



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](#).

May 20, 2022

CARE Court Bill Moves to Next Step in Legislative Process

As we note in our report-out on Suspense File outcomes, **SB 1338** (Umberg and Eggman) – the vehicle to implement the Governor's CARE Court proposal – moved out of the Senate Appropriations Committee suspense file yesterday. The committee announced that the bill will be amended, but modifications are not in print at the time of this writing.

As we understand it, the amendments will not address resources, fiscal protections, sanctions, or phased-in implementation. It is expected that amendments to SB 1338 in print later today will be followed by at least one if not two additional rounds of substantive changes.

SB 1338 will be heard on the Senate Floor next week, so the county strategy in the immediate term is to ensure that key members of the Senate understand the two most consequential points of concern:

- Ongoing, sufficient resources must be provided to ensure the success of CARE Court for those who could benefit from the new model;
- One of the best ways to achieve success is through a thoughtful, transparent phase-in whereby counties learn from and refine the model based on implementation experiences of an initial round of volunteer implementers.

We will continue to keep you apprised on developments. An Assembly advocacy strategy is in development, as the bill is expected to move to the next house in short order.

Fiscal Committees Announce Suspense File Decisions; Houses Hold Only Floor Sessions Next Week

Yesterday, the Senate and Assembly Appropriations Committees held contemporaneous suspense file hearings to determine which bills with fiscal impacts would live to see another day. Typically, this all-important, vote-only hearing features an efficient (if frequently frustrating, particularly if the disposition of a bill doesn't go your way) recitation of the outcome on hundreds of measures. As a reminder, the suspense file hearing features no presentation by authors, no testimony or public input, and no description of the rationale behind the decisions. Instead, the committee chair reads through bill numbers and announces one of two potential fates for each measure: (1) passed either as is or with amendments to reduce cost implications or (2) held in committee, meaning the bill will not move forward to the floor for further consideration (i.e., dead). Yesterday's events were somewhat complicated by a power outage in downtown Sacramento that affected the Capitol, but the houses managed to pull off one of the most important hearings of the year despite the logistical challenges. (It's always something!)

Below, we offer a non-exhaustive list of outcomes on bills of interest. Should you wish to check the status of any measure not mentioned below that was taken up yesterday, each fiscal committee has posted unofficial results ([Assembly](#) | [Senate](#)). This whole process will take place again in August when the Appropriations Committees will take up "second house" bills (i.e., bills that have made it from the Assembly to the Senate and vice versa). Finally, we will be keeping an eye out in the days ahead for amendments on bills that were modified coming out of the suspense file; those amendments could appear in print as early as tomorrow but also could trail into next week. Recall, of course, that the houses cannot take floor action on a bill until amendments have been made publicly available (AKA "in print") for 72 hours. Next week, the Legislature will hold only floor sessions (i.e., no policy or fiscal committees), as next Friday, May 27 is the last day to pass bills introduced in 2022 out of the house of origin.

Passed (As is or with amendments; now moves on to a floor vote)

AB 1663 (Maienschein) – Would revise various procedures in the probate conservatorship process and require the Judicial Council of California to establish a conservatorship diversion program and a statewide supported decision-making program to seek less restrictive alternatives for individuals in conservatorship.

AB 1737 (Holden) – Would establish regulation of children's camps, primarily by local health departments. The measure was amended coming out of Appropriations Committee to remove required inspections, among other things.

AB 1778 (C. Garcia) – Would prohibit the Department of Transportation from using state resources on any project, or from permitting any project, that does not meet certain criteria on the California Healthy Places Index.

AB 1900 (Arambula) – Would increase the income level for maintenance per month to be equal to the income limit for Medi-Cal without a share of cost for individuals who are 65 years of age or older or are disabled, generally totaling 138% of the federal poverty level.

AB 1947 (Ting) – Would require every local and state law enforcement agency to adopt a hate crimes policy with specific parameters and require the Commission on Peace Officers Standards and Training to develop a model hate crimes policy; amendments will offer local law enforcement agencies additional time to comply.

AB 1972 (Ward) – Would increase grand juror pay from \$15 per day to eight hours times the prevailing wage for each day worked; proposed amendments will instead set compensation at 70% of median county daily income.

AB 1995 (Arambula) – Would eliminate Medi-Cal premiums and subscriber contributions for certain pregnant and post-partum women, children under the age of two, and employed persons with disabilities based on income and other criteria.

AB 2023 (Bennett) – Would require a county sheriff's department to give a person incarcerated in, or recently released from, a county jail access to up to three free telephone calls to plan for a safe and successful release; would also require the sheriff to make the county jail's release standards, processes and schedules available to an incarcerated person following the determination to release that person.

AB 2080 (Wood) – Would implement the Health Care Consolidation and Contracting Fairness Act of 2022; amendments will increase the transaction threshold, among other provisions to narrow the scope of the bill.

AB 2186 (Grayson) – Would establish the Housing Cost Reduction Incentive Program to reimburse cities and counties for up to 50% of the development impact fees they reduce or defer for affordable housing developments.

AB 2237 (Friedman) – Would require alignment between regional transportation planning, regional transportation funding and the state's climate goals.

AB 2259 (Berman) – Would require the State Department of Social Services, in collaboration with the State Department of Health Care Services (DHCS), to establish a grant program to fund the development and implementation of evidence-based models and promising practices to serve foster youth with substance use disorders who are residing in family-based settings

AB 2294 (Jones-Sawyer) – Would renew local authority to create a diversion or deferred entry of judgment program for persons who commit repeat theft offenses, and direct funding to courts or probation departments to create demonstration projects to reduce the recidivism of high-risk misdemeanor probationers, if an appropriation for this purpose is contained the state budget.

AB 2306 (Cooley) – Would create Specialized Foster Homes for Transition Aged Youth, expand the Foster Family Home and Small Family Insurance Fund (Insurance Fund) to include short-term residential therapeutic programs (STRTPs), and expand eligibility for the Independent Living Program (ILP).

AB 2331 (Calderon) – Would create the Bridge to Recovery for Adult Day Services: COVID-19 Mitigation and Resilience Grant Program to Combat Senior Isolation to improve the health, safety, and well-being of vulnerable at-risk seniors through safe access to vital services in adult day health care and adult day program settings.

AB 2357 (Ting) – Would make changes to provisions of the Surplus Lands Act regarding public noticing and penalties and would require the Department of Housing and Community Development (HCD) to post on its website a list of all entities, including housing sponsors, that have notified HCD of their interest in acquiring surplus land for affordable housing.

AB 2402 (B. Rubio) – Would implement continuous Medi-Cal eligibility for children ages 0-5.

AB 2419 (Bryan) – Would require a state agency administering federal funds under the federal Infrastructure Investment and Jobs Act to allocate a minimum of 40% of those funds to projects that provide a direct benefit to disadvantaged communities and an additional 10% to projects that provide direct benefits to low-income households.

AB 2421 (B. Rubio) – Would enhance local prosecutors' ability to civilly enforce restrictions against unlawful diversions of water and water pollution stemming from unlicensed cannabis growing operations.

AB 2438 (Friedman) – Would require state and local transportation funding to align with state climate plans and greenhouse gas emissions reduction standards.

AB 2547 (Nazarian) – Would require the California Department of Aging to create the Housing Stabilization to Prevent and End Homelessness Among Older Adults and People with Disabilities Program.

AB 2579 (Bennett) – Would, to the extent funding is provided, require a county placing agency to implement model practices for intensive family finding for foster children.

AB 2630 (O'Donnell) – Would require a city or county that has used a state funding source to address homelessness to provide a public report on its internet website on the use of those funds.

AB 2677 (Gabriel) – Would have modernized the Information Practices Act of 1977 and applied the entirety of its provisions to local agencies; amendments will remove local agencies from the bill but also include intent language regarding privacy.

AB 2680 (Arambula) – Would create the Community Health Navigator Program to make direct grants to qualified community-based organizations to conduct targeted outreach, enrollment, retention, and access activities for Medi-Cal-eligible individuals and families.

AB 2697 (Aguiar-Curry) – Would require the department to implement a community health workers and promoters benefit under the Medi-Cal program.

AB 2724 (Arambula) – Would implement the single Medi-Cal contract with Kaiser Permanente.

AB 2748 (Holden) – Would make comprehensive changes to existing state law enacted by the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), including establishing the policy of the state that subscribers and potential subscribers of a state video franchise holder should benefit from equal access to service within the service area, and authorizing the California Public Utilities Commission to exercise all authority, jurisdiction, and powers.

SB 872 (Dodd) – Would authorize a county or a city and county to operate a licensed mobile unit to provide prescription medication within its jurisdiction to specified individuals, including homeless individuals.

SB 897 (Wieckowski) – Would make numerous changes to the laws governing accessory dwelling units and junior accessory dwelling units and would also require the Department of Housing and Community Development to establish and administer a grant program, upon appropriation of funds by the Legislature, to fund the construction and maintenance of ADUs and JADUs.

SB 929 (Eggman) – Would require DHCS to collect and publish data relating to, among other things, the number of persons detained for 72-hour evaluation and treatment, clinical outcomes for individuals placed in each type of hold, services provided in each category, waiting periods, and needs for treatment beds, as specified.

SB 931 (Leyva) – Would require the Public Employment Relations Board (PERB) to impose civil penalties on public sector employers if it finds they deterred or discouraged workers from exercising collective bargaining rights and would require public sector employers to pay the union's attorney's fees and costs if the union prevails in a legal action to enforce those rights.

SB 932 (Portantino) – Would require cities and counties, upon the next substantive revision of the general plan's circulation element on or after June 30, 2024, to develop and implement bicycle plans, pedestrian plans, and traffic calming plans for any urbanized areas and Would also create a cause of action, from January 1, 2024 until January 1, 2028, against a city or county that fails to implement those plans for certain persons injured in a collision with a motor vehicle in high injury areas in 10 counties.

SB 964 (Wiener) – Would make several changes to existing law to expand the behavioral health workforce.

SB 966 (Limón) – Would make changes related to a federally qualified health center (FQHC) and rural health clinic's (RHC) use of an associate clinical social worker or associate marriage and family therapist during a visit, as defined.

SB 970 (Eggman) – Would require the California Health and Human Services Agency, by July 1, 2025, to establish the California MHSO Outcomes and Accountability Review.

SB 1014 (Hertzberg) – Would require DHCS to authorize a new supplemental payment program for FQHCs to be named the Enhanced Clinically Integrated Program.

SB 1044 (Durazo) – Would prohibit an employer from taking or threatening any adverse action against any employee for refusing to report to, or leaving, a workplace because the employee feels unsafe due to a state of emergency or an emergency condition and would permit employees to access their mobile device or other communications device to use in emergencies to assess the situation, seek assistance or communicate with a person to verify their safety.

SB 1065 (Eggman) – Would establish the California Abandoned and Derelict Commercial Vessel Program to identify, prioritize, and fund, as specified, the removal of abandoned and derelict commercial vessels from waterways.

SB 1090 (Hurtado) – Would expand the definition of “current or former foster child or youth” in the Family Urgent Response System to include children or youth who are subject to a petition declaring them a dependent child of the juvenile court, under a voluntary program of supervision or voluntary placement agreement, and who have exited foster care for any reason.

SB 1121 (Gonzalez) – Would require the California Transportation Commission to prepare a needs assessment of the costs to operate, maintain, and provide for the future growth of the state and local transportation system for the next 10 years.

SB 1131 (Newman) – Would, among other things, establish an address confidentiality program for election workers, prohibit the names of precinct board members from being listed when posting election information, and require county elections officials to make certain information appearing on the affidavit of registration confidential upon request of an election worker.

SB 1143 (Roth) – Would require the California Health Facilities Financing Authority (CHFFA) develop, and make available by January 1, 2024, an application for local governments to qualify for zero-interest loans for the purpose of building or renovating acute care psychiatric hospitals or psychiatric units in general acute care hospitals.

SB 1154 (Eggman) – Would require the state to develop a real-time, internet based database to collect, aggregate, and display information about beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and licensed residential alcoholism or drug abuse recovery or treatment facilities in order to facilitate the identification and designation of facilities for the temporary treatment of individuals in mental health or substance use disorder crisis.

SB 1178 (Bradford) – Would eliminate the sunset date associated with the authority under Proposition 47 (2014) that permits eligible individuals to petition the court for associated record changes to reflect a reduction of a prior felony conviction to a misdemeanor.

SB 1180 (Pan) – Would extend the operation of the Medi-Cal time and distance standards to January 1, 2026, and would require the department to

seek input from stakeholders, as specified, prior to January 1, 2025, to determine what changes are needed to these provisions.

SB 1215 (Newman) – Would enact the Responsible Battery Recycling Act of 2022, which would require producers of covered batteries and covered battery-embedded products to establish a stewardship program for the collection and recycling of covered products.

SB 1217 (Allen) – Would establish the State-Regional Collaborative for Climate, Equity, and Resilience to provide guidance to the California Air Resources Board for approving new guidelines for preparing a Sustainable Communities Strategy.

SB 1238 (Eggman) – Would require DHCS, commencing January 1, 2024, and at least every 5 years thereafter, to conduct a review of, and produce a report regarding, the current and projected behavioral health care infrastructure and service needs in each region of the state.

SB 1338 (Umberg and Eggman) – Would create the Community Assistance, Recovery, and Empowerment (CARE) Court Program *with amendments that are not yet in print*.

SB 1340 (Hertzberg) – Would make changes to the new construction exclusion for reassessment for active solar energy systems.

SB 1342 (Bates) – Would authorize an area agency on aging or a county, or both, to establish an aging multidisciplinary personnel team, and to allow provider agencies and members of the team to share confidential information.

SB 1410 (Caballero) – Would require the Office of Planning and Research to establish a grant program for local jurisdictions to implement guidelines related to the criteria and alternative metrics used for analyzing transportation impacts as well as require OPR to conduct and submit a study on those guidelines to the Legislature.

SB 1427 (Ochoa Bogh) – Would establish two new grant programs administered by the Board of State and Community Corrections: the Homeless and Mental Health Court Grant Program and the Transitioning Home Grant Program.

SB 1449 (Caballero) – Would establish a grant program to assist in funding annexation of unincorporated areas.

Held in Committee (Dead)

AB 1698 (Maienschein) – Would have, until January 1, 2026, created a new crime of package theft, as defined.

AB 1945 (Aguiar-Curry) – Would have, upon appropriation by the Legislature, established the Affordable Disaster Housing Revolving Development and Acquisition Program to expedite relief funding for the development or preservation of affordable housing in the state's declared disaster areas that have experienced damage or loss of homes that were occupied by lower-income households.

AB 2120 (Ward) – Would have applied California’s historic formula from the former federal Highway Bridge Replacement and Rehabilitation Program to the distribution of new bridge formula funding from the Infrastructure Investment and Jobs Act, allocating 55% to local projects.

AB 2211 (Ting) – Would have extended the Shelter Crisis Act to every city and county with an unsheltered homeless population greater than the national average and expanded the definition of homeless shelter to include low-barrier private shelters.

AB 2262 (Calderon) – Would have required the California Department of Social Services to establish an alternative annual reassessment process for a recipient of the In-Home Supportive Services (IHSS) program who meets specific criteria.

AB 2378 (Irwin) – Would have allowed a tax credit under the Personal Income Tax Law and Corporation Tax Law for a qualified taxpayer that employs an employee with a disability.

AB 2381 (Daly) – Would have allowed an individual who faces threats of violence because of their work, employment, or volunteer service to participate in the Secretary of State’s Safe at Home address confidentiality program.

AB 2538 (R. Rivas) – Would have required the Office of Emergency Services (OES) to ensure the California State Warning Center integrate, upon the next update to OES’s emergency plan, a plan to provide targeted alerts for public health dangers, including smoke from wildfires.

AB 2755 (Muratsuchi) – Would have required a city, county or city, and county to post a hyperlink on its internet website to each of the United States Department of Housing and Urban Development’s Annual Homelessness Assessment Reports.

AB 2818 (Waldron) – Would have created one-year and five-year plans to expand the substance use disorder treatment workforce in California to aid in the treatment of alcohol and drug abuse.

SB 1298 (Ochoa Bogh) – Would have continuously appropriated \$1 billion annually for the Department of Health Care Services for purposes to implement the existing Behavioral Health Continuum Infrastructure Program.

SB 1353 (Wilk) – Would have required cities and counties to provide specified homelessness information to the California Interagency Council on Homelessness Council.

Kaiser Single Medi-Cal Contract Update

The Department of Health Care Services released updated trailer bill **language** this week to implement the single Medi-Cal contract for Kaiser this week. As previously outlined, the language includes the following changes:

- Clarify that former foster youth are included in the enrollment provisions related to foster youth.

- Add that default enrollment is part of the growth in Medi-Cal enrollment.
- Specify that Kaiser cannot deny or disenroll any individual that meets the specified enrollment or default criteria.
- Specify that Kaiser is subject to all the same standards and requirements, except those related to beneficiary enrollment, as required for other Medi-Cal managed care plans, including the requirements pursuant to CalAIM.
- Require that DHCS and Kaiser enter a Memorandum of Understanding (MOU) describing the requirements that are different than those imposed on other Medi-Cal managed care plans. The MOU shall include, but not be limited to, the commitment of Kaiser to increase its enrollment of new Medi-Cal members over the course of the contract term and requirements related to Kaiser's collaboration with safety net providers, including Federally Qualified Health Centers.
- Require that DHCS post this MOU and publish a report describing the implementation of the requirements imposed by the MOU.
- Provide that Kaiser shall implement the California Children Services Whole Child Model in counties where the Whole Child Model currently exists.
- Ensure Kaiser maintain Knox-Keene licensure from the DMHC.

In related news, the Department of Managed Health Care (DMHC) announced this week that it is conducting a “non-routine” audit of Kaiser’s mental health services based on complaints from members and providers about the health system’s behavioral health operations.

DMHC's help center saw a 20 percent increase in behavioral health complaints received for Kaiser in 2021 as compared to 2020. DMHC launches non-routine surveys when it has “good cause to believe a health plan or plans have or are violating the law,” according to DMHC officials. Only four such investigations were conducted from 2019 to 2021.

DMHC will examine Kaiser’s external and internal provider network as well as such issues as whether patients received timely access to care, the processes for making initial and follow-up appointments, record documentation and the monitoring of urgent appointments.

Public Health Emergency Unwinding

On May 17, 2022, the Department of Health Care Services (DHCS) released the [Medi-Cal COVID-19 Public Health Emergency \(PHE\) Operational Unwinding Plan](#). The two primary purposes of this document are to: 1) describe DHCS’ approach to unwinding or making permanent temporarily

flexibilities implemented across the Medi-Cal program during the PHE; and 2) describe DHCS' approach to resuming normal Medi-Cal eligibility operations following the end of the PHE.

The PHE is currently set to expire on July 15, 2022, and the U.S. Department of Health and Human Services (HHS) has committed to providing at least a 60-day notice prior to the official end date. As HHS has not yet provided such notice, DHCS expects the PHE to be extended for at least one additional period.

The 44-page DHCS Unwinding Plan walks through many of the PHE flexibilities – which ones will remain and which will end. The document makes clear that the Administration will be continuing many of the telehealth flexibilities provided for during the PHE and points to the budget proposal released earlier this year.

Strategic Growth Council Announces Regional Climate Collaboratives (RCC) NOFA

The California Strategic Growth Council (SGC) released the [Notice of Funding Availability](#) (NOFA) for Round 1 of the [Regional Climate Collaboratives Program \(RCC\)](#). This new capacity-building grant program funds community-rooted and cross-sectoral partners to develop the processes, plans, and projects that will drive and sustain climate action in their communities. In this first round, SGC has \$8.35 million available for grant awards, and applicants have flexibility in requesting their funding amount within the range of \$500,000-\$1750,000.

The RCC Program has a two-phase application process.

- **Pre-Proposal Phase:** First, applicants will submit a [pre-proposal](#) that describes their initial idea for their project. The pre-proposals are not required, but they are strongly encouraged. The goal of the Pre-Proposal Phase is to help Applicants, technical assistance providers, and SGC assess whether Applicants are on track to submit a complete, competitive application that meets all threshold requirements and to identify sections of the application that will need increased support. **Pre-proposals are due Friday, July 15, 2022.**
- **Full Application Phase:** Following the pre-proposals, applicants will complete a full application. Applicants must submit application materials to SGC via a file-sharing platform **on Friday, October 7, 2022.** Full application materials, including application instructions and templates for the work plan and budget, will be posted on or before the Pre-Proposal submission deadline on July 15.

All applicants who submit a pre-proposal will be eligible to receive no-cost technical assistance (TA), provided by a team of SGC-funded third-party TA providers. TA providers will be available to respond to questions and provide light support to applicants on an as-needed basis during the Pre-Proposal phase. After Pre-Proposals are submitted and reviewed, SGC staff will assign applicants to a TA provider to work with them on integrating feedback and developing a full RCC application.

For more information, visit the RCC website [here](#).