

AGENDA ITEM 11

DISCUSSION AND CONSIDERATION ESTABLISHING A POSITION ON THE FOLLOWING BILLS:

The following items are attached:

- a) Report on Pending Legislation.
- b) Assembly Bill (AB) 2 (Fong) Regulations: legislative review: regulatory reform.
- c) AB 29 (Cooper) State bodies: meetings.
- d) AB 107 (Salas) Licensure: veterans and military spouses.
- e) AB 114 (Maienschein) Medi-Cal benefits: rapid Whole Genome Sequencing.
- f) AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military spouses: licenses.
- g) AB 305 (Maienschein) Veteran services: notice.
- h) AB 339 (Lee) State and local government: open meetings.
- i) AB 410 (Fong) Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact.
- j) AB 468 (Friedman) Emotional Support Dogs.
- k) AB 562(Low) Mental health services for health care providers: Frontline COVID-19 Provider Mental Health Resiliency Act of 2021.
- l) AB 646 (Low) Department of Consumer Affairs: boards: expunged convictions.
- m) AB 830 (Flora) Department of Consumer Affairs: vacancies.
- n) AB 852 (Wood) Nurse practitioners: scope of practice: practice without standardized procedures.
- o) AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing.
- p) AB 1102 (Low) Telephone medical advice services.
- q) AB 1236 (Ting) Healing arts: licensees: data collection.
- r) AB 1273 (Rodriguez) Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer.
- s) AB 1361 (Rubio) Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates.
- t) AB 1386 (Cunningham) License fees: military partners and spouses.
- u) AB 1468 (Cunningham) Prior authorization
- v) Senate Bill (SB) 102 (Melendez) COVID-19 emergency order violation: license revocation.
- w) SB 256 (Pan) Medi-Cal: covered benefits.
- x) SB 306 (Pan) Sexually transmitted disease: testing
- y) SB 562 (Portantino) Health care coverage: pervasive developmental disorders or autism.
- z) SB 586 (Bradford) Criminal fees.
- aa) SB 731 (Durazo) Criminal records: relief.
- bb) SB 772 (Ochoa Bogh) Professions and vocations: citations: minor violations.

AGENDA ITEM 11 (a)

Pending legislation impacting or of interest to the Board is attached.

**California Board of Occupational Therapy
May 6, 2021, Legislative Update**

Bill #	Author	Summary	Board Position- Date Taken	Status	Inc?
AB 2	Fong	Regulations: legislative review: regulatory reform. This bill would require state agencies to identify and resolve any regulations that are duplicative, overlapping, inconsistent or out of date no later than January 1, 2023 and report those regulatory revisions to the Legislature and Governor.		Introduced (Intro) 12/7/2020 <i>This bill passed out of the Assembly Committee on Accountability and Administrative Review and referred to Appropriations.</i>	YES
AB 29	Cooper	State bodies: meetings. This bill would require a state body's meeting notice to include all writings and materials. This bill would require the writings and materials to be posted to the state body's website 72 hours in advance of the meeting or provided to any person who requests the materials in writing and prohibits a state body from discussing those materials, or taking action on an item, until the state body has complied with these provisions.		Intro 12/7/2020 <i>This bill passed out of the Assembly Committee on Government Organization and referred to Appropriations.</i>	YES
AB 107	Salas	Licensure: veterans and military spouses. This bill would require all boards/bureaus within DCA to issue temporary licenses to military spouses meeting specified criteria; require those temporary licenses to be issued within 30 days of receiving an application if the results of a criminal background check do not show grounds for denial; and require any regulations needed to implement this bill be submitted to the DCA by June 15, 2022.		Revised 4/29/2021 <i>This bill passed out of the Assembly Committee on Military and Veterans Affairs (CMVA) and referred to Appropriations.</i>	YES

AB 114	Maienschein	Medi-Cal benefits: rapid Whole Genome Sequencing. This bill would expand the Medi-Cal schedule of benefits to include rapid Whole Genome Sequencing, including individual sequencing, trio sequencing, and ultra-rapid sequencing. The bill would authorize the department to implement this provision by various means without taking regulatory action.	02/25/21 - Watch	Amended 4/5/2021 <i>This bill passed out of the Assembly Committee on Health and was referred to Appropriations.</i>	YES
AB 225	Gray	Department of Consumer Affairs: boards: veterans: military spouses: licenses. This bill would extend the duration of temporary licenses issued to military spouses by specified boards and bureaus from 12 to 30 months. It would also require all boards and bureaus that do not issue temporary licenses to issue reciprocal licenses to honorably-discharged veterans and military spouses that hold a professional license in another state if the spouse or veteran meets California's minimum requirements for licensure.		Amended 4/20/2021 <i>This bill passed out of the Assembly CMVA and referred to Appropriations.</i>	YES
AB 305	Maienschein	Veteran services: notice. This bill would eliminate the requirement that state agencies inquire as to veteran status and replace it with a requirement that specified state agencies inquire as to veteran status on application forms and request permission to transmit the applicant's information to the Dept. of Veterans Affairs.		Intro 1/25/2021 <i>This bill passed out of the Assembly CMVA and referred to Appropriations.</i>	YES
AB 339	Lee	State and local government: open meetings. This bill would require all meetings to have a call-in or internet-based service option that provides closed captioning provided to the public.		Amended 5/4/2021 <i>This bill passed out of the committee and referred to Assembly Appropriations.</i>	YES
AB 410	Fong	Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact. This bill would enact the Nurse Licensure Compact, under which the Board of Registered Nursing and the Board of Vocational Nursing and Psychiatric Technicians would be authorized to issue a multistate license that would allow the holder to practice in all party states under a multistate licensure privilege.		Amended 3/25/2021 <i>This bill has been referred to the Committee on Business and Professions (B&P).</i>	YES

AB 468	Friedman	Emotional Support Dogs. This bill would prohibit a health care practitioner from providing documentation relating to an individual's need for an emotional support dog that is not a service dog unless the health care practitioner complies with specified requirements/].		Amended 4/29/2021 <i>This bill passed out of the Assembly Committee on Appropriations.</i>	YES
AB 562	Low	Mental health services for health care providers: Frontline COVID-19 Provider Mental Health Resiliency Act of 2021. This bill would require the Department, in coordination with the relevant healing arts boards, to provide mental health services to licensed health care providers who have provided care to COVID-19 patients. Relevant healing arts boards would have to notify their licensees and solicit applications for access to the program.		Amended 4/8/2021 <i>This bill passed out of the Assembly B&P Committee and referred to Appropriations.</i>	YES
AB 646	Low	Department of Consumer Affairs: boards: expunged convictions. This bill would require a board within DCA that has posted on its website that a person's license has been revoked because they were convicted of a crime to post notification of an expungement order and the date thereof if the person reapplies or is relicensed. If the person is not relicensed or does not reapply, the board would be required to remove the initial posting that the license was revoked within 90 days. This bill would require a person to pay a \$50 fee to the board, unless another amount is determined by the board to be necessary to cover the cost of administering the bill.		Amended 4/14/2021 <i>This bill was referred to the Assembly Committee on Appropriations.</i>	YES
AB 830	Flora	Department of Consumer Affairs: vacancies. This bill would require the Director of the Department of Consumer Affairs to notify appropriate policy committees of the Legislature when the chief or executive officer position of any board or bureau becomes vacant.		Amended 4/19/2021 <i>This bill passed out of the Assembly Committee on Appropriations and was placed on the consent calendar.</i>	YES
AB 852	Wood	Nurse practitioners: scope of practice: practice without standardized procedures. Adds the new category of nurse practitioners (NPs) who are authorized to practice independently starting January 1, 2023,		Amended 4/21/2021 <i>This bill passed out of the Assembly</i>	YES

		to provisions of law that include physician and surgeons and other relevant health care licensees, corrects a drafting error related to the conditions when an independent NP must refer to a physician and surgeon, adds the new independent NPs to pharmacy definitions for prescribers, and makes other technical and clarifying changes.		<i>Committee on Appropriations.</i>	
AB 885	Quirk	Open Meeting Act: teleconferencing. This bill would require that state agencies and advisory committees that hold a meeting by teleconference make it available to the public both audibly and visually.		Amended 3/24/2021 <i>This bill was referred to the Assembly Committee on Government Organization.</i>	YES
AB 1102	Low	Telephone medical advice services. This bill would clarify that a telephone medical advice service (TMAS) is required to ensure that all health care professionals located out of state must operate consistent with the laws governing the professionals' respective state licenses. It also requires TMAS to comply with directions and requests for information made by healing arts boards.		Intro 2/18/2021 <i>This bill has passed out of the Assembly and sent to the Rules committee for assignment.</i>	YES
AB 1236	Ting	Healing arts: licensees: data collection. This bill would standardize the licensee demographic data that must be collected by all healing arts boards. Several board-specific data collection requirements would be repealed. Aggregate information collected must be posted on each board's website and provided to the Office of Statewide Health Planning and Development.		Amended 4/29/2021 <i>This bill passed out of the Assembly B&P and referred to Appropriations.</i>	YES
AB 1273	Rodriguez	Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer. This bill would add the State Public Health Officer and Director of DCA as members of the existing Advisory Committee on Apprenticeship.		Amended 3/22/2021 <i>This bill passed out of the Assembly Committee on Appropriations and was placed on the consent calendar.</i>	YES
AB 1361	Rubio	Childcare and developmental services: preschool expulsion and suspension, mental health services and reimbursement rates.		Amended 4/29/2021 <i>This bill passed out of the Assembly Committee on</i>	YES

		This bill requires early learning and care programs to use suspension or expulsion only as a last resort in responding to a child's behavior, requires specific actions to be taken prior to disenrolling or suspending a child due to a behavior issue, and provides additional funding and requirements for early childhood mental health consultations.		<i>Education and referred to Appropriations.</i>	
AB 1386	Cunningham	License fees: military partners and spouses. This bill would require boards and bureaus to waive initial license fees for military spouses.		Amended 4/28/2021 <i>This bill passed out of the Assembly Appropriations and placed in suspense file.</i>	YES
AB 1468	Cunningham	Prior authorization Prohibits a health plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2022, that provides coverage for a specified service, including ... occupational therapy services, from requiring prior authorization for the initial 12 treatment visits for that service within a new episode of care.		Amended 4/29/2021 <i>This bill passed out of the Assembly Committee on Health and referred to Appropriations.</i>	YES
SB 102	Melendez	COVID-19 emergency order violation: license revocation. This bill would prohibit the Department of Consumer Affairs or Alcoholic Beverage Control from revoking a license for failing to comply with emergency health orders unless it can be shown the violation resulted in transmission of COVID-19. Healing arts boards would be exempt from the provisions of this bill.		Amended 3/17/2021 <i>This bill failed to pass Senate Committee on Business, Professions and Economic Development (BPED). Reconsideration granted.</i>	YES
SB 256	Pan	Medi-Cal: Covered Benefits This bill would require health-plan- and county-specific rates for 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.	02/25/21 - Watch	Amended 4/15/2021 <i>This bill passed out of Senate Committee on Health and referred to Appropriations.</i>	NO

SB 306	Pan	Sexually transmitted disease: testing Among other things, this bill would require a health care provider to include “expedited partner therapy” on an STD prescription if the practitioner is unable to obtain the name of a patient’s sexual partner and would authorize a pharmacist to dispense an expedited partner therapy prescription and label the drug without an individual’s name.	02/25/21- Watch	Amended 3/24/2021 <i>This bill passed out of the Senate BPED and referred to Appropriations.</i>	YES
SB 562	Portantino	Health care coverage: pervasive developmental disorders or autism. Revises and expands the definition of Behavioral Health Treatment for pervasive developmental disorder or autism for purposes of health plan and insurer mandated coverage including expands the definitions of Qualified Autism Service (QAS) providers, professionals, and paraprofessionals. Prohibits the setting, location, or time of treatment recommended by the QAS provider from being used as the only reason to deny or reduce coverage for medically necessary services.		Amended 3/15/2021 <i>This bill passed out of the Senate Committee on Health and referred to Appropriations.</i>	YES
SB 586	Bradford	Criminal fees. This bill would end the assessment and collection of all remaining administrative fees imposed against the people in the criminal legal system.		Intro 2/18/2021 <i>This bill referred to Appropriations; to suspense file 5/4.</i>	YES
SB 731	Durazo	Criminal records: relief This bill would expand upon recent criminal justice reforms by creating further mechanisms for conviction dismissal. Felony conviction records would be automatically sealed for individuals who have completed their sentence and have gone two years without new criminal convictions.		Amended 4/20/2021 <i>This bill passed out of the Senate Committee on Public Safety and referred to Appropriations.</i>	YES
SB 772	Ochoa Bogh	Professions and vocations: citations: minor violations. This bill would prohibit the assessment of an administrative fine for minor violations if the licensee corrects the violation within 30 days. Minor violations are defined as those that did not pose a serious health or safety threat, were not willful, did not occur while on probation, and are not violations that the licensee has a history of committing.		Intro 2/19/2021 <i>This bill’s second hearing with Senate BPED was canceled by the author.</i>	YES