

Senate Committee on Human Services

**SUMMARY OF
2011-2012 LEGISLATION**

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1. Aging and Long-Term Care

SB 529 (Correa) Aging: Strategic planning

This bill requires the California Health and Human Services Agency to update the existing statutorily mandated statewide strategic plan on aging. *Failed passage in the Senate Appropriations Committee 2012.*

SB 718 (Vargas) Elder and dependent adult abuse: mandated reporting

This bill allows mandated reporters to submit known or suspected elder abuse reports through a confidential and secure Internet reporting tool, if the county long-term care ombudsman program chooses to implement such a system. Requires an Internet report to contain the same information items as existing report forms. Allows a written abuse report, currently required as a follow-up to the telephone report, to be submitted through the confidential Internet reporting tool, if available. Additionally, it requires a county ombudsmen that implements this option to report to the relevant legislative policy committees on the effectiveness of this reporting tool. *Chapter 373, Statutes of 2011.*

SB 1400 (Harman) Residential care facilities for the elderly: video surveillance

This bill authorizes a residential care facility for the elderly to use video surveillance in a resident's bedroom if the facility and the resident or the resident's authorized representative consent to the use of the video surveillance. Additionally, the bill requires that all recordings become part of the resident's medical record, and that specified persons entering the resident's bedroom give written, informed consent with respect to the video surveillance. *Failed passage in the Senate Human Services Committee 2012.*

AB 40 (Yamada) Elder and dependant adult abuse: reporting

This bill requires mandated reporters of elder or dependent adult abuse to report suspected crimes of physical abuse which are believed to have occurred in a long-term care facility to local law enforcement within two hours, with follow up written reports to *both* the law enforcement entity and the Long-Term Care Ombudsman (LTCO), as well as to the appropriate licensing agency. In cases of suspected abuse where the perpetrator has a diagnosis of dementia and the injury is not significant, permits the mandated reporter to determine, based upon his or her training experience, whether to report to local law enforcement *or* the LTCO. Current law requires mandated reporters of elder and dependent adult abuse to report to *either* the LTCO *or* local law enforcement. *Chapter 659, Statutes of 2012.*

AB 69 (Beall) Senior nutrition benefits

This bill requires the Department of Social Services (DSS) to allow eligible and interested counties to use existing information from the Social Security Administration (SSA) for the purpose of identifying low-income Social Security recipients and simplifying enrollment in the CalFresh program as of July 1 2012. Also requires the DSS to work with the SSA to target seniors receiving social security assistance who are likely to qualify for CalFresh. Further requires DSS to develop a streamlined application and simplified enrollment process for likely eligible recipients and to seek waivers, grants and other federal authority to implement the statute. *Chapter 502, Statutes of 2011.*

AB 138 (Beall) Elder Economic Planning Act of 2011

This bill establishes the Elder Economic Security Act of 2011 and requires the Department of Aging to report an Elder Economic Security Standard Index for each service area in its state plan and use it as a reference when making decisions about allocating its existing resources. The Index quantifies the costs that elders face in meeting their basic needs, including, but not limited to, food, shelter, health care, transportation, utilities, and essential household items, in the private market. The bill states that the index will be updated biennially by the University of California at Los Angeles Center for Health Policy Research. *Chapter 668, Statutes of 2011.*

AB 313 (Monning) Residential care facilities for the elderly

This bill requires a residential care facility for the elderly (RCFE) to provide residents, their responsible party, and the local long-term care ombudsman with a written notice when the Department of Social Services commences proceedings to suspend or revoke its license, or when a criminal action relating to health or safety of the residents is brought against the facility. Additionally, it defines the scope of information required to be included in the written notices and defines maximum penalties. *Chapter 365, Statutes of 2011.*

AB 2066 (Monning) Residential care facilities for the elderly: revocation of licenses

This bill revises procedures used by the Department of Social Services when revoking a license for a Residential Care Facility for the Elderly (RCFE) to specify that notice must be provided to residents prior to eviction due to a revocation of license. It permits a licensee who is subject to a license revocation to arrange for a third part facility manager in order to avoid closure of the facility. In addition, this bill establishes a refund schedule for preadmission fees paid by residents of an RCFE that is subject to closure due to a revocation of license. *Chapter 643, Statutes of 2012.*

2. CalWORKS, CalFresh

SB 43 (Liu) CalFresh Employment and Training Program

This bill requires counties to screen certain CalFresh applicants to determine whether they will participate in, or be deferred from, the CalFresh Employment and Training program and specifies what criteria prompt deferral from the program. Furthermore, this bill allows a deferred work registrant to voluntarily request enrollment in the program. Under the bill, participating counties are required to demonstrate how funds are used effectively for each program component. *Chapter 507, Statutes of 2011.*

SB 320 (Wright) Public Social Services: hearings

This bill specifies procedures for state administrative hearings requested by applicants for, or recipients of, public social services. Primarily, this bill changes the process for conditional withdrawals, codifies the current policies on establishing the burden of proof, and clarifies and streamlines the scheduling and location of hearings. *Failed passage in the Assembly Appropriations Committee 2012.*

SB 936 (Committee on Human Services) Public social services

This bill deletes outdated code sections and corrects references to the California Health and Human Services Agency and to the CalFresh program. *Failed passage in the Assembly Human Services Committee 2011.*

SB 1060 (Hancock) CalWORKs benefits: lifetime ban

This bill deletes the existing prohibition against receiving CalWORKs benefits if the applicant has a felony conviction in state or federal court for a drug offense, including crimes of possession, use, or distribution of controlled substances. *Failed passage in the Senate Appropriations Committee 2012.*

SB 1074 (Dutton) CalFresh eligibility: fingerprint imaging requirement

This bill extends the fingerprinting requirement currently in effect for CalWORKs recipients to applicants for CalFresh benefits. *Failed passage in the Senate Human Services Committee 2012.*

SB 1391 (Liu) CalFresh benefits: overissuances

This bill establishes a cost-effective threshold for collecting overissuances to CalFresh recipients in cases where the overissuance is made due to administrative error. *Chapter 491, Statutes of 2012.*

AB 6 (Fuentes) CalWORKs and CalFresh

This bill requires counties to convert to a semi-annual reporting system from the existing quarterly reporting system, per the request of the U.S. Department of Food and Agriculture. Additionally, this bill removes the requirement for CalFresh recipients to be fingerprinted, establishes an income reporting threshold for CalWORKs recipients seeking CalFresh benefits, and establishes the “Heat and Eat” program for recipients of CalFresh benefits. *Chapter 501, Statutes of 2011.*

AB 69 (Beall) Senior nutrition benefits

This bill requires the Department of Social Services (DSS) to allow eligible and interested counties to use existing information from the Social Security Administration (SSA) for the purpose of identifying low-income Social Security recipients and simplifying enrollment in the CalFresh program as of July 1 2012. Also requires the DSS to work with the SSA to target seniors receiving social security assistance who are likely to qualify for CalFresh. Further requires DSS to develop a streamlined application and simplified enrollment process for likely eligible recipients and to seek waivers, grants and other federal authority to implement the statute. *Chapter 502, Statutes of 2011.*

AB 152 (Fuentes) Food banks: grants: voluntary contributions; income tax credits

This bill establishes a tax credit for California growers equal to 10% of the cost of fresh fruits or vegetables donated to California food banks. Establishes the State Emergency Food Assistance Program (SEFAP) within the Department of Social Services (DSS) and allows for contributions to SEFAP for the purchase of California grown fresh fruits or vegetables. This bill requires the Department of Public Health (DPH) to apply for any available federal funds aimed at promoting healthy eating and preventing obesity. *Chapter 503, Statutes of 2011.*

AB 402 (Skinner) CalFresh program: School Lunch Program: information

This bill permits a school district or county office of education to establish a memorandum of understanding (MOU) for the purpose of sharing information provided on the School Lunch Program application with the local agency that determines CalFresh or nutritional assistance program eligibility, if the applicant consents to the sharing of that information. Additionally, this bill requires a county that has entered into the MOU to determine CalFresh program eligibility for children from information provided on a School Lunch Program application. *Chapter 504, Statutes of 2011.*

AB 808 (Skinner) CalFresh: Transitional benefits

This bill originally required county welfare departments to provide households that are receiving transitional CalFresh benefits with a recertification notice that specifies an appointment date and time to assess the recipient's eligibility for regular CalFresh benefits. It was amended out of the jurisdiction of the Human Services Committee before it was heard and into the jurisdiction of the Labor and Industrial Relations committee. Some provisions of the original bill were amended into AB 1970, 2012.

AB 828 (Swanson) CalFresh eligibility: drug felonies

This bill expands current law permitting eligible applicants who have been convicted of certain drug offenses to receive CalFresh benefits to allow that all drug felons who are otherwise eligible for CalFresh benefits may apply, if they have met specified conditions of rehabilitation. *Failed passage in the Senate Appropriations Committee 2012.*

AB 959 (Jones) CalWORKs and CalFresh: reporting

This bill provides a one-month extension to participants in the California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh programs for filing required reports in order to avoid re-application. This bill provides that its provisions will not be implemented until the Department of Social Services (DSS) obtains all necessary federal approvals. *Chapter 506, Statutes of 2011.*

AB 1182 (Hernandez) CalWORKs eligibility: asset limits: vehicles

This bill would exclude the value of a motor vehicle from consideration as property when determining or re-determining CalWORKs eligibility, and deletes existing requirements on county welfare departments for assessing the value of a motor vehicle for the purposes of CalWORKs eligibility. *Vetoed by the Governor in 2011. See Governor's veto messages.*

AB 1400 (Committee on Human Services) Public Social services

This bill formalizes the adoption of the name "CalFresh" in reference to the recently renamed federal Supplemental Nutritional Assistance Program (SNAP) as it is administered in California. Replaces obsolete references to the federal Food Stamp Program with the new SNAP name. This bill also corrects outdated references to code sections. In addition, this bill corrects references to the California Health and Human Services Agency. Furthermore, this bill specifies that any reference in any other law to the food stamp program shall refer to CalFresh and to the CalFresh program. *Chapter 227, Statutes of 2011.*

AB 1560 (Fuentes) CalFresh: categorical eligibility

This bill waives the gross income test for CalFresh for any individual who is categorically eligible for CalFresh and who is a member of a household that receives, or is eligible to receive, assistance under the Medi-Cal program, to the extent permitted by federal law. *Failed passage in the Senate Appropriations Committee 2012.*

AB 1640 (Mitchell) CalWORKs benefits: pregnant mothers

This bill requires that a pregnant woman aged 18 or younger who meets eligibility requirements be provided CalWORKs assistance at any time after the verification of her pregnancy, regardless

of whether she is eligible for the Cal-Learn Program. Current law extends benefits only in the third trimester of pregnancy, or upon verification of pregnancy if the pregnant mother is a participant in Cal-Learn. *Chapter 778, Statutes of 2012.*

AB 1691 (Lowenthal) CalWORKs: welfare-to-work activities

This bill requires that English as a Second Language education be included in the list of identified core welfare-to-work activities, as specified. *Failed passage in the Senate Appropriations Committee 2012.*

AB 1970 (Skinner) Social Services Modernization and Efficiency Act of 2012

This bill provides that all applicants and recipients of public social services, including CalFresh and state health subsidy programs may choose to receive communications and notices related to benefits and eligibility electronically, as specified. This bill includes various provisions seeking to streamline the application and recertification process for public benefits, including restricting verification of information to what is federally required of applicants and beneficiaries, and establishing alternatives to in-person interviews for applications and redeterminations. *Failed passage in the Senate Appropriations Committee 2012.*

AB 2035 (Bradford) Electronic benefits transfer cards

This bill protects recipients of CalFresh benefits from losses due to the practice of electronic skimming of their electronic benefit transfer (EBT) cards and requires the Department of Social Services to establish a protocol to establish the quick replacement of lost benefits. *Chapter 319, Statutes of 2012.*

AB 2352 (Hernandez) CalWORKs eligibility: asset limits: vehicles

This bill excludes motor vehicles from consideration as property when determining eligibility for CalWORKs benefits. *Failed passage in the Senate Appropriations Committee 2012.*

3. Child Care

AB 1872 (Alejo) Child day care facilities: nutrition

This bill requires the Department of Social Services to post on its Internet website information about the U.S. Department of Agriculture's Child and Adult Care Food Program and requires family child care home providers to adhere to those nutritional requirements. It also requires providers to keep daily menus, available for parents and guardians to see, of all meals and snacks served. *Vetoed by Governor 2012. See Governor's veto messages.*

AB 1991 (Smyth) Child care: exemption from licensure: public recreation programs

This bill increases the number of weeks and hours that public recreation programs may operate from 12 weeks and 16 hours per week to 14 weeks and 20 hours per week. *Chapter 122, Statutes of 2012.*

4. Community Care, Licensing

SB 119 (Lowenthal) Emergency youth shelter facilities

This bill would establish a new community care licensing category of “emergency youth shelter facility” to provide voluntary temporary emergency shelter, case management and 24-hour supervision to youth between 12 and 18 years of age, who are homeless or at risk of homelessness. *Failed passage in the Assembly Appropriations Committee 2011.*

SB 737 (Walters) Organized camps

This bill would increase from 30 to 60 hours per week the number of hours that certain afterschool programs could operate without a required license or special permit. Children who participate in these program, which are run by a city, county or nonprofit organization, still would be limited to the current 30 hours per week per child. The bill also clarifies that YMCA, as an organized camp, is exempt from day care licensure, and updates the names of existing license-exempt organized camps. Codifies some existing practices. *Vetoed by the Governor in 2011. See Governor’s veto messages on page 25.*

SB 897 (Leno) Residential care facilities for the elderly

This bill requires a residential care facility for the elderly licensee to notify the Department of Social Services (DSS), the State Long-Term Care Ombudsman, all residents or potential residents, and, if applicable, their legal representatives, in writing, within two business days, or prior to a residents’ admission, of specified events indicating financial distress or risk of foreclosure. *Chapter 376, Statutes of 2011.*

SB 1089 (Liu) Alternative treatment facilities for youth

Defines “private nontraditional alternative treatment facility for youth,” as any residential or nonresidential facility or program operated by an organization that provides aggressive nontraditional punitive, retaliatory, aversive, or military style behavioral treatment or intervention services for youth, and prohibits their use in California without accreditation by specific entities. *Failed passage in the Assembly Appropriations Committee 2012.*

SB 1400 (Harman) Residential care facilities for the elderly: video surveillance

This bill authorizes a residential care facility for the elderly to use video surveillance in a resident's bedroom if the facility and the resident or the resident's authorized representative consent to the use of the video surveillance. Additionally, the bill requires that all recordings become part of the resident's medical record, and that specified persons entering the resident's bedroom give written, informed consent with respect to the video surveillance. *Failed passage in Senate Human Services Committee 2012.*

SB 1432 (Steinberg) Child and family welfare

This bill requires the California Child and Family Service Review System workgroup to reconvene in order to determine whether additional outcome indicators, additional analysis of existing indicators, or both, are necessary to determine the impact of the realignment of child welfare programs and services, as specified. Additionally requires the California Department of Social Services (DSS) to provide information annually to the legislature regarding the impact of the realignment of child welfare programs on child safety, as specified. This bill requires DSS to initiate authorized compliance actions if any county child welfare system does not meet established compliance thresholds after receiving technical assistance for at least six months but not more than one year. *Failed passage in the Senate Appropriations Committee 2012.*

SB 1502 (Runner) Community care facilities: foster care facilities: sex offenders

This bill prohibits a foster family home, foster family agency, or certified family home from knowingly accepting or permitting placement of any foster child if a person who is required to register for specified sex offenses resides at the location where the child is to be placed. *Failed Passage in Senate Human Services Committee 2012.*

AB 159 (Beall) Community care facilities: foster family agencies

This bill deletes the January 1, 2012, sunset date for the requirement that a foster family agency (FFA) maintain a one-to-eight ratio of social work supervisors to social workers, and instead, sunsets this ratio when the total FFA rate paid is restored to at least the rate effective on September 30, 2009, and the DSS director issues a declaration to that effect to the Legislature. *Chapter 94, Statutes of 2011.*

AB 313 (Monning) Residential care facilities for the elderly

This bill requires a residential care facility for the elderly (RCFE) to provide residents, their responsible party, and the local long-term care ombudsman with a written notice when the Department of Social Services commences proceedings to suspend or revoke its license, or when a criminal action relating to health or safety of the residents is brought against the facility. Additionally, it defines the scope of information required to be included in the written notices and defines maximum penalties. *Chapter 365, Statutes of 2011.*

AB 493 (Perea) Registered sex offenders: community care facilities

This bill prohibits sex offender registrants from residing, working or volunteering, except as specified, in a foster home or community care facility licensed or certified to serve children establish that it is punishable as a misdemeanor. Additionally, requires local law enforcement agencies to determine during registration whether the residence or place of employment of the registrant is prohibited under current law and, if so, to notify the registrant and the county child welfare agency and to take appropriate law enforcement action or notify an appropriate law enforcement entity with jurisdiction. This bill also requires the Department of Social Services to provide local law enforcement with the addresses of prohibited residences and workplaces, as specified. *Failed passage in the Senate Appropriations Committee 2012.*

AB 1142 (Chesbro) Residential care facilities for the elderly

This bill would prohibit a residential care facility for the elderly (RCFE) from assessing personal care fees upon notice of the death of a resident, and from assessing fees for the residential living unit of a deceased resident once all personal property belonging to the deceased is removed. This bill would also require admission agreements to include a clear explanation of these requirements. Additionally, this bill would limit liability for the payment of allowable personal care or unit fees to the individual, individuals, or entity contractually responsible for the payment of monthly fees for the resident. *Failed passage in Senate Human Services Committee 2012.*

AB 1872 (Alejo) Child day care facilities: nutrition

This bill requires the Department of Social Services to post on its Internet website information about the U.S. Department of Agriculture's Child and Adult Care Food Program and requires family child care home providers to adhere to those nutritional requirements. It also requires providers to keep daily menus, available for parents and guardians to see, of all meals and snacks served. *Vetoed by the Governor in 2012. See Governor's veto messages.*

AB 1928 (Cook) Foster homes: residential capacity

This bill clarifies existing law regarding the conditions under which the number of foster children residing in a specialized foster care home may be increased from two to three. This bill also clarifies existing residential capacity requirements for small family homes operating as specialized foster homes. *Chapter 120, Statutes of 2012.*

AB 1991 (Smyth) Child care: exemption from licensure: public recreation programs

This bill increases the number of weeks and hours that public recreation programs may operate from 12 weeks and 16 hours per week to 14 weeks and 20 hours per week. *Chapter 122, Statutes of 2012.*

AB 2066 (Monning) Residential care facilities for the elderly: revocation of licenses

This bill revises procedures used by the Department of Social Services when revoking a license for a Residential Care Facility for the Elderly (RCFE) to specify that notice must be provided to residents prior to eviction due to a revocation of license. It permits a licensee who is subject to a license revocation to arrange for a third part facility manager in order to avoid closure of the facility. In addition, this bill establishes a refund schedule for preadmission fees paid by residents of an RCFE that is subject to closure due to a revocation of license. *Chapter 643, Statutes of 2012.*

5. Homelessness Assistance

AB 683 (Ammiano) Homelessness: housing status data

This bill requires the departments of Health Care Services and Social Services to inquire about the housing status of persons who apply for Medi-Cal, CalWORKs or CalFresh benefits with the intent of determining whether an applicant is homeless or at risk for homelessness. *Failed passage in the Senate Appropriations Committee in 2012.*

6. Developmental Services, Rehabilitative Services

SB 309 (Liu) Child day care facilities: schoolage child care centers: nonminor students

This bill allows school-age child care centers to care for persons with developmental disabilities who are between the ages of 18 and 22 years old and enrolled in a special education program under certain conditions. *Chapter 470, Statutes of 2011.*

SB 368 (Liu) Developmental services: decision making

This bill requires that a juvenile court judge appoint an expert to evaluate whether a minor suffers from a developmental disability under specified circumstances. It also requires the court to appoint the director of a regional center to evaluate the minor if the expert believes the minor is developmentally disabled. It allows the court to appoint a developmental services decisionmaker to act in the minor's best interest and gives that person the right to access the minor's information, to participate in the IPP process, and to participate in the fair hearing process. *Chapter 470, Statutes of 2011.*

SB 382 (Liu) Developmental services: regional centers: complaints

This bill requires each performance contract with a regional center to include specified criteria based on regional center track record on complaints, state hearings, and compliance with the individual program plan. Requires the Department of Developmental Services and the Association of Regional Center Agencies to develop processes and procedures to address issues of retaliation, as specified. Requires regional centers to post specified information on vendors and negotiated rates for services on its Web site. Makes clarifying changes with regard to the selection of least costly providers. *Failed passage in the Assembly Human Services Committee in 2011.*

SB 417 (Dutton) Electronic benefits transfer cards: prohibition of use for alcohol and tobacco purchases

This bill requires the electronic benefits transfer (EBT) system used in the CalWORKs and CalFresh programs to be designed to prevent recipients from using the EBT card to purchase alcohol or tobacco products. *Failed passage in the Senate Human Services Committee in 2012.*

SB 471 (Rubio) CalFresh

Prohibits the use of CalFresh benefits to purchase sweetened beverages containing more than 10 calories per cup, except that CalFresh benefits may be used to purchase juice without added sugar, milk products, and milk substitutes, even if sweetened. *Failed passage in the Senate Human Services Committee 2011.*

SB 764 (Steinberg) Developmental services: Telehealth systems program

This bill requires a regional center individual program planning team to consider the use of telehealth, as defined, whenever applicable, for the purpose of improving access to intervention and therapeutic services for consumers and family members and for purposes of facilitating better and cost-effective services. Additionally, this bill requires the Department of Developmental Services (DDS) to establish vendorization subcodes for telehealth services and programs. Furthermore, this bill requires DDS to provide specified information related to the provision of telehealth services to the fiscal and appropriate policy committees of the Legislature by December 1, 2017. *Vetoed by the Governor in 2012. See Governor's veto messages.*

SB 1050 (Alquist) Autism: Telehealth task force

This bill requires the Department of Developmental Services to establish an autism telehealth taskforce administered and lead by a public or nonprofit entity responsible for the activities and work of the taskforce. The bill identifies the qualifications necessary for appointees to the task force and provides that the taskforce shall provide DDS with technical assistance and recommendations in the area of telehealth services for individuals with autism spectrum disorder, as specified. *Vetoed by the Governor in 2012. See Governor's veto messages.*

SB 1051 (Liu / Emmerson) Reports of death, injury, and abuse: developmental centers and state hospitals: mandated reporters

This bill requires that mandated reporters working in developmental centers report suspected abuse to the Office of Protective Services immediately and requires state hospitals and developmental centers to report specified incidents to the designated Protection and Advocacy agency. It also establishes minimum qualifications for the position of director of the Office of Protective Services within the Department of Developmental Services and directs that position be appointed by and serve at the pleasure of the Secretary of the Health and Human Services Agency. *Chapter 660, Statutes of 2012.*

SB 1259 (Emmerson) Developmental disabilities: regional centers

This bill would allow vendors subject to the auditing requirements of the 2011 trailer bill to apply to the regional centers for certain exemptions. Specifically, vendors receiving between \$250,000 and \$1,000,000 per year in state funding may receive a two-year exemption from audit requirements if they have received an unqualified opinion from their auditor (signifying that there are no material misstatements in the financial records), or a one-year exemption if they have received a qualified opinion (indicating some issues with the financial statements) but the material issues do not have an impact on regional center activities. Vendors that receive between \$250,000 and \$500,000 per year may receive a two-year exemption if the regional center does not find issues that have an impact on regional center activities in the prior year financial review. *Failed passage in the Senate Appropriations Committee in 2012.*

SB 1522 (Leno) Developmental centers: reporting requirements

This bill requires a state developmental center to report to local law enforcement all deaths, sexual assaults, assaults with a deadly weapon or force likely to produce great bodily injury, and other specified crimes. Requires that if the initial report is made by telephone, that a written report be sent as follow up within two days. *Chapter 666, Statutes of 2012.*

AB 862 (Silva) Developmental services: regional centers

This bill would add to an existing list of disclosures to be posted on each of California's 21 non-profit regional centers' websites, with the intention of allowing greater transparency in regional center operations. This bill follows SB 74 (Budget and Fiscal Review Committee), Chapter 9, Statutes of 2011, the 2011-12 Budget trailer bill pertaining to DDS, which requires DDS to establish a transparency portal on its Web site and requires that each RC post specified information on its Internet Web site. *Vetoed by the Governor in 2011. See Governor's veto messages.*

AB 1244 (Chesbro) Developmental services: Self- Determination Program

This bill creates a self-determination program within the existing developmental services system to provide individuals with a single, capitated funding allocation they may use to purchase services that support goals identified in their individual program plan. It creates a financial management service to help individuals manage their funding and makes other changes. It would replace the current self-directed services program, which required a federal waiver for implementation, and remains stalled in that waiver application process. *Failed passage in the Senate Human Services Committee in 2012.*

AB 2338 (Chesbro) Developmental services: Employment First Policy

This bill requires each regional center planning team to consider a specified Employment First Policy when developing an individual program plan (IPP) for consumers aged 16 and older, and defines the terms competitive employment, microenterprises and self-employment for those purposes. Declares the intent of the state that Employment First not infringe upon the rights of individuals to make other choices, and requires that this policy not be construed to expand the existing entitlement. Makes other related changes. *Failed passage in the Senate Appropriations Committee in 2012.*

7. Child Welfare, Foster Care, Adoptions

SB 1064 (De Leon) Child custody: immigration

This bill permits a court to place a child who is in dissolution, dependency, or probate guardianship proceedings with a parent, legal guardian or relative regardless of the immigration status of the parent or guardian and authorizes the use of specified identification documents from a country of origin for conducting background checks on those prospective guardians. This bill additionally authorizes an extension of reunification services for parents who have been arrested and issued an immigration hold, detained by the United States Department of Homeland Security (DHS), or deported to their country of origin. This bill also makes other substantive and non-substantive changes. *Chapter 845, Statutes of 2012.*

SB 1279 (Wolk) Child welfare services system: information access: outcomes

This bill establishes legislative intent to authorize the State Department of Social Services (DSS) to obtain access to information held by other state agencies that relate to outcomes of youth in the child welfare system. It specifies that the Employment Development Department release relevant wage data to DSS. It also requires the department to identify key outcomes for children in the child welfare system, as specified and requires the department to consult with state and local agencies and other stakeholders in determining outcomes measurements. This bill further requires the department to report information to the legislature regarding their progress in identifying and monitoring outcomes and sunsets those reporting requirements on January 1, 2019. *Failed passage in the Senate Appropriations Committee in 2012.*

SB 1319 (Liu) Child welfare

This bill deletes the requirement that licensed foster family homes be subject to civil penalties under the California Community Care Facilities Act. It allows the California Department of Social Services (CDSS) to renew or extend current performance agreement waivers with private non-profit agencies serving children. This bill also removes the sunset date for existing law which exempts certain community treatment facilities from 24-hour on site nursing staff requirements, and removes the sunset date for crisis nurseries. *Chapter 663, Statutes of 2012.*

SB 1432 (Steinberg) Child and family welfare

This bill requires the California Child and Family Service Review System workgroup to reconvene in order to determine whether additional outcome indicators, additional analysis of existing indicators, or both, are necessary to determine the impact of the realignment of child welfare programs and services, as specified. Additionally requires the California Department of Social Services (DSS) to provide information annually to the legislature regarding the impact of the realignment of child welfare programs on child safety, as specified. This bill requires DSS to initiate authorized compliance actions if any county child welfare system does not meet established compliance thresholds after receiving technical assistance for at least six months but not more than one year. *Failed passage in the Senate Appropriations Committee in 2012.*

SB 1502 (Runner) Community care facilities: foster care facilities: sex offenders.

This bill prohibits a foster family home, foster family agency, or certified family home from knowingly accepting or permitting placement of any foster child if a person for whom registration is required for specified sex offenses resides at the location where the child is to be placed. *Failed passage in the Senate Human Services Committee in 2012.*

SB 1521 (Liu) Child welfare services

This bill makes numerous amendments and federal conformity changes to Welfare and Institutions Code relating to the provision of services for foster youth including the following: Prohibits the provision of reunification services to a parent or guardian who has been required to register as a sex offender pursuant to federal law; Requires county welfare agencies to request a free credit report for foster youth aged 16 and older, as specified; Requires counties to document and report on how savings attributable to federal changes to the Adoption Assistance Program are spent; Deletes and adds reporting elements to the Child Welfare Training Program's annual evaluation report, as specified; Clarifies that educational stability of foster youth must be ensured for each new placement; Requires, pursuant to federal law as specified, that 95% of children in foster care be visited each month and that 50% of the total caseworker visits shall occur in the child's home. This bill also allows peer-to-peer mentoring and support groups for parents and primary caregivers, including familial visitation services and activities. *Chapter 847, Statutes of 2012.*

AB 159 (Beall) Community care facilities: foster family agencies

This bill deletes the January 1, 2012, sunset date for the requirement that a foster family agency (FFA) maintain a one-to-eight ratio of social work supervisors to social workers, and instead, sunsets this ratio when the total FFA rate paid is restored to at least the rate effective on September 30, 2009, and the DSS director issues a declaration to that effect to the Legislature. *Chapter 94, Statutes of 2011.*

AB 212 (Beall) California Fostering Connections to Success Act.

This bill makes various clarifying and substantive changes to the California Fostering Connections to Success Act of 2010 in order to ensure proper implementation on January 1, 2012. Among them is creation of a new “transition” jurisdiction which provides for clear process for the courts, child welfare agencies, and probation departments to implement the policy envisioned in AB 12 for foster youth on probation. This bill also makes changes to existing state law in order to comply with various provisions of federal law, as well as clarifies how counties may allocate Transitional Housing Program funding for this population. *Chapter 459, Statutes of 2011.*

AB 493 (Perea) Registered sex offenders: community care facilities

This bill prohibits sex offender registrants from residing, working or volunteering, except as specified, in a foster home or community care facility licensed or certified to serve children establish that it is punishable as a misdemeanor. Additionally, requires local law enforcement agencies to determine during registration whether the residence or place of employment of the registrant is prohibited under current law and, if so, to notify the registrant and the county child welfare agency and to take appropriate law enforcement action or notify an appropriate law enforcement entity with jurisdiction. This bill also requires the Department of Social Services to provide local law enforcement with the addresses of prohibited residences and workplaces, as specified. *Failed passage in the Senate Appropriations Committee 2012.*

AB 846 (Bonilla) Foster youth: identity theft

This bill adds the Department of Social Services (DSS) to the list of entities authorized to request credit reports on behalf of specified foster youth and clarifies the procedures for DSS and the county welfare departments to use when handling suspected identity theft that may be discovered during this process. This bill requires the Office of Privacy Protection (OPP), in consultation with the DSS and other stakeholders, to develop a list of nonprofit organizations and governmental agencies that assist consumers with identity theft issues. *Failed passage in the Senate Appropriations Committee in 2011.*

AB 1015 (Calderon) Child welfare services: California Child and Family Service Review System.

This bill requires every county, when preparing its state-required child welfare self-assessment improvement plan, to consult with a set of stakeholders that includes county child welfare agencies and probation agency staff at all levels, foster care providers, children's attorneys, and current and former foster youth, and a child welfare worker named by the bargaining unit representing social workers when developing county self-assessments, county improvement plans, or similar reports required by any subsequent changes to the California Child and Family Service Review System. *Failed passage in the Senate Appropriations Committee in 2011.*

AB 1147 (Yamada) Dependant children: status report

This bill requires social workers to document the services provided to a minor parent in foster care to allow him or her to provide a safe home for his or her child. *Vetoed by Governor in 2011. See Governor's veto messages.*

AB 1712 (Beall) Minors and nonminor dependents: out-of-home placement

This bill enacts numerous technical, clarifying, and federal conformity changes to the California Fostering Connections to Success Act of 2010 (AB 12) including expanding the definition of "relative" for purposes of both the federal- and age extended state-funded Kin-GAP programs to include guardians who are non-related extended family members, tribal kin, or current caregivers of foster children, as specified. It also provides various services and eligibility to be extended to nonminor dependents including the court-appointed special advocate (CASA) program, continuation of family reunification services, as specified, the option of adult adoption or tribal customary adoption, Adoption Assistance Program (AAP) benefits, and other services.

This bill also expands the duties of foster care public health nurses to include assisting nonminor dependents in accessing health and mental health care, coordinating the delivery of services, and advocating for the care that meets the needs of the nonminor dependent. *Chapter 846, Statutes of 2012.*

AB 1856 (Ammiano) Foster care services: cultural competency

This bill requires certification programs for foster care providers to include instruction on cultural competency and sensitivity related to lesbian, gay, bisexual and transgender youth in out-of-home care. *Chapter 639, Statutes of 2012.*

AB 1909 (Ammiano) Foster children: placement: suspension and expulsion: notifications

This bill requires that the attorney and county social worker of a foster child be notified of pending expulsion or extended suspensions proceedings and be permitted to attend specified meetings related to the proceedings. *Chapter 849, Statutes of 2012.*

AB 1928 (Cook) Foster homes: residential capacity

This bill clarifies existing law regarding the conditions under which the number of foster children residing in a specialized foster care home may be increased from two to three. This bill also clarifies existing residential capacity requirements for small family homes operating as specialized foster homes. *Chapter 120, Statutes of 2012.*

8. In-Home Supportive Services

SB 930 (Evans) In-home supportive services: enrollment and fingerprinting requirements

This bill repeals requirements that In-Home Supportive Services (IHSS) recipients provide fingerprint images and that provider timesheets include spaces for provider and recipient fingerprints; repeals the prohibition against providers using a post office box address to receive their paychecks and corrects problems with the provider appeals process. *Chapter 649, Statutes of 2011.*

AB 876 (Valadao) In Home Supportive Services program

This bill prohibits an In Home Supportive Services (IHSS) provider applicant from signing his or her own individual waiver form as the recipient's authorized representative, except for a parent, guardian, or person having legal custody of a minor recipient, a conservator of an adult recipient, or a spouse or registered domestic partner of a recipient. *Chapter 73, Statutes of 2011.*

AB 1714 (Halderman) In-home supportive services: providers

This bill adds the felony offenses of forgery, embezzlement, extortion, and identity theft to the list of criminal convictions that would preclude an applicant from providing supportive services through the In-Home Supportive Services program. The bill requires the State Department of Social Services to revise the provider enrollment form to account for these additional criminal exclusions. *Failed passage in the Senate Human Services Committee in 2012.*

AB 2538 (J. Perez) In-home supportive services: criminal exclusions

This bill clarifies that an In-Home Supportive Services local public authority shall share results of a Department of Justice background check with the Department of Social Service in order to complete the background check process for provider applications. *Failed passage in the Senate Appropriations Committee in 21012.*

9. Public Services, Social Services & other Human Services

SB 683 (Correa) Early Intervention Services: assessments

This bill directs the Secretary of the Health and Human Services Agency and the Superintendent of Public Instruction to require use of an electronic integrated assessment instrument for all providers of children's health, mental health and developmental disability services. The bill would also establish the Special Children's Electronic Integrated Assessment Instrument Fund in the State Treasury to be made available, upon appropriation, for the implementation of this bill. The bill would require the Director of Finance to file a prescribed notice if sufficient moneys are available in the fund to implement the bill. *Failed passage in the Senate Appropriations Committee.*

SB 893 (Wolk) Health and Human Services System Improvement and Accountability Act of 2011.

Directs the Health and Human Services Agency to establish the California Health and Human Services Review System to periodically review specified programs administered by the state and local agencies, including counties, joint powers, regional centers and other nonprofit entities. *Failed passage in the Senate Governance and Finance Committee in 2012.*

AB 823 (Dickinson) California Children's Coordination Council

This bill establishes an advisory body responsible for improving the collaboration and processes of the multiple agencies providing services to children and youth in California and identifies members of that body. *Vetoed by the Governor in 2012. See Governor's veto messages.*

AB 1693 (Hagman) Mental Health: persons incompetent to stand trial: pilot program expansion.

This bill permits the Department of Mental Health (DMH) to expand an existing pilot program designed to restore competency for defendants who are found incompetent to stand trial (IST) while those defendants are in county jail, and in lieu of a state hospital placement, as specified. The pilot would be expanded from San Bernardino to L.A. and Kern Counties, as well as any other county that chooses to participate. *Failed passage in the Senate Appropriations Committee in 2012.*

AB 2280 (Lara) California Special Supplemental Food Program for Women, Infants, and Children.

This bill requires the Department of Public Health (DPH), within 30 days after the department has completed its first investigation, to provide written notice to a vendor who has been found to overcharge a nutrition coupon when the violation could be used later to establish a pattern to impose a sanction. This bill also requires DPH to deliver the notice to the vendor 30 days before conducting a second investigation for purpose of establishing a pattern of violation. *Chapter 822, Statutes of 2012.*

Governor's Veto Messages

AB 823 (Dickinson) California Children's Coordination Council

09/17/2012

To the Members of the California State Assembly:

I am returning Assembly Bill 823 without my signature. This bill establishes a "Children's Coordinating Council," consisting of members of government, to advise itself on how it can improve collaboration amongst itself when it comes to delivering services to the children of this state.

For almost two years now, my administration has worked to eliminate unnecessary boards, commissions, advisory bodies, and reports, so that government is not so overloaded with the work of form over the work of function.

I commend the author's heartfelt desire to improve the lot of all children in the state, but the creation of another Council is not the solution. If anything, it lulls us into the fallacy that forms can solve our problems. Instead, let's try to be honest and thoughtful about the good we can do, and then do the good ? without the statutory decree, not because of it.

Sincerely,

Edmund G. Brown Jr.

AB 862 (Silva) Developmental services: regional centers

10/07/2011

To the Members of the California State Assembly:

I am returning Assembly Bill 862 without my signature. Among its provisions, the bill would require conflict-of-interest statements to be posted on regional center Web sites, pursuant to a regulation that the Department of Developmental Services must develop and issue.

The Department is still in the process of developing this regulation, which will identify who must file such statements. It would be appropriate to wait until the regulation is complete, before enacting related requirements by statute.

Sincerely, Edmund G. Brown Jr.

AB 1147 (Yamada) Dependant children: status report

10/02/2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1147 without my signature. No one can question the desirability of minor parents in foster care receiving whatever help they need to become good parents, but this bill won't further that goal. By law, social workers are required to submit updated case plans to the juvenile court every six months. These lengthy and detailed plans chronicle every aspect of the foster child's life, including whatever is needed to become a good parent. Placing in statute one more specific plan element, as this bill does, just adds to the bureaucratic complexity without really assisting the foster youth to live a better life. The more time adults in the foster care system spend writing and reading reports, the less time they have for the guidance and human caring that make the real difference.

Sincerely,

Edmund G. Brown Jr.

AB 1182 (Hernandez) CalWORKs eligibility: asset limits: vehicles

10/04/2011

To the Members of the California State Assembly:

I am returning Assembly Bill 1182 without my signature. This bill would allow a person applying for welfare to have one car, or possibly more, of any value, rather than a maximum value of \$4,650 under current law.

In the last year, the state has been forced to make steep reductions in many programs, including the state's welfare-to-work program. As we go into the new year, we may have to make additional cuts. Until we better understand the fiscal outlook, we should not be making changes of this kind.

Sincerely, Edmund G. Brown Jr.

AB 1872 (Alejo) Child day care facilities: nutrition

09/28/2012

To the Members of the California State Assembly:

I am returning Assembly Bill 1872 without my signature. The bill would require family child care homes to serve food in conformance with the federal Child and Adult Care Food Program, which offers reimbursement for meals that meet certain criteria.

I can support a measure that helps family child care providers learn about nutrition and serve healthier foods at a lower cost, but this bill goes beyond that. Small businesses such as family day care providers don't need another confusing mandate that adds to their struggles to stay afloat.

Sincerely, Edmund G. Brown Jr.

SB 764 (Steinberg) Developmental services: Telehealth systems program

09/23/2012

To the Members of the California State Senate:

I am returning Senate Bill 764 without my signature. I appreciate the author's desire to bring more efficiency to regional centers as well as promote the value of telehealth. The goals of this bill, however, can already be accomplished under existing law.

Mandating every individual program planning team to consider telehealth appears excessive. Where beneficial and available, I expect they will consider it, without the state telling them to do so.

Sincerely, Edmund G. Brown Jr.

SB 737 (Walters) Organized camps

10/08/2011

To the Members of the California State Senate:

I am returning Senate Bill 737 without my signature. I agree with the author's intent to clarify and simply the regulation of organized camps, but this measure does not achieve this goal. I am directing the Department of Public Health and Department of Social Services to work with the author and interested advocates to resolve this issue in the coming year.

Sincerely, Edmund G. Brown Jr.

SB 1050 (Alquist) Autism: Telehealth task force

09/19/2012

To the Members of the California State Senate:

I am returning SB 1050 without my signature. Last year I signed AB 415 (Logue), the Telehealth Advancement Act of 2011, to update our statutes on the use of telehealth.

As we work to improve and modernize our health care system, we can expect telehealth to play an increasingly prominent role in rural and urban areas, for many diseases and conditions. Such advancements and collaboration are occurring now, and a privately funded, disease-specific task force set forth in statute does not appear to be warranted.

*Sincerely,
Edmund G. Brown Jr.*