



*Established in 1991, UCC serves as the representative voice for state legislative advocacy for high-population counties in California. Initially composed of seven counties, the association has grown to 14 today. Nearly 80 percent of the state's population reside in UCC counties. Consequently, urban counties carry out critical programs and services to the state's most vulnerable populations. For more information, including details on our Board of Directors, please visit [our website](#).*

**April 11, 2022**

### **Legislature in Recess for Spring Break through Next Week**

The Legislature adjourned for a 10-day recess on Thursday afternoon; members return to Sacramento on Monday, April 18. Unless circumstances dictate otherwise, UCC plans to send out its next legislative update on Friday, April 22.

### **Governor's CARE Court Language Now in Senate and Assembly Bills**

The Newsom Administration's language to implement the Community Assistance, Recovery, and Empowerment (CARE) Court was amended into **SB 1338** (Umberg and Eggman) and **AB 2830** (Bloom) late last week. AB 2830 has been set for hearing Tuesday, April 19 in Assembly Judiciary. SB 1338 has not been set for hearing yet. A few notes about the [framework](#).

County partners will continue to discuss the proposal and engage the Administration to identify operational and fiscal impacts, discuss feasibility, and advance into next steps for further negotiations. As we understand it, the Administration intends to present an associated funding proposal as part of the May Revision due out next month. Finally, as a reminder, the Administration has [posted three CARE Court resource documents: Framework | FAQ | Webinar slides](#) (from its March 14 presentation).

### **Administration Releases April 1 Finance Letters: Administration of Justice Budget Issues of Note**

On April 1, the Department of Finance submitted their April 1 Spring Finance Letters to the Legislature. Finance Letters are proposals made by the Administration to the chairpersons of the budget committees in each house. Normally, the purpose of Finance Letters is to amend the Budget Bill and the Governor's Budget from that submitted on January 10 to reflect a revised plan of expenditure for the budget year and/or current year. While the Administration's bigger policy changes are often saved for the May Revision when more is known about state revenues, April 1 Finance Letter sometimes include noteworthy adjustments. This year's April adjustments include a couple significant criminal justice-related proposals:

First, the “Corrections and Rehabilitation” [letter](#) includes a proposal to continue to provide \$122.8 million through 2024-25 to county probation departments for the Community Corrections Performance Incentive Grant program (SB 678). This action would essentially “freeze” the program for three additional years and be a continuation of the current year arrangement where each county probation department receives its highest allocation amount from the previous three years. The Finance Letter explains that – due to various effects of the COVID-19 pandemic – the existing formula based on revocation data is greatly complicated by factors beyond county probation departments’ control. Providing payments based on current statutory requirements could impact individual counties unrelated to their performance.

Second, [draft trailer bill language](#) was added to the Department of Finance’s website to effectuate an allocation methodology, and reporting requirements, for the latest round of criminal justice administrative fee repeals that were included in [AB 177](#) (2021). The allocation methodology and reporting requirements mirror that of the previous round of repeals in [AB 1869/AB 143](#). As a reminder, AB 177 appropriated \$25 million in 2021-22 and \$50 million ongoing to backfill counties for the impact the repeals will have on local revenues. The first payment, which will include both the 2021-22 and 2022-23 allocations, is expected by October/November 2022.

All April 1 Finance Letters can be [found here](#).

### **DHCS Launches Effort to Help Medi-Cal Beneficiaries Retain Coverage**

California is launching a statewide effort to help Medi-Cal beneficiaries keep their Medi-Cal coverage or be enrolled in other coverage. During the national public health emergency (PHE), the annual reevaluation of ongoing eligibility was temporarily paused. When the PHE ends, the state will resume normal Medi-Cal eligibility operations and the annual eligibility review. As a result of that process, two to three million beneficiaries could no longer be eligible for Medi-Cal. The state, along with its partners, are engaging in a comprehensive campaign to reach beneficiaries with information about what to expect and what they need to do to keep their health coverage.

The Department of Health Care Services (DHCS) has launched a customizable [Medi-Cal Continuous Coverage toolkit](#) and [webpage](#) to help trusted entities and individuals act as DHCS Coverage Ambassadors to push communications to Medi-Cal beneficiaries to encourage them to update their contact information with their counties to ensure they receive important information about keeping their Medi-Cal coverage.

In California, Medicaid enrollment has increased roughly 16 percent, from 12.5 million in March 2020 (the start of the pandemic) to 14.5 million currently. Beneficiaries no longer eligible for Medi-Cal may qualify for tax subsidies that allow them to access affordable coverage through Covered California, or they may be eligible through their employer-based health coverage.

### **Updates on HHS-Related Bills of Note**

[AB 1900 \(Arambula\)](#) would increase the amount of income “medically needy” Medi-Cal beneficiaries may keep while receiving Medi-Cal benefits. Specifically, this bill reduces the Medi-Cal share of cost (SOC) for certain Medi-Cal enrollees by increasing the maintenance need income level, which is the amount of income an individual or family may keep while receiving Medi-Cal benefits in a given month, to be equal to the Medi-Cal income limit for no-cost Medi-Cal enrollees.

Assembly Appropriations Committee heard the measure on April 6 and placed it on the suspense file. The Committee analysis notes that – pursuant to a request from Assembly Member Arambula – the Legislative Analyst’s Office (LAO) evaluated costs associated with the bill; increased annual costs are expected to be in the \$53 million to \$151 million in total funds (split equally between the state General Fund and federal funds).

**AB 2547 (Nazarian)** would require the Department of Aging – upon an appropriation by the Legislature – to create the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program. The measure is co-sponsored by Corporation for Supportive Housing, Justice in Aging, LeadingAge California, State Council on Developmental Disabilities, and United Way of Greater Los Angeles. Assembly Housing and Community Development heard the measure on April 5 and voted it out 5-1. The measure will be heard next week in Assembly Aging and Long-Term Care Committee.

**AB 1690 (L. Rivas)** was significantly amended coming out of Assembly Health Committee on April 5. As introduced, AB 1690 would have prohibited the sale in California of a cigarette utilizing a single-use filter made of any material, an attachable and single-use plastic device meant to facilitate manual manipulation or filtration of a tobacco product, or a single-use electronic cigarette or vaporizer device.

Ahead of the hearing, Assembly Member Rivas agreed to amendments to significantly narrow AB 1690 to exclude cigarettes and cigars, addressing only single-use e-cigarettes and vaporizers. Plastic cigarette filters are nonbiodegradable and are the most-littered item in the world, while vapes are on the rise and contain lithium-ion batteries that can spark fires at waste-handling facilities.

Assembly Health Committee passed AB 1690 on a 10-2 vote. Opposition included various retailers, the California Chamber of Commerce, and a few public safety organizations. The measure will be heard next in Assembly Judiciary Committee on April 19.

**AB 2275 (Wood)** would specify that the 72-hours of detention under a Lanterman-Petris-Short Act (LPS Act) 5150 involuntary hold begins at the time when the person is first detained. The bill would require that when a person is certified for intensive treatment or has been placed on a sequence of detentions under 5150 while awaiting placement at a facility, a certification review hearing must be held within seven days of the date on which the person was initially detained under the 5150. The bill would also require the Department of Health Care Services (DHCS) to collect and publish by May 1 of each year information concerning the operation of the LPS system from the previous year.

Disability Rights California (DRC) supports the bill and notes that their statewide legal advocacy shows significant inconsistency among counties as to when the 72-hour period begins. Some counties do not begin running the 72-hour clock until a person is actually admitted to an LPS-designated facility. When that occurs, many people on 5150 or 5585 holds statewide remain in hospital emergency departments for excessive periods of time while they wait for placement in LPS-designated facilities. The proposed changes, including collection of data about the numbers of people who cycle through multiple hospitalizations, as well as enumeration of discharge locations following involuntary holds, will lead to collection and analysis of data that DRC believes will assist decision makers in making changes to existing systems.

The California Chapter of the American College of Emergency Physicians (Cal ACEP) requested amendments to allow emergency physicians to release patients from involuntary holds when no

longer necessary. Assembly Health Committee passed the measure 13-0 on April 5. AB 2275 will be heard next in Assembly Judiciary Committee on April 19.

**SB 872 (Dodd)** would authorize a county or a city and county to operate a licensed mobile unit to provide prescription medication to individuals within the county's jurisdiction; it also specifies certain criteria that a mobile unit must meet. Senate Business, Professions and Economic Development Committee passed the measure 13-0; SB 872 will be heard next in Senate Appropriations Committee.

**SB 1019 (Gonzalez)** would require a Medi-Cal managed care plan (MCMCP) to conduct annual outreach and education to its enrollees and primary care physicians regarding the mental health benefits covered by the plan. The bill also requires the Department of Health Care Services to annually assess enrollee experience with mental health benefits covered by MCMCPs, develop survey tools and methodologies relating to the assessment of consumer experience, and publish annual reports on its website on consumer experience with mental health benefits covered by MCMCPs.

Roughly one in five Medi-Cal beneficiaries will experience mental health symptoms each year, and the ongoing global pandemic has only exacerbated the extraordinary need for mental health services. While access to timely mental health services is critical for all Medi-Cal recipients, there are still significant disparities in access, awareness, and utilization of mental health services for Black, Indigenous, and People of Color (BIPOC) communities. SB 1019 has significant support and no opposition. The measure passed out of Senate Health Committee 10-0 and will be heard next in Senate Appropriations Committee.

**AB 2483 (Maienschein)** would require the Department of Housing and Community Development (HCD) to provide incentives in the Multi-family Housing Program (MHP) to developments that set aside a percentage of units for people experiencing homelessness who are receiving specified Medi-Cal services. For context, the MHP is intended to assist in the new construction, rehabilitation, and preservation of permanent and transitional rental housing for persons with incomes of up to 60 percent of the area median income. The objective of AB 2483 is to promote better coordination between HCD's capital programs and the state's Medi-Cal program and to address barriers that now prevent creation of supportive housing for those who are unsheltered, especially people who need to live independently. AB 2483 would offer needed incentives to developers seeking MHP funding to include housing units for people experiencing homelessness and who are eligible for Medi-Cal services for seniors and people with disabilities – specifically under the Assisted Living Waiver (ALW), the Home and Community-Based Alternative (HCBA) Waiver, and Programs of All-Inclusive Care for the Elderly (PACE) programs.

AB 2483 – which passed out of the Assembly Housing and Community Development Committee last week on a 7-0 – is supported by a range of housing advocacy groups as well as organizations that provide services to seniors and individuals with developmental disabilities. It now awaits hearing in the Assembly Appropriations Committee.

### **Assembly Looks at Last Mile Broadband Infrastructure and Funding**

The Assembly Communications and Conveyance Committee held an oversight hearing (agenda [here](#) and [video](#) here) last week on the state's Last Mile Broadband programs. Presentations by the California Public Utilities Commission ([slides](#)) and the LAO ([handout](#)) kicked off the hearing with overviews of the state's programs and implementation efforts to date. While committee members expressed concerns about the timeframe for executing middle- and last-mile programs, presenters urged patience as CPUC moves through its processes. Industry representatives urged

the CPUC to delay rules regarding the use of federal funds for last mile projects, especially those related to rate caps.

### **LAO Opines on Climate Change Impacts Across Policy Issues**

The LAO, in recognition of anticipated widespread impacts related to global warming, released a [series](#) of reports summarizing how climate change will affect different sectors across California. The Legislature will continue to grapple with persistent questions about the state's response to these climate-related impacts – from housing and transportation to health and education as well as workers, employers, and the overall economy. The LAO identified major themes applicable across all the policy areas, including:

- Threats to people's health and well-being;
- Damage to private property and public infrastructure;
- More frequent disruptions and instability;
- Loss of biodiversity and natural resources; and
- Increased state, local, and private costs

Perhaps most importantly, the LAO explores questions around the role the state's programs and policies can and should play in terms of climate adaptation, funding adaptation activities, and coordinating with local adaptation activities. The LAO discusses how the state can avoid exacerbating climate impacts such as using a climate lens to locate and design housing and infrastructure; how the state can help protect the most vulnerable Californians by focusing on specific regions, neighborhoods, and workers with particularly high susceptibility; and how the state should prioritize adaptation investments considering limited resources for such activities. Finally, the LAO's reports identify areas the state can support statewide and local efforts by adopting guidelines and standards, addressing gaps in important data, and providing support and coordination to maximize the state-local response to climate change.

### **News on SB 1383 Implementation: Addressing Organic Waste Disposal**

Two new announcements to share regarding implementation of SB 1383.

CalRecycle is announcing the application release for the Co-Digestion Grant Program, Cycle 1, for 2021-22 and 2022-23. This program provides funding to build new and expanded food waste co-digestion projects at existing wastewater treatment plants to achieve greenhouse gas emissions reductions by significantly increasing the tonnage of California-generated organic waste diverted from landfills to co-digestion systems.

To access the application and information regarding eligibility and program criteria, visit the Notice of Funds [webpage](#). Applications are due **May 19, 2022**.

CalRecycle will also host a webinar (register [here](#)) regarding how jurisdictions are implementing SB 1383 procurement requirements on Tuesday, May 3, 2022 from 10 a.m. to noon. The webinar will highlight approaches jurisdictions are taking to coordinate their procurement efforts, offer different ways to utilize procured compost and mulch, and information on setting up agreements with direct service providers.