



### Health Care Legislation Affecting Low-Income Consumers as of May 20, 2020

Due to the pandemic and the ensuing economic recession, far fewer bills moved forward in the legislative process with many bills being held. Assembly Health and Senate Health only had one policy committee each, with the Assembly Health Hearing on May 18 and the Senate Health Hearing on May 13. For the first time, both houses have different timelines for moving out of the first house. The deadline for Assembly bills with a fiscal cost to get out of Appropriations is June 5 and deadline to get out of the first house is June 19, before beginning summer recess. The deadline for Senate bills with a fiscal cost to get out of Appropriations is June 19 and deadline to get out of the first house is June 26, before beginning summer recess. Following is a summary of bills in the Legislature that affect the health of low-income Californians.

#### Medi-Cal

Measure	Author	Topic	Location	Summary	WCLP Position
AB 683	Carrillo	Medi-Cal: eligibility.	Senate	Eliminates the assets test for the Medicare Savings Programs and raises the assets limit for other Non-MAGI Medi-Cal programs. Co-sponsor: Justice in Aging & Western Center.	Co-Sponsor
AB 910	Wood	Medi-Cal: dispute resolution.	Senate	This bill would strengthen the dispute resolution process between Medi-Cal plans and county mental health plans when there is disagreement about which plan is responsible for providing mental health services to a Medi-Cal enrollee.	Co-Sponsor
AB 1940	Flora	Medi-Cal: podiatric services.	HELD	This bill would allow podiatrists who apply directly to DHCS to be approved as Medi-Cal providers during the same timeframe as physicians (90 rather than 180 days).	
AB 1994	Holden	Eligibility.	Assembly Appropriations	Codifies the federal requirement prohibiting the termination of Medi-Cal for youth who are incarcerated and extends the suspension of Medi-Cal from 1 year to 3 for adults.	Support
AB 2032	Wood	Medi-Cal: medically necessary services.	HELD	CalAIM spot bill for behavioral health medical necessity criteria to permit coverage for and reimbursement of an assessment, screening and treatment without a diagnosis being required.	
AB 2042	Wood	Medi-Cal: covered benefits.	HELD	CalAIM spot bill for Enhanced Care Management/In Lieu of Services proposal.	
AB 2055	Wood	Specialty mental health services and substance use disorder treatment.	HELD	CalAIM spot for behavioral health payment reform.	
AB 2170	Rubio, Blanca	Eligibility: redetermination.	HELD	Requires counties to conduct Medi-Cal redeterminations pursuant to WIC 14005.37 prior to releasing a youth from incarceration and restoring Medi-Cal if eligible.	
AB 2258	Reyes	Doula care: Medi-Cal pilot program.	HELD	Creates a doula pilot program for Medi-Cal beneficiaries in the 14 counties with the highest maternal mortality and birth disparities.	Co-Sponsor
AB 2409	Kalra	Medi-Cal: Assisted Living Waiver program.	HELD	This bill would require DHCS to request a federal amendment of the Assisted Living Waiver program to increase its provider reimbursement tiers to compensate for mandatory minimum wage increases; conduct stakeholder meetings and release a draft of the proposed waiver amendments for stakeholder comment; and inform a person of their position on the program's waiting list.	
AB 2492	Choi	California Program of All-Inclusive Care for the Elderly (PACE program).	HELD	This bill would require DHCS if it approves a Program of All-Inclusive Care for the Elderly (PACE) center to authorize the center to provide services for the maximum number of individuals for which the center is eligible to provide.	

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AB 2692	Cooper	Medi-Cal: lactation support.	HELD	Current law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Current law requires the department to streamline and simplify Medi-Cal program procedures to improve access to lactation supports and breast pumps among Medi-Cal beneficiaries. This bill would provide that lactation supports include lactation specialists.	
AB 2729	Bauer-Kahan	Medi-Cal: presumptive eligibility.	HELD	Renames presumptive eligibility for pregnant women "Presumptive Eligibility for Pregnant People (PP4PP)"; allows full-scope Medi-Cal services during this 60-day period; and allows minors to participate without parental consent.	
AB 2735	Bonta	Genetically Handicapped Persons Program.	HELD	The bill would add Mucopolysaccharidosis to the list of medical conditions eligible for coverage under the Genetically Handicapped Persons Program.	
AB 2739	Weber	Medi-Cal: monthly maintenance amount: personal and incidental needs.	HELD	Increases the personal needs allowance for long-term care or PACE from \$35 to \$80 and adds annual indexing.	Support
AB 2807	Rubio, Blanca	Medically Tailored Meals Pilot Program.	HELD	Adds Fresno and Kern to the Medi-Cal medically-tailored meals pilot program and extends the sunset to January 1, 2025.	
AB 2983	Holden	Pharmacies: automatic refills.	HELD	This bill would prohibit pharmacy providers from billing the Medi-Cal program for any prescribed drug that has been automatically filled, regardless of whether that prescribed drug has been dispensed by mail order or retail.	
AB 3118	Bonta	Medically supportive food.	Assembly Appropriations	Adds a medically supportive food and nutrition benefit to Medi-Cal.	Support
SB 29	Durazo	Medi-Cal: eligibility.	Assembly Floor	This 2-year bill would expand full-scope Medi-Cal to all income-eligible adults regardless of immigration status, age 65 and above.	Support
SB 361	Mitchell	Medi-Cal: Health Homes Program.	2-Year Bill	This 2-year bill would remove restrictions around State funding and termination of Health Home Program after two years to eliminate perception that program is "pilot" and ensure chronically homeless individuals are targeted through partnership with homeless systems, enhanced outreach rate, and data collection. Cosponsors: Corporation for Supportive Housing, Housing California, and Western Center.	<b>Co-Sponsor</b>
SB 910	Pan	Population health management program.	HELD	This bill would require DHCS to require Medi-Cal plans by 1/1/2022 to implement Population Health Management program to identify, assess, and manage the needs of Medi-Cal enrollees.	
SB 916	Pan	Medi-Cal: health care services.	HELD	CalAIM spot bill for Enhanced Care Management and In Lieu of Services proposals.	
SB 936	Pan	Medi-Cal managed care plans: contracts.	HELD	This bill would require Medi-Cal plans to procure their contracts with the state at least once every 5 years in order to ensure plan accountability, quality, and stakeholder engagement. In addition, this bill would require plans to meet certain criteria, including performance quality, network adequacy, language access, and data collection, in order to bid with the state. Sponsor: CPEHN and WCLP.	<b>Co-Sponsor</b>
SB 1029	Pan	Medi-Cal: County of Sacramento.	Senate Consent	This bill would establish a health authority in Sacramento County to create a Medi-Cal Oversight Commission to convene stakeholders to address Medi-Cal issues and help determine which plans may contract to provide Medi-Cal services in Sacramento County.	Support
SB 1073	Gonzalez, Lena	Medi-Cal: California Special Supplemental Nutrition Program for Women, Infants, and Children.	HELD	Requires DHCS to use WIC agencies for express lane enrollment into Medi-Cal.	
<b>Behavioral Health</b>					
<b>Measure</b>	<b>Author</b>	<b>Topic</b>	<b>Location</b>	<b>Summary</b>	<b>WCLP Position</b>
AB 1976	Eggman	Mental health services: assisted outpatient treatment.	Assembly Appropriations	Requires a county to have an Assisted Outpatient Treatment program (court-ordered treatment/Laura's Law) unless a county opts out by a resolution stating the reasons for opting out and facts or circumstances relied on in making that decision.	

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AB 2025	Gipson	Mental illness and substance use disorder: restorative care program: pilot projects.	Assembly Appropriations	The bill would authorize the County of Los Angeles to establish a pilot project for up to 6 years to develop a restorative care program for community-based care and treatment that addresses the interrelated and complex needs of individuals suffering from mental illness and substance use disorder, along with other medical comorbidities, and homelessness.	
AB 2239	Maienschein	Health care: physician loan repayment.	HELD	This bill would allow psychiatric trainees to qualify for Steven Thompson Loan Repayment Program if they choose to practice in a county operated mental health delivery systems and would raise the \$1 million cap on funds flowing into the program to \$2 million.	
AB 2668	Quirk-Silva	Integrated School-Based Behavioral Health Partnership Program.	HELD	This bill would establish the Integrated School-Based Behavioral Health Partnership Program to provide early intervention to behavioral health services for pupils. The bill would also authorize a county behavioral health agency and school to implement an integrated school-based behavioral health partnership program and to develop a memorandum of understanding outlining the requirements for the partnership program.	
AB 2775	Ting	Timely access to health care.	HELD	Would declare the intent of the Legislature to ensure that patients receive timely access to health care services, including nonemergency followup appointments with mental health care providers within 10 business days.	
AB 2871	Fong	Medi-Cal: substance use disorder services: reimbursement rates.	HELD	This bill would increase the reimbursement rates for substance use disorder services in Medi-Cal by requiring those rates are equal to the reimbursement rates for similar services provided under the Medi-Cal Specialty Mental Health. Services Program.	
AB 2912	Gray	Medi-Cal specialty mental health services.	HELD	This bill would standardize the forms counties require contracting providers to complete under the Early and Periodic Screening, Diagnostic, and Treatment specialty mental health services benefit.	
SB 803	Beall	Mental health services: peer support specialist certification.	Senate Appropriations	This bill would establish a statewide certification program for peer support specialists and provides the structure needed to maximize the federal match for peer services under Medi-Cal.	Support
SB 855	Wiener	Health coverage: mental health or substance abuse disorders.	Senate Appropriations	This bill would require a health plan that provides hospital, medical, or surgical coverage to provide coverage for the diagnosis and medically necessary treatment of mental health and substance use disorders under the same terms and conditions applied to other medical conditions. The bill would prohibit a health plan from limiting benefits or coverage for chronic or pervasive mental health and substance use disorders to short-term or acute treatment.	Support
SB 1200	Jones	Mental health services grants.	HELD	Would allow for mental health grants to jurisdictions that enforce "quality of life violations" such as being a public nuisance, sleeping somewhere without permission, etc.	
<b>Conservatorship</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1861	Santiago	Mental health: involuntary commitment.	HELD	Spot bill to amend the law regarding 72-hour involuntary commitment ("5150 holds").	
AB 1946	Santiago	Mental health services: involuntary detention.	HELD	Spot bill to expand the definition of "gravely disabled" in the Lanterman-Petris-Short Act (conservatorships).	Oppose
AB 2404	Ramos	Mental health: involuntary commitment.	HELD	Spot bill to amend the Lanterman-Petris-Short Act (conservatorships).	
AB 2679	Gallagher	Conservatorship: serious mental illness and substance use disorders: County of Butte.	HELD	Allows Butte county to participate in the SB 40 conservatorship pilot program targeted at individuals experiencing homelessness with severe mental illness or substance use disorders.	
AB 2899	Jones-Sawyer	Mental health: involuntary commitment.	HELD	Spot bill to amend the law allowing 14-day involuntary commitment (5250 holds) to an indefinite amount of time.	
AB 3130	Kiley	Behavioral health: hospital treatment.	HELD	Spot bill to amend the law regarding 72-hour involuntary commitment ("5150 holds").	
AB 3188	Wood	Mental health: involuntary treatment.	HELD	Spot bill to amend the law regarding 72-hour involuntary commitment ("5150 holds").	

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AB 3242	Irwin	Mental health: involuntary commitment.	Assembly Appropriations	Allows for telehealth for evaluations for 72-hour involuntary commitment ("5150 holds").	
SB 1250	Moorlach	Lanterman-Petris-Short Act.	HELD	Would state the intent of the Legislature to enact legislation to repeal and replace the Lanterman-Petris-Short Act.	
SB 1251	Moorlach	Conservatorships: serious mental illness and substance use disorders: counties.	HELD	Allows any county to participate in the SB 40 conservatorship pilot program targeted at individuals experiencing homelessness with severe mental illness or substance use disorders.	
SB 1254	Moorlach	Guardians ad litem: mental illnesses.	HELD	Would establish an additional procedure for the appointment of a guardian ad litem for a person who lacks the capacity to make rational informed decisions regarding medical care, mental health care, safety, hygiene, shelter, food, or clothing with a rational thought process due to a mental illness, defect, or deficiency. The bill would authorize certain persons to petition the court for the appointment of a guardian ad litem under these provisions, and would establish the procedures that would govern the filing of a petition, its notice provisions, and court procedures. Under certain circumstances, the bill would require the court to appoint the public defender or private counsel to represent a person who is the subject of a petition.	Oppose
<b>Consumer Rights</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2520	Chiu	Access to medical records.	Assembly Appropriations	This bill would require providers to complete public benefit form, clarifies that legal aid advocates can access medical records without cost for patient regarding eligibility for public benefit program, and expands access to free medical records to include immigrants who are survivors of crime or domestic violence, CAPI, and government housing assistance programs.	Sponsor
AB 2892	Rivas, Luz	Health care service plans: Consumer Participation Program.	HELD	This bill would remove the sunset date that allows for the DMHC director to award advocacy and witness fees to any person or organization that represents the interests of consumers, and has made a substantial contribution on behalf of consumers. Cosponsor: Health Access and WCLP	Co-Sponsor
SB 1097	Durazo	Medical services: credit or loan.	HELD	Ensures that the medical credit card protections enacted in last year's SB 639 are applied when a provider doesn't process the application themselves.	Sponsor
<b>Cost Containment</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2118	Kalra	Health care service plans and health insurers: reporting requirements.	Assembly Appropriations	Requires California-regulated health plans in the individual and small group market to report rates to their regulator.	Support
AB 2817	Wood	Office of Health Care Quality and Affordability.	HELD	Creates the Office of Health Care Quality and Affordability to analyze the health care market for cost trends and drivers of spending and create a strategy to control health care costs.	Support
AB 2830	Wood	Health Care Payments Data Program.	Assembly Appropriations	Establishes a Health Care Cost Transparency Database within the Office of Statewide Health Planning and Development (OSHPD) to collect and streamline information related to healthcare costs, quality, and equity from available data sources.	Support
<b>Covered California</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2347	Wood	Health care coverage: financial assistance.	Assembly Appropriations	Sets additional Covered California subsidies for all income levels from 0-600% FPL and adds additional Cost Sharing Reductions set at an 80% actuarial value (Gold Plan level) for incomes between 200-400%.	Support

SB 65	Pan	Health care coverage: financial assistance.	Assembly Appropriations	Amended to set additional Covered California subsidies for all income levels from 0-600% FPL and add additional Cost Sharing Reductions set at an 80% actuarial value (Gold Plan level) for incomes between 200-400%.	Support
<b>Dental</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2146	Chiu	Public University Dental School Intergovernmental Transfer Program.	HELD	This bill would authorize public university dental schools to enter into an intergovernmental transfer agreement to draw down federal dollars to provide dental care for Medi-Cal enrollees with developmental disabilities and other special health care needs.	Support
AB 2535	Mathis	Denti-Cal provider pilot program.	HELD	This bill would require DHCS to establish and administer a 5-year pilot program to educate and train Denti-Cal providers on how to effectively serve Medi-Cal members with intellectual or developmental disabilities who are regional center consumers. This bill would also establish a supplemental provider payment for these providers who underwent training and provided service to these Medi-Cal members.	
<b>Disparities Reduction</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1916	Chu	Proclaimed state and local emergencies: proclamations, communications, and materials: translation.	HELD	Would require all proclamations, communications, materials, and announcements made by the Governor or a state agency related to a duly proclaimed state of emergency to be made available in all languages spoken by a substantial number of non-English-speaking people. The bill would define the term "substantial number of non-English-speaking people" to mean a group of people that do not speak English or have limited English proficiency and make up 3 percent or more of the state's population.	Support
<b>Health Plans</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2158	Wood	Health care coverage.	HELD	Deletes federal reference so the health plan requirement to cover preventive services without cost-sharing stands even without the ACA.	Support
AB 2159	Wood	Health care coverage.	HELD	Allows CA's protections against health plan lifetime and annual limits to stand even if the ACA is repealed by deleting reference to federal law.	Support
AB 2781	Wicks	Health care coverage: treatment for infertility.	HELD	Requires health plans to cover fertility treatment, including in vitro fertilization.	
SB 175	Pan	Health care coverage.	Assembly	Amended to allow CA's protections against health plan lifetime and annual limits to stand even if the ACA is repealed by deleting reference to federal law.	Support
<b>Lead Testing</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2060	Holden	Drinking water: pipes and fittings: lead content.	Assembly Appropriations	This bill would prohibit the sale of any drinking water faucet, fixture, or water fountain, that leaches more than 1 micrograms of lead after the first three weeks of use to reduce exposure to lead.	Support
AB 2276	Reyes	Medi-Cal: Blood lead screening tests.	Assembly Appropriations	This bill would require Medi-Cal plan contract to ensure lead testing requirements are met, require DHCS to monitor and report blood lead screening tests for all enrolled children annually on its website, and notify and educate parents and providers of missed screening.	
AB 2277	Salas	Medi-Cal: Blood lead screening tests.	Assembly Appropriations	This bill would require Medi-Cal plans to identify every enrollee who does not have a record of completing blood lead tests and remind the provider of the need to perform those tests. The bill would also require DHCS to notify parents or guardians if their child has missed a required blood lead test as part of a annual preventive services notification.	

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AB 2278	Quirk	Lead screening.	HELD	This bill also would require a blood lead laboratory to report to Department of Public Health the Medi-Cal identification number and medical plan identification number, if available, for every person tested.	
AB 2279	Garcia, Cristina	Childhood lead poisoning prevention.	Assembly Appropriations	This bill would add risk factors to be considered as part of the standard of care for child who are at risk for lead poisoning, including a child's residency in a high-risk ZIP Code. This bill would also require the Department of Public Health to update its formula for allocating funds to local agencies that administers the Childhood Lead Poisoning Prevention Program.	Support
SB 1008	Leyva	Childhood Lead Poisoning Prevention Act: online lead information registry.	HELD	This bill would require the Department of Public Health to design, implement, and maintain an online lead information registry on the department's website that enables the public to determine the lead inspection and abatement status for properties.	
Prescription Drugs					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2100	Wood	Medi-Cal: pharmacy benefits.	Assembly Appropriations	This bill would provide important consumer protections for Medi-Cal enrollees receiving prescription drugs in the fee-for-service delivery system, including access to independent medical review, continuity of care, and other protections.	Co-Sponsor
AB 2144	Arambula	Health care coverage: step therapy.	HELD	This bill would require health plans to grant a step therapy exception if specified criteria are met.	
AB 3285	Irwin	Medi-Cal: antipsychotic drugs.	HELD	This bill would prohibit prior authorization from being required for antipsychotic medications for treatment of severe mental illness for 365-days after the initial prescription is dispensed, exempts antipsychotic medications from the 6 prescription per month limit, allows early refill for lost or stolen antipsychotic medications, and allows a 90-day supply of an antipsychotic medication for adults who meet certain conditions.	
SB 852	Pan	Health care: prescription drugs.	Senate Appropriations	Would establish the Office of Drug Contracting and Manufacturing within the California Health and Human Services Agency to, among other things, increase patient access to affordable drugs. The bill would require the office, on or before January 1, 2022, to contract or partner with at least one drug company or generic drug manufacturer to produce at least 10 generic prescription drugs, as determined by the office, and insulin at a price that results in savings for providers, patients, and purchasers.	Support
SB 854	Beall	Health care coverage: substance use disorders.	HELD	This bill would prohibit a mental health plan or insurer from imposing any prior authorization requirements or any step therapy requirements before authorizing coverage for FDA-approved prescriptions for the treatment of substance use disorder. It would also place the FDA-approved medications for treatment of substance use disorders on the lowest cost-sharing tier.	Support
Reproductive Rights					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 732	Bonta	County jails: prisons: incarcerated pregnant persons.	Senate	Improves screening, care, treatment for pregnant people who are incarcerated. Requires jails and prisons to provide menstrual supplies at no cost.	Support
AB 1965	Aguiar-Curry	Family Planning, Access, Care, and Treatment (Family PACT) Program.	HELD	Would expand comprehensive clinical family planning services under the Family Planning, Access, Care, and Treatment (Family PACT) Program to include the human papillomavirus (HPV) vaccine for persons of reproductive age.	Support
AB 1973	Kamlager	Health care coverage: abortion services: cost sharing.	HELD	Prohibits CA-regulated health plans from imposing any out-of-pocket costs on abortions.	Support
AB 3052	Carrillo	Forced or Involuntary Sterilization Compensation Program.	Assembly Appropriations	Establishes the Forced or Involuntary Sterilization Compensation Program to provide compensation to survivors of state-sponsored sterilization conducted pursuant to eugenics laws that existed in California between 1909 and 1979 and to survivors of coerced sterilizations of people in prisons after 1979.	Support

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SB 885	Pan	Sexually transmitted diseases.	HELD	Allows Medi-Cal patients to see any qualified provider for STD treatment and allows Family PACT and Medi-Cal providers to be reimbursed at the same rate as for other family planning services.	
SB 1237	Dodd	Nurse-midwives: scope of practice.	Senate Appropriations	Removes the requirement for physician supervision for nurse midwives to improve birth equity outcomes.	Support
<b>Telehealth</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2007	Salas	Medi-Cal: federally qualified health center: rural health clinic: telehealth.	Assembly Health	This bill would provide that an FQHC or RHC “visit” includes an encounter between an FQHC or RHC patient and a health care provider using telehealth for reimbursement purposes.	
AB 2164	Rivas, Robert	Telehealth.	Assembly Appropriations	This bill would create the E-Consult Services and Telehealth Assistance Program within DHCS to award grants to health center-controlled networks, health centers, and rural health clinics to conduct projects to implement and test the effectiveness of e-consult services and related telehealth services.	
AB 2360	Maienschein	Telehealth: mental health.	Assembly Appropriations	This bill would require DHCS to establish a pilot project to provide psychiatry doctor-to-doctor consults on pediatric and maternal mental health. Cosponsors: 2020 Mom and Maternal Mental Health Now.	
<b>Other</b>					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2036	Muratsuchi	Nonprofit public benefit corporations: sale of assets: health facilities.	HELD	Ensures that conditions imposed by the Attorney General when a health facility is sold or transferred remain in effect for the entire period of time specified, regardless of whether the health facility is subject to a subsequent sale or transfer.	
AB 2037	Wicks	Health facilities: obligations before changes in service.	Assembly Appropriations	Would require a hospital that provides emergency medical services to provide public notice at least 180 days before a planned reduction or elimination of the level of emergency medical services or closure of the the facility and at least 90 days prior to eliminating or relocating a supplemental service.	
AB 2077	Ting	Hypodermic needles and syringes.	Assembly Appropriations	This bill would allow pharmacists to provide sterile syringes as part of the state’s approach to prevent the spread of HIV, hepatitis B and hepatitis C as well as decriminalizes the possession of syringes for personal use.	Support
AB 2130	Arambula	Health care professionals: underserved communities.	HELD	Would declare the intent of the Legislature to enact legislation to increase the number of health care professionals in underserved communities.	
AB 2218	Santiago	Transgender Wellness and Equity Fund.	Assembly Appropriations	Establishes the Transgender Wellness and Equity Fund for grants to transgender-led nonprofit organizations and medical providers that provide gender-conforming health care services or have an established partnership with a transgender-led nonprofit organization, to fund programs focused on coordinating trans-inclusive medical care, behavioral health care, and social services.	Support
AB 2377	Chiu	Adult residential facilities: closures and resident transfers.	Assembly Appropriations	This spot bill would create more stringent closure requirements for Adult Residential Facilities.	
AB 2644	Wood	Skilled nursing facilities: deaths: reporting.	Assembly Appropriations	Requires nursing homes to report deaths from communicable diseases within 24 hours and requires the State Department of Public Health to publish certain information related to those deaths on its website on a weekly basis.	
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