

California Disability Services Association
Legislative Sub-committee of the Public Policy Committee
March 8, 2011 (Updated 3-15-11)
Review of Legislation

The attached list of pending legislation has the potential to impact services for people with developmental disabilities, the administration of programs, or the standards under which these programs are delivered. Clicking on the [blue text](#) will take the reader to the current version of the bill.

There are several positions that the Committee may take:

SUPPORT

The bill in its current form is acceptable to the Association.

SUPPORT IF AMENDED

The bill would be improved by an amendment. If the amendment is not taken, the Association will have no position on the bill.

WATCH

The subject of the bill is of potential interest to the Association. We will monitor this bill as it progresses through the process.

OPPOSE

The bill in its current form is NOT acceptable to the Association.

OPPOSE UNLESS AMENDED

The bill in its current form is not acceptable to the Association. There are amendments that will result in either making the bill acceptable or causing the Association to take no position. Unless the amendment is taken, the Association will oppose the bill.

NO POSITION

The bill is of no interest to the Association.

CDSA's high priority bills are shaded in grey.

Bill #	Primary Author(s)	Current Text	Synopsis	Action
AB 170	Jeffries	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0151-0200/ab_170_bill_20110120_introduced.pdf	<p>This bill would state the intent of the Legislature to enact legislation that would divide the Inland Regional Center, which serves Riverside and San Bernardino counties, into 2 separate regional centers that independently serve their respective communities.</p> <p><i>Costs to the state associated with setting up a new RC are likely to sink this bill. Is the author open to the idea of consolidating RC's?</i></p>	<p>OPPOSE UNLESS AMENDED</p>
AB 171	Beall	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0151-0200/ab_171_bill_20110120_introduced.pdf	<p>This bill would require health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis and behavioral services treatment of autism spectrum disorders. The bill would, however, provide that no benefits are required to be provided by a health benefit plan offered through the California Health Benefit Exchange that exceed the essential health benefits required under federal law. The bill would prohibit coverage from being denied for specified reasons.</p> <p><i>Cautions: Insurance mandates are tough; "medical necessity" can open the door to eliminating services.</i></p>	<p>SUPPORT</p>
AB 254	Beall	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0251-0300/ab_254_bill_20110203_introduced.pdf	<p>This bill would require the regional center, when developing an individual program plan for a transition age youth or working age adult, to be guided by the Employment First Policy. The bill also, beginning when a consumer is 14 years of age, would require the planning team to discuss school-to-work opportunities during individual program plan meetings and to inform the consumer, parent, legal guardian, or conservator that the regional center is available, upon request, to participate in the consumer's individualized education plan meetings to discuss transition planning. The bill would require the planning team, as part of the individual program plan process for working age adults, to address integrated employment opportunities, while respecting the consumer's right to choose.</p> <p><i>This bill is intended to be the "teeth" of the new employment 1st Policy.</i></p>	<p>WATCH</p>

<p>AB 350</p>	<p>Solorio</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0301-0350/ab_350_bill_20110210_introduced.pdf</p>	<p>Existing law, the Displaced Janitor Opportunity Act, requires a new janitorial contractor who will replace an existing contractor to hire all of the previous employees for 60 days and if they perform, to offer then permanent employment.</p> <p>For agencies who serve as contractors for the purpose of employing persons with developmental disabilities, this measure essentially eliminates the opportunities to replace existing employees with persons with disabilities.</p> <p>This bill would expand the provisions of the act to include licensed security, landscape, window cleaning, and food cafeteria services in addition to janitorial and building maintenance services. The bill would extend the 60-day period in the act to 90 days.</p> <p><i>This bill could work for us or against us. Some providers have already experienced the law this bill would be expanding.</i></p>	<p>OPPOSE (Priority)</p>
<p>AB 394</p>	<p>Silva</p>	<p>http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_394&ess=CUR&house=B&author=silva</p>	<p>This bill would exempt an individual who renders services as a volunteer from wage and hour requirements applied to an employee. The bill would define the term "volunteer" for those purposes as an individual who, without promise or expectation of compensation, but solely for his or her personal purpose or pleasure, performs work for an organization that is exempt from taxation pursuant to a specified provision of federal law.</p> <p><i>Only applies to non-profits, could have potential federal conflicts.</i></p>	<p>WATCH</p>
<p>AB 594</p>	<p>Yamada</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0551-0600/ab_594_bill_20110216_introduced.pdf</p>	<p>The bill would establish the California Department of Adult and Aging Services in the California Health and Human Services Agency, for the purpose of maintaining individuals in their own homes, or the least restrictive homelike environments for as long as possible, by integrating services under a single agency, to establish stronger, more focused leadership for home- and community-based services for all older adults and persons with disabilities.</p>	<p>WATCH</p>

<p>AB 862</p>	<p>Silva Sponsor: ResCoalition</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0851-0900/ab_862_bill_20110217_introduced.pdf</p>	<p>This bill would enact the Regional Center Records Act, requiring Regional Centers to disclose specified information to the public, subject to certain provisions. The bill would also require the department to consult with the regional centers to develop policies and procedures to implement the act.</p> <p>The long list of disclosures (please take a look!) include the company name and principals of vendors, program designs, actual rates, vendor reviews, audits, or quality assurance reports, contracts, the number of consumers that qualify for a developmental disability waiver.</p> <p><i>Concerns about sharing proprietary info. What should or shouldn't be on the list of disclosures?</i></p>	<p>WATCH</p>
<p>AB 889</p>	<p>Ammiano</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0851-0900/ab_889_bill_20110217_introduced.pdf</p>	<p>This bill would specially regulate the wages, hours, and working conditions of domestic work employees. The bill specifically exempts an IHSS worker but not workers who are performing the same duties outside of the IHSS-approved hours.</p> <p>This bill gives a worker the right to take their employer to court for the violation of a long list of violations, provide an overtime compensation rate; require annual pay increases, paid vacation, and paid sick days; and require written notice of termination 21 days in advance.</p> <p>"Personal attendant" is covered and means a person who is involved supervision, feeding, or dressing of a child or other person who, by reason of advanced age, physical disability, or mental deficiency, needs supervision. Personal attendant includes babysitters. The status of "personal attendant" applies if no significant amount of work other than the foregoing is required.</p> <p><i>Job killer bill. The bureaucracy needed to monitor and enforce this would be huge and likely unworkable.</i></p>	<p>OPPOSE (Priority)</p>
<p>AB 899</p>	<p>Yamada</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0851-0900/ab_899_bill_20110217_introduced.pdf</p>	<p>A placeholder bill to license and regulate home care organizations to protect seniors, people with disabilities, and other consumers who rely on home care services.</p>	<p>WATCH</p>

AB 1244	Chesbro	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1201-1250/ab_1244_bill_20110218_introduced.pdf	<p>This is a place holder bill to develop a personal choice budget for people with developmental disabilities</p> <p><i>Logistics matter, the devil will be in the details on this bill, we'll need to make sure it can work.</i></p>	WATCH
AB 1367	B. Berryhill	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1351-1400/ab_1367_bill_20110218_introduced.pdf	<p>This is a placeholder bill related to surplus state property.</p> <p><i>CDSA has a position that would encourage the encumbrance of the value of closed developmental centers for the purpose of funding either services or housing costs for people in the DD field. A conversation with the author about this subject may be in order.</i></p>	WATCH
AB 1375	Huber	http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1351-1400/ab_1375_bill_20110218_introduced.pdf	<p>A spot bill to enact legislation that would promote statewide standardized guidelines, best practices, and innovative approaches for the provision of services and supports through regional centers for the evaluation and treatment of individuals with autism spectrum disorders from birth to 5 years of age.</p>	WATCH
SB 144	Wyland	http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0101-0150/sb_144_bill_20110201_introduced.pdf	<p>A spot bill related to meal and breaks.</p> <p><i>Likely just a placeholder bill that will change significantly as the process moves on.</i></p>	WATCH
SB 382	Liu	http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0351-0400/sb_382_bill_20110215_introduced.pdf	<p>This bill is designed to enhance transparency within regional centers, including making public the performance contracts between DDS and the centers, identification of support areas that need further development and strengthens protection against retaliation toward those who report wrongdoing.</p> <p><i>May need our show of support.</i></p>	WATCH

<p>SB 411</p>	<p>Price</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0401-0450/sb_411_bill_20110216_introduced.pdf</p>	<p>This bill would enact the Home Care Services Act of 2011, which would provide for the licensure and regulation of home care organizations, as defined, by the State Department of Public Health.</p> <p><i>Under the provisions of the bill are extensive & complex requirements regarding consumer information, background checks, etc.</i></p>	<p>WATCH</p>
<p>SB 743</p>	<p>Strickland</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0701-0750/sb_743_bill_20110218_introduced.pdf</p>	<p>This bill would transfer up to \$2,000,000,000 from the General Fund, in the form of loans, and appropriate \$2,000,000,000 from the Federal Trust Fund, to the Medical Providers Interim Payment Fund for each fiscal year in which these payments are necessary. This is a “late budget” type item and may be less critical with majority vote approval in place, but nonetheless it could be important.</p> <p><i>Allows funds to be available for payments when the legislature doesn’t pass a budget on time.</i></p>	<p>SUPPORT</p>
<p>SB 889</p>	<p>Emmerson</p>	<p>http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0851-0900/sb_889_bill_20110218_introduced.pdf</p>	<p>A SPOT bill that could make changes relative to powers of the protection and advocacy agency (Disability Rights California), which is a private, nonprofit corporation charged with protecting and advocating for the rights of persons with developmental disabilities and mental disorders.</p>	<p>WATCH</p>