watch</b>	Signed by the Governor 8/24/18. Chaptered by Secretary of State. Chapter 190, Statutes of 2018.
<a href="#"><u>AB 2639</u></a>	Berman	<p><b>AB-2639 Pupil suicide prevention policies: reviews: updates.</b> This bill requires the governing board or body of a local educational agency that serves pupils in grades 7 to 12, inclusive, to review, at minimum every 5th year, its policy on pupil suicide prevention and, if necessary, update its policy. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.</p>	<b>Support Letter Sent</b>	Signed by the Governor 9/17/18. Chaptered by Secretary of State. Chapter 437, Statutes of 2018.

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<a href="#"><u>AB 2843</u></a>	Gloria	<b>AB-2843 Mental Health Services Fund.</b> This bill adds cities, special districts, school districts, or other public entities to the list of entities eligible to receive an excess of Mental Health Services Act (MHSA) funds subject to reversion for the provision of mental health services consistent with the intent of the MHSA.	<b>Oppose</b> Letter Sent	Refused passage 5/31/18.
<a href="#"><u>AB 2943</u></a>	Low	<b>AB-2943 Unlawful business practices: sexual orientation change efforts.</b> This bill declares under the state's Consumer Legal Remedies Act (CLRA) that the advertisement, offer for sale, or sale of services constituting sexual orientation change efforts, as specified, is an unlawful business practice in any transaction intended to result or that results in the sale or lease of goods or services to any consumer.	<b>Watch</b>	Ordered to inactive file at the request of Assembly Member Low.
<a href="#"><u>AB 2946</u></a>	Kalra	<b>AB-2946 Division of Labor Standards Enforcement: complaint.</b> This bill extends the statute of limitations for complaints alleging workplace retaliation from six months to three years and authorizes the payment of attorney's fees to employees who successfully sue for retaliation based on whistleblowing.	<b>Watch</b>	Refused passage 5/31/18.
<a href="#"><u>AB 2965</u></a>	Arambula	<b>AB-2965 Medi-Cal: immigration status.</b> This bill extends eligibility for full-scope Medi-Cal benefits to an individual who is under age 26 and undocumented, and would otherwise eligible for Medi-Cal but for their immigration status.	<b>Watch</b>	Held in committee and under submission 8/16/18.



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<a href="#"><u>AB 3224</u></a>	Thurmond	<p><b>AB-3224 Public social services: county employees.</b> This bill requires eligibility decisions for certain public benefit programs that are made by counties to be made by a county merit or civil service employee.</p>	<p><b>Oppose</b> Letter Sent</p>	<p>Signed by the Governor 8/20/18. Chaptered by Secretary of State. Chapter 179, Statutes of 2018.</p>
<a href="#"><u>SB 10</u></a>	Hertzberg	<p><b>SB-10 Pretrial release or detention: pretrial services.</b> This bill, as of October 1, 2019, repeals existing laws regarding bail and require that any remaining references to bail refer to the procedures specified in the bill.</p>	<p><b>Support</b> Letter Sent</p>	<p>Signed by the Governor 8/28/18. Chaptered by Secretary of State. Chapter 244, Statutes of 2018.</p>
<a href="#"><u>SB 215</u></a>	Beall	<p><b>SB-215 Diversion: mental disorders.</b> This bill amends Governor Brown’s 2018 pre-trial diversion program in three ways: (1) it eliminates certain offenses from consideration from diversion, including murder, manslaughter, rape, and other sex offenses; (2) it requires courts, upon request, to conduct a hearing to determine whether restitution is owed to any victim as a result of the diverted offense; and (3) it authorizes a court to request a prima facie hearing where a defendant must show they are potentially eligible for diversion.</p>	<p><b>Support</b> Letter Sent</p>	<p>Signed by the Governor 9/14/18. Chaptered by Secretary of State. Chapter 1005, Statutes of 2018.</p>
<a href="#"><u>SB 688</u></a>	Moorlach	<p><b>SB-688 Mental Health Services Act: revenue and expenditure reports.</b> This bill requires each county to prepare its Annual Mental Health Services Act (MHSA) Revenue and Expenditure Report in accordance with generally accepted accounting principles (GAAP), as specified, and requires specified entities to post</p>	<p><b>Watch</b></p>	<p>Signed by the Governor 9/14/18. Chaptered by Secretary of State. Chapter 403, Statutes of 2018.</p>

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		county reports in a machine-readable format on their respective Internet Web sites.		
<a href="#"><u>SB 906</u></a>	Beall	<p><b>SB-906 Mental health services and substance use disorder treatment: peer support specialist certification.</b> This bill requires the Department of Health Care Services (DHCS) to establish a program for certifying peer support specialists and to collaborate with interested stakeholders, as specified; permits DHCS to seek any federal waivers to implement the certification program; and permits DHCS to implement, interpret, and make specific the certification program through available means, as specified, until regulations are adopted.</p>	<b>Support</b> Multiple Letters Sent	Vetoed by the Governor 9/29/18.
<a href="#"><u>SB 974</u></a>	Lara	<p><b>SB-974 Medi-Cal: immigration status: adults.</b> This bill, contingent on annual budget appropriations, establishes full-scope Medi-Cal eligibility for undocumented adults age 65 years of age or older. (Current law establishes full-scope Medi-Cal eligibility for undocumented children.)</p>	<b>Watch</b>	Held in committee and under submission 8/16/18.
<a href="#"><u>SB 1004</u></a>	Wiener	<p><b>SB-1004 Mental Health Services Act: prevention and early intervention.</b> This bill requires the Mental Health Services Oversight and Accountability Commission (MHSOAC) to establish priorities for the use of MHSA prevention and early intervention (PEI) funds, as specified, and to develop a statewide strategy for monitoring the implementation and effectiveness of PEI programs, as specified.</p>	<b>Oppose</b> Multiple Letters Sent Met with Gov. Office	Signed by the Governor 9/27/18. Chaptered by Secretary of State. Chapter 843, Statutes of 2018.

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<a href="#"><u>SB 1045</u></a>	Weiner & Stern	<p><b>SB-1045 Conservatorship: serious mental illness and substance use disorders.</b>            This bill allows, until January 1, 2024, San Diego, San Francisco and Los Angeles Counties to place in a conservatorship, as specified, a person who is chronically homeless and incapable of caring for his or her own health and well-being due to serious mental illness and substance use disorder.</p>	<b>Oppose</b>	Signed by the Governor 9/27/18. Chaptered by Secretary of State. Chapter 845, Statutes of 2018.
<a href="#"><u>SB 1125</u></a>	Atkins	<p><b>SB-1125 Federally qualified health center and rural health clinic services.</b>            This bill requires Medi-Cal reimbursement for a maximum of two visits taking place on the same day at a single location of a Federally Qualified Health Centers (FQHC) and Rural Health Clinics (RHC) to be reimbursed when the patient has a medical visit and a mental health visit or a dental visit on the same day. This bill makes this change contingent upon an appropriation in the annual Budget Act and federal financial participation. This bill codifies the existing requirement that acupuncture visits are Medi-Cal reimbursable to FQHCs and RHCs on a per-visit basis.</p>	<b>Support</b> Letter Sent	Vetoed by the Governor 9/27/18.
<a href="#"><u>SB 1152</u></a>	Hernandez	<p><b>SB-1152 Hospital patient discharge process: homeless patients.</b>            This bill requires each hospital to include, as part of its hospital discharge policy, a written homeless patient discharge planning policy and process. Prohibits a hospital from discharging a homeless patient to a location other than where the patient identifies as his or her residence unless to another</p>	<b>Oppose</b>	Signed by the Governor 9/30/18. Chaptered by Secretary of State. Chapter 981, Statutes of 2018.

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		licensed facility, or to a social services agency or provider that has agreed to accept the patient, and requires certain conditions to be met prior to discharging the homeless patient.		
<a href="#"><u>SCR 99</u></a>	Newman	<p><b>SCR-99 Military and Veteran Suicide Prevention Awareness Week.</b> This measure proclaims September 24, 2018, to September 30, 2018, as Military and Veteran Suicide Prevention Awareness Week in California.</p>	<p style="text-align: center;"><b>Support</b> Letter Sent</p>	<p style="text-align: center;">Chaptered by Secretary of State 9/11/18.</p>