



California Department of Public Health

2017 Annual Legislative Summary

2017 ANNUAL LEGISLATIVE SUMMARY

The *2017 Annual Legislative Summary* is compiled by the Office of Legislative and Governmental Affairs, California Department of Public Health (CDPH), as a reference to legislation CDPH tracked during the 2017 legislative session. The Summary is intended to provide a synopsis of legislation affecting CDPH and is for informational purposes only. Updated bill information and their status can be located at the California Legislative Information website (<http://leginfo.legislature.ca.gov/faces/home.xhtml>).

A copy of the Summary is posted on the CDPH Office of Legislative and Governmental Affairs website Legislative Summaries (<https://www.cdph.ca.gov/Programs/OLGA/Pages/Legislative-Summaries.aspx>).

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2017 LEGISLATION SIGNED BY THE GOVERNOR

Bill Number	Author	Title
AB 114	Committee on Budget	Public health
AB 130	Committee on Budget	Health and human services
AB 133	Committee on Budget	Cannabis Regulation
AB 242	Arambula	Certificates of death: veterans
AB 275	Wood	Long-term care facilities: requirements for changes resulting in the inability of the facility to care for its residents
AB 331	Eggman	County recorders: veterans: recorded documents
AB 356	Bigelow	Human remains: disposition
AB 401	Aguiar-Curry	Pharmacy: remote dispensing site pharmacy: telepharmacy: shared clinic office space
AB 443	Salas	Optometry: scope of practice
AB 485	O'Donnell	Pet store operators: dogs, cats, and rabbits
AB 527	Caballero	Pest control aircraft pilot's certificate unmanned aircraft
AB 651	Muratsuchi	Nonprofit health facilities: sale of assets: Attorney General approval
AB 658	Waldron	Clinical laboratories
AB 691	Levine	Pupil nutrition: almond milk
AB 718	Frazier	Mosquito abatement and vector control districts: managed wetland habitat: memoranda of understanding
AB 836	Chiu	Vending machines: bulk food
AB 841	Weber	Pupil nutrition: food and beverages: advertising: corporate incentive programs
AB 911	Wood	Radioactive materials: licensing and registration exemption
AB 940	Weber	Long-term health care facilities: notice

Bill Number	Author	Title
AB 954	Chiu	Food labeling: quality and safety dates
AB 967	Gloria	Human remains disposal: alkaline hydrolysis: licensure and regulation
AB 1014	Cooper	Diesel backup generators: health facility
AB 1048	Arambula	Health care: pain management and Schedule II drug prescriptions
AB 1102	Rodriguez	Health facilities: whistleblower protections
AB 1127	Calderon	Baby diaper changing stations
AB 1219	Eggman	Food donations
AB 1316	Quirk	Public health: childhood lead poisoning: prevention
AB 1387	Arambula	Homed medical device retail facility business: licensing inspections
AB 1438	Committee on Environmental Safety and Toxic Materials	State Water Resources Control Board: environmental laboratories: public water systems: certificates and permits: procedures
AB 1456	Low	Professional licensure
AB 1538	Bonta	Alameda Health System Hospital Authority: physician services
AB 1649	Muratsuchi	Oil refineries: public safety
AB 1724	Jones-Sawyer	Alcoholic beverages: licenses: suspension and revocation tied-house exception
AB 1726	Committee on Health	Vital records: confidentiality
SB 31	Lara	California Religious Freedom Act: state agencies: disclosure of religious affiliation information
SB 94	Committee on Budget and Fiscal Review	Cannabis: medicinal and adult use
SB 97	Committee on Budget and Fiscal Review	Health

Bill Number	Author	Title
SB 179	Atkins	Gender identity: female, male, or nonbinary
SB 184	Morrell	Social security number truncation program
SB 219	Wiener	Long-term care facilities: rights of residents
SB 239	Wiener	Infectious and communicable diseases: HIV and AIDS: criminal penalties
SB 294	Hernandez	Hospice: services to seriously ill patients
SB 379	Atkins	Pupil health: oral health assessment
SB 432	Pan	Emergency medical services
SB 443	Hernandez	Pharmacy: emergency medical services automated drug delivery system
SB 449	Monning	Skilled nursing and intermediate care facilities: training programs
SB 557	Hernandez	Food donations and pupil means: schools

CENTER FOR CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

CHRONIC DISEASE AND INJURY CONTROL

- AB 691 Levine (Chapter 382)
PUPIL NUTRITION: ALMOND MILK
- Excludes “almond milk” from the definition of “nonnutritious beverages” in the context of foods and beverages that may be served or sold in schools, thus authorizing a school district governing board to enter into or renew a contract that grants exclusive or non-exclusive advertising or sales rights for almond milk without first holding a public hearing or adopting a policy.
- AB 841 Weber (Chapter 843)
**PUPIL NUTRITION: FOOD AND BEVERAGES: ADVERTISING
CORPORATE INCENTIVE: PROGRAMS**
- Adds to the Education Code to prohibit a school, school district, or charter school from either: (1) advertising of any food or beverage that is not served or sold on campus during the school day; or (2) participation in a corporate incentive program that rewards students with free or discounted foods or beverages that do not comply with the federal National School Lunch Program or federal School Breakfast Program nutritional standards for achieving academic goals.
- SB 379 Atkins (Chapter 772)
PUPIL HEALTH: ORAL HEALTH ASSESSMENT
- Modifies existing law to require the California Department of Education (CDE) to consult with the State Dental Director to develop, revise as necessary, and post online a standardized notification form to provide notice to parents or legal guardians of the oral health assessment requirement.

ENVIRONMENTAL AND OCCUPATIONAL DISEASE CONTROL

- AB 1316 Quirk (Chapter 507)
PUPIL HEALTH: CHILDHOOD LEAD POISONING: PREVENTION
- Increases the number of children tested for lead exposure by expanding the definition of "at risk" children to include the most significant additional risk factors, which are not considered under the current regulations. Requires the CDPH to develop regulations that establish a standard of care that includes the determination of risk factors for whether a child is at risk for lead poisoning.
- AB 1649 Muratsuchi (Chapter 590)
OIL REFINERIES: PUBLIC SAFETY
- Tasks the California Environmental Protection Agency with consulting and coordinating with 12 other agencies and boards including CDPH to address refinery safety. The goal is to protect workers and communities by increasing both oversight of refineries and preparedness for refinery incidents.

CENTER FOR ENVIRONMENTAL HEALTH ENVIRONMENTAL MANAGEMENT BRANCH

- AB 967 Gloria (Chapter 846)
HUMAN REMAINS DISPOSAL: ALKALINE HYDROLYSIS: LICENSURE AND REGULATION
- Beginning July 1, 2020, requires the Cemetery and Funeral Bureau (Bureau) to license and regulate hydrolysis facilities and hydrolysis managers for the disposition of human remains. Requires CDPH to approve a hydrolysis chamber once the applicant of the hydrolysis facility presents all of the proper permits and contracts to the Bureau and requires a licensed hydrolysis facility that disposes of hydrolysate through the sewer collection system, to conduct biological spore testing and submit the results to CDPH every five years.

- AB 1438 Committee on Environmental Safety and Toxic Materials (Chapter 846)
STATE WATER RESOURCE CONTROL BOARD: ENVIRONMENTAL LABORATORIES: PUBLIC WATER SYSTEMS: CERTIFICATES AND PERMITS: PROCEDURES
- This is clean-up language from the transfer of the Drinking Water Program from CDPH to **the State Water Resources Control Board** that changes references of the Department to the Board. Removes the now obsolete National Environmental Laboratory Accreditation Conference (NELAC) program, and replaces it with the new The NELAC Institute (TNI) national standard, and makes changes to the state's Environmental Laboratory Accreditation Program by changing references of CDPH to the State Board.

FOOD, DRUG, AND RADIATION SAFETY

- AB 836 Chiu (Chapter 259)
VENDING MACHINES: BULK FOOD
- Allows the issuance of a variance for dispensing bulk juice from vending machines should the retailer provide a science-based rationale and data that ensures public health and the safety of consumers.
- AB 954 Chiu (Chapter 787)
FOOD LABELING: GUIDELINES: QUALITY AND SAFETY DATES
- Requires the California Department of Food and Agriculture (CDFA), in consultation with the CDPH, on or before July 1, 2018 to publish information that encourages food manufacturers, processors, and retailers that label food products to use uniform terms on food products.
- AB 1127 Calderon (Chapter 755)
BABY DIAPER CHANGING STATIONS
- Requires at least one safe, sanitary, convenient and publicly accessible baby diaper changing station in public buildings owned by a state or local agency, and certain types of buildings open to the public. These requirements apply to new construction and bathroom renovations with a cost of \$10,000 or more.
- AB 1219 Eggman (Chapter 619)
FOOD DONATIONS
- Creates the California Good Samaritan Food Donation Act. Expands civil and criminal liability protections for a person or gleaner that donates food

fit for human consumption to charitable organizations, food banks, or directly to the final consumer. This protection from liability does not cover a person or gleaner if any damage or injury occurs due to gross negligence or intentional misconduct. The law expands the protection for donations of perishable and nonperishable food fit for human consumption, but which has exceeded the labeled shelf life date recommended by the manufacturer.

AB 1387 Arambula (Chapter 213)
HOME MEDICAL DEVICE RETAIL FACILITY BUSINESS: LICENSING: INSPECTIONS

Allows home medical device retail facilities to be exempt from annual surveys conducted by CDPH if the facility is accredited by an accreditation organization approved by the federal Centers for Medicare and Medicaid Services (CMS). CDPH is permitted to conduct inspections only upon initial licensure or in response to a complaint made to the Department. CDPH would conduct an annual inspection on licensees that are not accredited by CMS. Sunsets on January 1, 2023.

AB 1724 Jones-Sawyer (Chapter 478)
ALCOHOLIC BEVERAGES: LICENSES: SUSPENSION AND REVOCATION TIED HOUSE EXCEPTION

Requires the Director of CDPH to notify the Department of Alcoholic Beverage Control (ABC) when an alcoholic beverage licensee has violated and been convicted of a violation of the Sherman Food, Drug, and Cosmetic Law (Sherman Law).

SB 557 Food donation: schools (Chapter 285)
FOOD DONATION: SCHOOLS

Allows any prepackaged, nonpotentially hazardous foods placed on a sharing table by food service staff, pupils or faculty at a local educational agency to be redistributed to food banks, nonprofit charitable organizations, or made available to pupils during the course of a regular school mealtime. Requires the CDE to update its guidance on the donation of leftover food.

OFFICE OF MEDICAL CANNABIS SAFETY

AB 133 Committee on Budget (Chapter 253)
CANNABIS REGULATION

Makes technical cleanup changes to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to clarify the intent of cannabis regulatory law enacted in SB 94, Chapter 27, Statutes of 2017.

SB 94 Committee on Budget and Fiscal Review (Chapter 272)
CANNABIS: MEDICINAL AND ADULT USE

Makes changes to the Medical Cannabis Regulation and Safety Act (MCRSA) and the Adult Use of Marijuana Act (AUMA). It combines portions of both Acts to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MACRSA). CDPH's role is limited to Sections 5, 10, 11, 12, 16, 22, 23, 25, 32, 35, 41, 71, 74, 75, 77, 78, 79, 80, 81, 82, 97, 99, 103 and 104.

- Section 5. Makes changes to definitions in AUMA by incorporating definitions from MCRSA.
- Section 10. Incorporates the MCRSA requirement that all licensing entities hold the protection of the public as its highest priority in implementing the MACRSA. CDPH heavily relied on this legislative intent language during the development of the MCRSA regulations.
- Section 11. Places the responsibility for testing laboratories on the Bureau and provides each licensing entity with the power to conduct investigations and enforce any violations.
- Section 12. Provides each licensing entity with the authority to adopt emergency regulations. This authority will be vital in the upcoming months as all three agencies work to have regulations in place in time to begin issuing licenses on January 1, 2018.
- Section 16. Provides explicit authority to licensing entities to use additional disciplinary tools for licensees that fail to comply with this law.
- Section 22. Sets a statute of limitations of five years for disciplinary action by a licensing entity, unless there was intentional fraud or misrepresentation by the licensee. This limitation corresponds to the statute of limitations in MCRSA.
- Section 23. Clarifies that a violator is responsible for any cost of destruction associated with the violation.

- Section 25. Clarifies that appeals to the Cannabis Appeals Board regarding any decision of a licensing authority would occur after the applicant has exhausted other administrative appeals, including a hearing through the licensing agency and the Office of Administrative Hearings.
- Section 32. Allows each licensing entity to issue a temporary license if the applicant submits a written request to the licensing authority, a copy of a valid license, permit, or other authorization issued by a local jurisdiction or an application fee, if required by the licensing authority.
- Section 35. Provides technical clean up needed to incorporate license application requirements from MCRSA to MACRSA. AUMA referenced the MCRSA section that provided the application requirements. Now that MCRSA would be deleted, the requirements need to be incorporated directly into MACRSA. Requires disclosure of all persons with a financial interest in the applicant.
- Section 41. Establishes a process by which state licensing agencies can verify an applicant's compliance with local ordinances
- Section 71. This section will ensure that manufacturers of all types, even microbusinesses that are not under direct licensing authority of CDPH, will follow the same standards.
- Section 74. Removes the requirement for all nutritional information to be listed on the package, as requested by CDPH.
- Section 75. Adds the definition of "misbranded" product from MCRSA.
- Section 77. Requires CDPH to promulgate regulations that address the manufacturing of cannabis products, packaging, labeling and to issue the following licenses.
- Section 78. Adds the definition of "adulterated" product from MCRSA.
- Section 79, 80 and 81. Adds CDPH authority to recall or embargo adulterated or misbranded products or to issue administrative fines for violations, as provided for in MCRSA.
- Section 82. Allows a peace officer within CDPH or the Bureau to seize cannabis and cannabis products under the defined circumstances.
- Section 97. Requires, no later than January 1, 2018, that the Secretary of the Business, Consumer Services, and Housing Agency to initiate work with the Legislature, Department of Consumer Affairs, CDFR,

CDPH, and any other departments to ensure there is a safe and viable way to collect cash payments for taxes and fees for cannabis activity.

- Section 99. Requires all licensing entities to submit their annual report to the Legislature on their cannabis activities beginning March 1, 2023 instead of March 1, 2020
- Section 103. Allows a local jurisdiction to enforce MACRSA should it enter into an agreement with the licensing entity to do so.
- Section 104. Changes the name of the Medical Cannabis Regulation and Safety Act Fund to the Marijuana Control Fund.

RADIOLOGICAL HEALTH BRANCH

AB 911

Wood (Chapter 128)

RADIOACTIVE MATERIALS: LICENSING AND REGISTRATION: EXEMPTION

Exempts a bomb squad of a city, city and county, county, special district, the State of California, or the University of California, from the CDPH certification requirements, if specific conditions are met. Authorizes CDPH to revoke or rescind the exemption if a jurisdiction fails to comply with the conditions.

CENTER FOR HEALTH CARE QUALITY

LICENSING AND CERTIFICATION

AB 130 Committee on Budget (Chapter 251)
HEALTH AND HUMAN SERVICES

Clarifies that a skilled nursing facility (SNF) that receives an SB 97 waiver from the CDPH for 3.5 direct care service hour requirements, but satisfies the applicable 3.2 nursing hour per patient day requirements, to continue being eligible for participation in the Quality and Accountability Supplemental Payment (QASP) program.

AB 275 Wood (Chapter 185)
LONG-TERM CARE FACILITIES: REQUIREMENTS FOR CHANGES RESULTING IN THE INABILITY OF THE FACILITY TO CARE FOR ITS RESIDENTS

Increases the long-term care (LTC) facility notice requirement to residents and the State Long-Term Care Ombudsman from 30 days to 60 days prior to a change in the status of the facility's license or operations; 2) requires facilities to give written notification to the Department of Health Care Services (DHCS) and any affected health plan at least 60 days prior to a change in the status of the facility's license or operation; 3) requires the facility to hold a community meeting for residents and their families and provide notice of this meeting to residents, their families, and local health authorities; 4) requires LTC facilities to ensure that a marriage and family therapist, licensed clinical social worker, licensed psychologist, licensed psychiatrist, or a licensed professional clinical counselor health professional or licensed social worker and facility nursing staff complete an assessment of the resident before notice of transfer is given to the resident; 5) requires facilities to submit to CDPH a proposed relocation plan for affected residents at least 30 days prior to written transfer notice to any resident if 10 or more residents are likely to be transferred due to any voluntary or involuntary change in the operation or status of the facility license; 6) requires CDPH to approve or reject the relocation plan within 14 working days of receipt; 7) requires CDPH to base approval of the relocation plan on a determination that the plan provides adequate protections to minimize transfer trauma for residents; 8) allows the facility to withdraw a closure date or resident notification as long as no resident has been relocated.

AB 401

Aguiar-Curry (Chapter 548)

**PHARMACY: REMOTE DISPENSING SITE PHARMACY:
TELEPHARMACY: SHARED CLINIC OFFICE SPACE**

Authorizes a licensed clinic to co-locate with a license-exempt clinic operated by a government entity, under specified conditions. Authorizes the Board of Pharmacy (Board) to issue pharmacy licenses to each of the co-located clinics, following review of Medi-Cal funding issues by the DHCS. The Board is prohibited from issuing a license until the Board receives documentation from the Director of CDPH that any licensing and regulatory issues have been sufficiently addressed. The shared clinic space provisions of this bill sunset on January 1, 2021. Also establishes a remote dispensing site pharmacy license under the purview of the Board, and adds provisions pertaining to telepharmacy and reporting requirements for drug wholesalers.

AB 651

Muratsuchi (Chapter 782)

**NONPROFIT HEALTH FACILITIES: SALE OF ASSETS ATTORNEY
GENERAL APPROVAL**

Extends existing requirements that nonprofit corporations operating or controlling health care facilities obtain the consent of the Attorney General (AG) prior to entering into any agreement to sell or otherwise transfer control of the facility to another entity to include facilities no longer providing health care services or having a suspended license. Requires the nonprofit corp. to provide the AG a list of all languages widely spoken at the facility and the threshold languages for Medi-Cal beneficiaries in the county where the facility is located, and that the AG provide its public notice of meetings in those primary or threshold languages, as well as English. Extends the AG's review period by 30 days and requires the AG to consider whether the proposal may have a significant effect on the availability and accessibility of cultural interests to the affected community. Authorizes the AG to enforce conditions imposed on the transaction, and makes available equitable remedies in addition to legal remedies.

AB 940

Weber (Chapter 274)

LONG-TERM HEALTH CARE FACILITIES: NOTICE

Requires an LTC facility to notify the local LTC ombudsman at the same time notice is provided to the resident or the resident's representatives when a facility-initiated transfer or discharge from the facility occurs. The facility shall provide a copy of the notice to the ombudsman as soon as practicable if a resident is subject to a facility-initiated transfer to a general acute care hospital (GACH) on an emergency basis. Failure to timely send a copy of the notice to the local LTC ombudsman shall constitute a class B violation.

- AB 1014 Cooper (Chapter 145)
DIESEL BACKUP GENERATORS: HEALTH FACILITY
- Requires general acute care hospitals, acute psychiatric hospitals, SNFs, intermediate care facilities, special hospitals, intermediate care facilities for the developmentally disabled and nursing facilities (health facilities) to test and maintain their diesel backup generators and standby systems in conformance with federal standards.
- AB 1048 Arambula (Chapter 615)
HEALTH CARE: PAIN MANAGEMENT AND SCHEDULE II DRUG PRESCRIPTIONS
- Authorizes pharmacists, beginning July 1, 2018, to partially fill Schedule II controlled substances if requested by the patient or prescriber. If a pharmacist dispenses a partial fill of the prescription, the issuing pharmacy must retain the original prescription with a notation documenting how much of the prescription has been filled until the remainder of the prescription is dispensed. Removes requirements for health facilities to assess pain concurrently with vital signs and allows facilities to create their own policies and procedures surrounding pain assessment and management, consistent with clinical practice.
- AB 1102 Rodriguez (Chapter 275)
HEALTH FACILITIES: WHISTLEBLOWER PROTECTIONS
- Increases the misdemeanor fine from a maximum of \$20,000 to a maximum of \$75,000, if a health facility discriminates or retaliates against a patient, employee, member of the medical staff, or any other health care worker of the health facility for presenting a complaint against the facility or cooperating in an investigation of a facility.
- AB 1456 Low (Chapter 151)
PROFESSIONAL LICENSURE
- Extends, from three years to four years, the waiver that CDPH may issue to unlicensed psychologists who are gaining qualifying experience towards licensure if they are working in health facilities licensed by CDPH and operated by government entities.
- AB 1538 Bonta (Chapter 263)
ALAMEDA HEALTH SYSTEM HOSPITAL AUTHORITY: PHYSICIAN SERVICES
- Prohibits the Alameda Health System Hospital Authority (Authority), before January 1, 2024, from contracting with any person or entity to replace services being provided by physicians and surgeons employed by the Authority and in a recognized collective bargaining unit, regardless of

when they joined that bargaining unit, without clear and convincing evidence that the needed medical care can only be provided cost effectively by another person or entity.

SB 219

Wiener (Chapter 483)

LONG-TERM CARE FACILITIES: RIGHTS OF RESIDENTS

Prohibits LTC facilities and residential care facilities for the elderly from discriminating against a resident based on their actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus (HIV) status. The bill requires LTC facilities and residential care facilities for the elderly to make available to existing and new employees for one year the online learning tool “Building Respect for LGBTQ Older Adults.”

SB 294

Hernandez (Chapter 515)

HOSPICE: PALLIATIVE CARE

Establishes a pilot program to allow hospices to provide palliative care services to patients with a serious illness. Requires notification to the CDPH at least 45 days prior to expanding palliative care services and requires hospices to report specified information annually about the services provided. CDPH is required to conduct a stakeholder meeting to discuss the results of the reported information. The provisions sunset January 1, 2022.

SB 432

Pan (Chapter 426)

EMERGENCY MEDICAL SERVICES

Revises the required communicable disease exposure notification procedure for emergency medical care providers by requiring a health facility to immediately notify a prehospital emergency medical care provider upon determining that a person who received emergency medical services is diagnosed with a reportable communicable disease or condition, if the conditions of exposure include direct contact between the unprotected skin, eyes or mucous membranes of the emergency medical care provider. If the conditions of exposure do not apply, the notification must be consistent with current disease reporting requirements. This is in addition to the existing requirement that provides notification to the county health officer, who in turn notifies the emergency medical care provider. The bill defines designated officer, health facility infection control officer, and urgency reporting requirements.

SB 443 Hernandez (Chapter 647)
PHARMACY: EMERGENCY MEDICAL SERVICES AUTOMATED DRUG DELIVERY SYSTEM

Authorizes an increase in the number of doses of dangerous drugs that a pharmacy may furnish to a licensed SNF or intermediate care facility (ICF) for storage in a secured emergency pharmaceutical supplies container maintained within the SNF or ICF.

SB 449 Monning (Chapter 282)
SKILLED NURSING AND INTERMEDIATE CARE FACILITIES: TRAINING PROGRAMS

Requires that at least two of the mandatory 60 classroom hours of pre-certification training for certified nursing assistants (CNAs) address the special needs of persons with Alzheimer's disease and related dementias.

CENTER FOR HEALTH STATISTICS AND INFORMATICS

AB 242 Arambula (Chapter 222)
CERTIFICATES OF DEATH: VETERANS

Requires CDPH to compile a report on veteran suicide in California and provide an annual report to the Legislature and the Department of Veterans Affairs beginning January 1, 2019.

AB 331 Eggman (Chapter 399)
COUNTY RECORDERS: VETERANS: RECORDED DOCUMENTS; FEDERAL WAIVERS: PUBLIC NOTICE

Requires a veteran's Certificate of Release or Discharge from Active Duty (DD Form 214) to be recorded and maintained with a County Recorder in a nonpublic index, rather than the current process of recording the DD Form 214 as part of the public record. Allows only the veteran or authorized person to receive a certified copy of a military service record.

AB 356 Bigelow (Chapter 187)
HUMAN REMAINS: DISPOSITION

Expands the distance from 20 miles to 30 miles for which human remains may be transported for disposition in another state's licensed funeral establishment, provided that funeral establishment is within 30 miles of the county border in which the decedent died.

- AB 1726 Committee on Health (Chapter 215)
VITAL RECORDS: CONFIDENTIALITY
- Authorizes CDPH to release confidential birth and fetal death vital record data to birth hospitals, DHCS, the Department of Finance (DOF), and programs under the jurisdiction of CDPH.
- SB 31 Lara (Chapter 826)
**CALIFORNIA RELIGIOUS FREEDOM ACT: STATE AGENCIES:
DISCLOSURE OF RELIGIOUS AFFILIATION INFORMATION**
- Prohibits a state or local agency from providing or disclosing personally identifying information regarding a person's religious affiliation to federal authorities when the information is sought for the purpose of compiling a database of individuals based on religious affiliation, national origin, or ethnicity.
- SB 179 Atkins (Chapter 853)
GENDER IDENTITY: FEMALE, MALE, OR NONBINARY
- Adds a third designation of "nonbinary" to the options in the sex field on the California birth certificate, effective September 1, 2018.
- SB 184 Morrell (Chapter 621)
SOCIAL SECURITY NUMBER TRUNCATION PROGRAM
- Authorizes county recorders to extend the existing Social Security Number (SSN) Truncation program to include records filed prior to January 1, 1980.

CENTER FOR INFECTIOUS DISEASES

COMMUNICABLE DISEASE CONTROL

- AB 443 Salas (Chapter 549)
OPTOMETRY: SCOPE OF PRACTICE
- Expands the scope of practice of optometrists to include, among other services, immunization of adults 18 years and older. To provide immunizations, optometrists would be required to complete an immunization training program endorsed by the Centers for Disease Control and Prevention (CDC), obtain a certification in basic life support, and comply with state and federal recordkeeping and reporting requirements, including the recording of immunization doses into the California Immunization Registry (CAIR), administered by the CDPH.

- AB 485 O'Donnell (Chapter 740)
PET STORE OPERATORS: DOGS, CATS, AND RABBITS
Prohibits a pet store on or after January 1, 2019, from selling a live dog, cat, or rabbit unless the animal was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals, humane society shelter or nonprofit, or animal rescue or adoption organization that has a cooperative agreement with at least one private or public shelter.
- AB 527 Caballero (Chapter 404)
PEST CONTROL AIRCRAFT PILOT'S CERTIFICATE: UNMANNED AIRCRAFT
Authorizes unmanned aircraft systems (UAS) operations in California for purposes of vector control pesticide application, provided the UAS operator complies with the Federal Aviation Administration (FAA) rules governing UAS flight. The bill eliminates the requirement of a valid commercial pilot's certificate and medical certificate for the operation of an UAS.
- AB 718 Frazier (Chapter 446)
MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICTS: FEES: EXEMPTIONS
Allows a landowner of managed wetland habitat under conservation easement or similar agreement to enter into a memorandum of understanding (MOU) with a mosquito abatement and vector control district to establish best management practices (BMPs) for mosquito control.

OFFICE OF AIDS

- SB 239 Wiener (Chapter 537)
INFECTIOUS AND COMMUNICABLE DISEASES: HIV AND AIDS: CRIMINAL PENALTIES
Repeals current law that imposes felony penalties for infecting another person with HIV. Makes the intentional transmission of any infectious or communicable disease, including HIV, a misdemeanor under particular conditions.

OFFICE OF THE STATE PUBLIC HEALTH LABORATORY DIRECTOR

LABORATORY FIELD SERVICES

AB 658 Waldron (Chapter 345)
CLINICAL LABORATORIES

Amends Section 1300.1 of the California Business and Professions Code (BPC) to temporarily suspend the annual renewal fee for clinical laboratory licenses as specified in Section 1300 (g) of the BPC from the date of enactment until January 1, 2020.

MISCELLANEOUS

LEGISLATIVE AND GOVERNMENTAL AFFAIRS

AB 114 Committee on Budget (Chapter 38)
PUBLIC HEALTH

Extends the operation of the Umbilical Cord Blood Collection Program until January 1, 2023 and requires the University of California, Davis, should it choose to continue to administer the program, to submit a report to the Legislature on the program. This new law also extends, until January 1, 2023, the \$2 surcharge on a certified copy of birth certificates to fund this program.

SB 97 Senate Committee on Budget (Chapter 52)
HEALTH

Implements the provisions of the State Budget for FY 2017-18, as it pertains to programs administered by CDPH. CDPH's role is limited to Sections 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18 and 45.

- Section 2. Makes clarifying changes to an existing exception for the doubling of nursing hours in facilities that provide care for patients with developmental disabilities and mental health disorders, and to state that it does not apply in SNFs that are licensed as part of a state-owned hospital or developmental center.
- Section 3. Requires SNFs, except those that are a distinct part of a general acute care hospital or a state-owned hospital or developmental center, to have a minimum of 3.5 direct care hours

except as specified in HSC section 1276.9. Requires the department to develop emergency regulations in consultation with stakeholders to implement the 3.5 hours direct care services of per patient day with a minimum of 2.4 hours performed by certified nurse assistants. Requires the department to evaluate the impact of the staffing changes on quality of care, the workforce, and the effectiveness of the 2.4 hours CNA staffing minimum, and authorizes the department to contract for the evaluation. This is only operative upon appropriation in the annual budget act and on continued approval of the SNF Quality Assurance Fee.

- Section 7 through 11. Makes several substantive and non-substantive changes to allow CDPH to more easily provide allocations of federal emergency preparedness funding to Local Health Jurisdictions (LHJs).
- Section 12. Establishes a statewide system for collecting, data on the incidence and prevalence of Parkinson's Disease known as the Richard Paul Hermann Parkinson's Disease Program.
- Section 14, 15 and 17. Establishes an HIV pre-exposure prophylaxis (PrEP) affordability program to pay HIV PrEP-related copays, coinsurance, and deductibles incurred by all individuals accessing PrEP in California with annual incomes below 500 percent of the Federal Poverty Level. HIV PrEP involves a person at high risk for HIV taking one pill a day to reduce their chances of acquiring HIV; if taken daily as prescribed.
- Section 16 and 18. Expands the list of authorized staff with whom CDPH could share HIV health information to improve linkage to, and retention in, HIV medical care and treatment, consistent with Laying a Foundation for Getting to Zero: California's Integrated HIV Surveillance, Prevention, and Care Plan. Adds HIV prevention staff to the list of persons authorized to disclose the information to Local Health Department staff. Adds state health department HIV prevention and surveillance staff to the list of person authorized to disclose the information to the person living with HIV (PLWH) and/or the health care provider who provides HIV care to a PLWH.
- Section 45. Allows a SNF that receives a waiver from CDPH for meeting staffing requirements pursuant to HSC section 1276.65 to remain eligible for a supplemental payment if the facility meets the 3.2 minimum staffing, to the extent the DHCS determines federal financial participation is available and not otherwise jeopardized. Prohibits the 3.5 staffing standard from being used to determine eligibility for a supplemental payment until fiscal year (FY) 2019-20. Also prohibits any penalties for failure to comply with the staffing

requirements until FY 2019-20. DHCS issues supplemental payments.

LEGISLATIVE PRIMARY BILL LIST

Bill Number	Author	Title	Outcome	Page
AB 34	Nazarian	Student financial aid: Children's Savings Account program	Two-year bill	
AB 62	Wood	Public housing: smoke-free policy	Two-year bill	
AB 64	Bonta	Cannabis: licensure and regulation	Two-year bill	
AB 76	Chau	Adult-use marijuana: marketing	Two-year bill	
AB 82	Medina	Vital records: diacritical marks	Vetoed	35
AB 114	Committee on Budget	Public Health	Signed	18
AB 130	Committee on Budget	Health and human services	Signed	11
AB 133	Committee on Budget	Cannabis Regulation	Signed	8
AB 171	Lackey	Airport districts: temporary negotiable notes	GUT/AMEND Not applicable to CDPH	
AB 175	Chau	Cannabis marketing: packaging and labeling	Two-year bill	
AB 182	Waldron	Heroin and Opioid Public Education (HOPE) Act	Two-year bill	
AB 186	Eggman	Controlled substances: safer drug consumption program	Two-year bill	
AB 211	Waldron	Health and care facilities	Two-year bill	
AB 238	Steinorth	Nonmedical marijuana: manufacturing: volatile solvents in residential structures	Two-year bill	

Bill Number	Author	Title	Outcome	Page
AB 241	Dababneh	Personal information: privacy: state and local agency breach	Two-year bill	
AB 242	Arambula	Certificates of death: veterans	Signed	15
AB 244	Cervantes	Maternal mental health	Two-year bill	
AB 247	Garcia	Public health: childhood lead poisoning: Lead Advisory Task force	Vetoed	36
AB 251	Bonta	Health and care facilities: dialysis clinics	Two-year bill	
AB 259	Gipson	Medical cannabis and nonmedical marijuana: California residency requirement for licensing	Two-year bill	
AB 275	Wood	Long-term care facilities: requirements for changes resulting in the inability of the facility to care for its residents	Signed	11
AB 296	Cervantes	Task force: health of women veterans	GUT/AMEND Not applicable to CDPH	
AB 331	Eggman	County recorders: veterans: recorded documents	Signed	15
AB 350	Salas	Cannabis edibles: appealing to children	Vetoed	37
AB 356	Bigelow	Human remains: disposition	Signed	15
AB 391	Chiu	Medi-Cal: asthma preventive services	Vetoed	38
AB 401	Aguiar-Curry	Pharmacy: remote dispensing site pharmacy: telepharmacy: shared clinic office space	Signed	12
AB 416	Mathis	Cannabis	Two-year bill	

Bill Number	Author	Title	Outcome	Page
AB 443	Salas	Optometry: scope of practice	Signed	16
AB 444	Ting	Medical waste: home-generated medical waste	Two-year bill	
AB 451	Arambula	Health facilities: emergency services and care	Two-year bill	
AB 485	O'Donnell	Pet store operators: dogs, cats, and rabbits	Signed	17
AB 511	Arambula	Tuberculosis risk assessment and examination	Two-year bill	
AB 514	Salas	Medical waste: pharmaceuticals	Two-year bill	
AB 527	Caballero	Pest control aircraft pilot's certificate: unmanned aircraft	Signed	17
AB 587	Chiu	State government: pharmaceuticals: procurement: collaborative	Two-year bill	
AB 607	Gloria	Public social services: disaster assistance services	GUT/AMEND Not applicable to CDPH	
AB 613	Nazarian	Healing arts: clinical laboratories	Two-year bill	
AB 626	Garcia	California Retail Food Code: microenterprise home kitchen operations	Two-year bill	
AB 651	Muratsuchi	Nonprofit health facilities: sale of assets: Attorney General approval	Signed	12
AB 654	Maienschein	Pediatric home health care	Two-year bill	
AB 658	Waldron	Clinical laboratories	Signed	18

Bill Number	Author	Title	Outcome	Page
AB 676	Limon	Child care and development: occupational health and safety training	Two-year bill	
AB 682	Caballero	Tanning facilities: Nonionizing Radiation protection Act	Two-year bill	
AB 691	Levine	Pupil nutrition: almond milk	Signed	4
Ab 715	Wood	Workgroup review of opioid pain reliever use and abuse	Vetoed	39
AB 718	Frazier	Mosquito abatement and vector control districts: managed wetland habitat: memoranda of understanding	Signed	17
AB 724	Choi	Foreign adoption: domestication	Two-year bill	
AB 725	Levine	State beaches and parks: smoking ban	Vetoed	40
AB 727	Nazarian	Mental Health Services Act: housing assistance	GUT/AMEND Not applicable to CDPH	
AB 729	Gray	Nonmedical marijuana: licensee regulation	Two-year bill	
AB 735	Maienschein	Swimming pools: public safety	Two-year bill	
AB 751	Brough	Alcohol and drug treatment facilities: nonmedical services	Two-year bill	
AB 753	Caballero	Denti-Cal: improved access	Two-year bill	
AB 821	Waldron	Office of AIDS	Two-year bill	
AB 823	Chau	Edible cannabis products: labeling	Two-year bill	

Bill Number	Author	Title	Outcome	Page
AB 836	Chiu	Vending machines: bulk food	Signed	6
AB 841	Weber	Pupil nutrition: food and beverages: advertising: corporate incentive programs	Signed	4
AB 859	Eggman	Elders and dependent adults: abuse or neglect	Vetoed	41
AB 911	Wood	Radioactive materials: licensing and registration: exemption	Signed	10
AB 937	Eggman	Health care decisions: order of priority	Two-year bill	
AB 940	Weber	Long-term health care facilities: notice	Signed	12
AB 954	Chiu	Food labeling: quality and safety dates	Signed	6
AB 958	Ting	Hazardous materials: perfluoroalkyl and polyfluoroalkyl substances	Two-year bill	
AB 963	Gipson	Taxation: marijuana	Two-year bill	
AB 967	Gloria	Human remains disposal: alkaline hydrolysis: licensure and regulation	Signed	5
AB 992	Arambula	CalWORKs: Baby Wellness and Family Support Home Visiting Program	Two-year bill	
AB 994	Muratsuchi	Health care districts: design-build	GUT/AMEND Not applicable to CDPH	
AB 1003	Bloom	California Community Health Fund	Two-year bill	
AB 1014	Cooper	Diesel backup generators: health facility	Signed	13

Bill Number	Author	Title	Outcome	Page
AB 1032	Calderon	State Department of Public Health	Two-year bill	
AB 1048	Arambula	Health care: pain management and Schedule II drug prescriptions	Signed	13
AB 1096	Gray	Horse racing: minisatellite wagering facilities	Two-year bill	
AB 1098	McCarty	Child death investigations: review teams	Two-year bill	
AB 1102	Bonilla	Clinical laboratories: licensure	Signed	13
AB 1127	Calderon	Baby diaper changing stations	Signed	6
AB 1135	Wood	California Marijuana Tax Fund	Two-year bill	
AB 1136	Eggman	Health facilities: residential mental or substance use disorder treatment	Two-year bill	
AB 1138	Maienschein	Sale of cats or dogs	GUT/AMEND Not applicable to CDPH	
AB 1204	Mayes	Public health: emergency prescriptions	Two-year bill	
AB 1207	Brough	Radiactive material: transportation	Two-year bill	
AB 1219	Eggman	Food donations	Signed	6
AB 1225	Patterson	State Department of Public Health: regulations and program flexibility	Two-year bill	
AB 1236	Gonzalez-Fletcher	Surnames before first marriage	Two-year bill	

Bill Number	Author	Title	Outcome	Page
AB 1244	Voepel	Consumer product safety: butane gas	Two-year bill	
AB 1279	Salas	Valley fever	Vetoed	42
AB 1316	Quirk	Public health: childhood lead poisoning: prevention	Signed	5
AB 1335	Kaira	Long-term health facilities	Two-year bill	
AB 1349	Daly	Diabetes: strategy for awareness and prevention	Two-year bill	
AB 1386	Waldron	Genomic cancer testing information	GUT/AMEND Not applicable to CDPH	
AB 1387	Arambula	Home medical device retail facility business: licensing: inspections	Signed	7
AB 1419	Quirk	Pesticides: penalties for violations: civil penalty	Two-year bill	
AB 1421	Dababneh	Railroads: noise and vibration levels	Two-year bill	
AB 1435	Gonzalez Fletcher	The College Athlete Protection Act	Two-year bill	
AB 1438	Committee on Environmental Safety and Toxic Materials	State Water Resources Control Board: environmental laboratories: public water systems: certificates and permits: procedures	Signed	6
AB 1441	Committee on Environmental Safety and Toxic Materials	Hazardous waste: transportation: electronic manifests	Two-year bill	
AB 1456	Low	Professional licensure	Signed	13

Bill Number	Author	Title	Outcome	Page
AB 1461	Thurmond	Food facility employee: food handler cards	Vetoed	43
AB 1466	Patterson	Patient records	Two-year bill	
AB 1488	Thurmond	County juvenile transition centers	GUT/AMEND Not applicable to CDPH	
AB 1493	Patterson	Clinics	Two-year bill	
AB 1512	McCarty	Opioid Addiction Prevention and Rehabilitation Act	Two-year bill	
AB 1520	Burke	Lifting children and Families Out of Poverty Task Force	GUT/AMEND Not applicable to CDPH	
AB 1527	Cooley	State and local marijuana regulatory agencies: employee	Two-year bill	
AB 1532	Bloom	State Department of Public Health: diabetes grant specialist	Two-year bill	
AB 1538	Bonta	Alameda Health System Hospital Authority: physician services	Signed	13
AB 1575	Kalra	Professional cosmetics: labeling requirements	Two-year bill	
AB 1578	Jones-Sawyer	Cannabis programs: cooperation with federal authorities	Two-year bill	
AB 1627	Cooley	Adult-Use Marijuana Act: testing laboratories	Two-year bill	
AB 1640	Garcia	Transportation funding: low – income communities	Two-year bill	
AB 1649	Muratsuchi	Oil refineries: public safety	Signed	5

Bill Number	Author	Title	Outcome	Page
AB 1656	Burke	Certified nurse assistant training	Two-year bill	
AB 1677	Jones-Sawyer	Gambling: internet poker	Two-year bill	
AB 1700	Cooper	Adult-use cannabis and medicinal cannabis: license application training	Two-year bill	
AB 1724	Jones-Sawyer	Alcoholic beverages: licenses: suspension and revocation tied-house exception	Signed	7
AB 1726	Committee on Health	Vital records: confidentiality	Signed	16
SB 10	Hertzberg	Bail: pretrial release	Two-year bill	
SB 23	Portantino	Public health: umbilical cord blood collection	Two-year bill	
SB 31	Lara	California Religious Freedom Act: state agencies: disclosure of religious affiliation information	Signed	16
SB 43	Hill	Antimicrobial-resistant infection: reporting	Two-year bill	
SB 94	Committee on Budget and Fiscal Review	Cannabis: medicinal and adult use	Signed	8
SB 97	Senate Committee on Budget	Health	Signed	18
SB 98	Committee on Budget and Fiscal Review	Public health	Two-year bill	
SB 148	Wiener	State Board of Equalization: counties: cannabis-related business: cash payments	Two-year bill	

Bill Number	Author	Title	Outcome	Page
SB 162	Allen	Cannabis: marketing	Two-year bill	
SB 175	McGuire	Marijuana: county of origin: marketing and advertising	Two-year bill	
SB 179	Atkins	Gender identity: female, male, or nonbinary	Signed	16
SB 184	Morrell	Social security number truncation program	Signed	16
SB 186	Nguyen	Food safety	Two-year bill	
SB 192	Beall	Mental Health Services Act Reversion Fund	Two-year bill	
SB 212	Jackson	Medical waste	Two-year bill	
SB 219	Wiener	Long-term care facilities: rights of residents	Signed	14
SB 239	Wiener	Infectious and communicable diseases: HIV and AIDS: criminal penalties	Signed	17
SB 244	Lara	Privacy: agencies: personal information	Two-year bill	
SB 258	Lara	Cleaning Product Right to Know Act of 2017	GUT/AMEND Not applicable to CDPH	
SB 273	Hill	Marriage and domestic partnership: minors	Two-year bill	
SB 294	Hernandez	Hospice: services to seriously ill patients	Signed	14
SB 300	Monning	Sugar-sweetened beverages: health warnings	Two-year bill	

Bill Number	Author	Title	Outcome	Page
SB 311	Pan	Medical cannabis and nonmedical marijuana: testing by a licensee	Two-year bill	
SB 320	Leyva	Public health: public postsecondary education: on-campus student health centers: abortion by medication techniques	Two-year bill	
SB 349	Lara	Chronic dialysis clinics: staffing requirements	Two-year bill	
SB 377	Monning	Lead-based paint	Two-year bill	
SB 379	Atkins	Pupil health: oral health assessment	Signed	4
SB 382	Pan	Pest control: mosquito abatement	Two-year bill	
SB 386	Glazer	State beaches and parks: smoking ban	Vetoed	44
SB 412	Pan	Clinics: licensing	Two-year bill	
SB 426	Pan	Community-based home visitation pilot program	Two-year bill	
SB 432	Pan	Emergency medical services	Signed	14
SB 443	Hernandez	Pharmacy: emergency medical services automated drug delivery system	Signed	15
SB 449	Monning	Skilled nursing and intermediate care facilities: training programs	Signed	15
SB 457	Bates	Out-of-Hospital Childbirths: physicians and surgeons: licensed midwives: certified nurse-midwives	Two-year bill	

Bill Number	Author	Title	Outcome	Page
SB 481	Pan	Long-term health facilities: informed consent	Two-year bill	
SB 504	Wieckowski	Synthetic food dyes	Two-year bill	
SB 512	Hernandez	Health care practitioners: stem cell therapy	GUT/AMEND Not applicable to CDPH	
SB 528	Stone	Pharmacy: automated drug delivery systems	Two-year bill	
SB 538	Monning	Hospital contracts	Two-year bill	
SB 557	Hernandez	Food donations and pupil meals: schools	Signed	7
SB 562	Lara	The Healthy California Act	Two-year bill	
SB 608	Hernandez	Medi-Cal: Hospital Quality Assurance Revenue Fund: direct grants	Two-year bill	
SB 631	Nielsen	Nitrous oxide: retail sales	Two-year bill	
SB 641	Lara	Controlled Substance Utilization Review and Evaluation System: privacy	Two-year bill	
SB 645	Roth	State Department of Public Health	Two-year bill	
SB 648	Mendoza	Health and care facilities: private referral agencies	Two-year bill	
SB 663	Nielsen	Packages and labels of cannabis or cannabis products: children	Vetoed	45
SB 687	Skinner	Health facilities: emergency services; Attorney General	Vetoed	46

Bill Number	Author	Title	Outcome	Page
SB 688	Moorlach	Mental Health Services Fund: research and evaluation	Two-year bill	
SB 719	Anderson	STAKE Act: definitions	Two-year bill	
SB 740	Wiener	Onsite treated water	Two-year bill	
SB 782	Skinner	School meals: state agriculture	Two-year bill	
SB 794	Stern	Edible marijuana products: labeling and packaging	Two-year bill	

Veto Messages

(Veto messages follow this index in numeric order.)

BILL NUMBER	AUTHOR	SUBJECT	PROGRAM
AB 82	Medina	Vital records: diacritical marks	Center for Health Statistics and Informatics
AB 247	Garcia	Public health: childhood lead poisoning: Lead Advisory Task Force	Environmental and Occupational Disease Control
AB 350	Salas	Cannabis edibles: appealing to children	Office of Medical Cannabis Safety
AB 391	Chiu	Medi-Cal: asthma preventive services	Environmental and Occupational Disease Control
AB 715	Wood	Workgroup review of opioid pain reliever use and abuse	Chronic Disease and Injury Control
AB 725	Levine	State beaches and parks: smoking ban	Chronic Disease and Injury Control
AB 859	Eggman	Elders and dependent adults: abuse or neglect	Licensing and Certification
AB 1279	Salas	Valley Fever	Communicable Disease Control
AB 1461	Thurmond	Food facility employee: food handler cards	Food and Drug Branch
SB 386	Glazer	State beaches and parks: smoking ban	Chronic Disease and Injury Control
SB 663	Nielsen	Packages and labels of cannabis or cannabis products	Office of Medical Cannabis Safety
SB 687	Skinner	Health facilities: emergency services: Attorney General	Licensing and Certification



OFFICE OF THE GOVERNOR

OCT 09 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 82 without my signature.

This bill mandates the State Registrar to require the use of diacritical marks on names to be recorded on birth, death, and marriage certificates.

Mandating the use of diacritical marks on certain state and local vital records without a corresponding requirement for all state and federal government records is a difficult and expensive proposition. This bill would create inconsistencies in vital records and require significant state funds to replace or modify existing registration systems.

For these reasons, I cannot sign this bill.

Sincerely,


Edmund G. Brown Jr.





OFFICE OF THE GOVERNOR

OCT 13 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 247 without my signature.

This bill creates a twenty-one member Lead Advisory Task Force to review and advise on state policies and procedures to reduce childhood lead poisoning and to suggest a regulatory agenda that would identify sources of lead and ensure standards are protective of public health.

The responsibilities of this task force would be duplicative of ongoing work by the Office of Environmental Health Hazard Assessment, the Department of Public Health, the State Water Resources Control Board, and the Department of Toxic Substances Control. Coordination and evaluation of procedures to reduce childhood lead poisoning is being accomplished administratively amongst these agencies so there is no reason to divert resources to a task force.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

OCT 06 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 350 without my signature.

This bill prohibits cannabis products to be made in the shape of a person, animal, insect, or fruit.

In mid-September the Legislature passed Assembly Bill 133, which made clarifying changes necessary to implement a single cannabis state regulatory framework. As currently drafted, this bill would chapter out specific provisions in the recently enacted trailer bill. Therefore, I cannot sign it at this time.

Sincerely,



Edmund G. Brown Jr.





OFFICE OF THE GOVERNOR

OCT 13 2017

To the Members of the California State Assembly:

I am returning Assembly Bills 391 and 447 without my signature.

These bills expand benefits in the Medi-Cal program, one for asthma preventative services and one for continuous glucose monitor medical devices. The Department of Health Care Services, however, has considerable administrative authority to make changes to benefits based upon new medical evidence and clinical guidelines. Therefore, these statutory changes are unnecessary.

Sincerely,


Edmund G. Brown Jr.





OFFICE OF THE GOVERNOR

OCT 09 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 715 without my signature.

This bill requires the Department of Public Health to convene a workgroup to develop a statewide guideline for prescribing opioids for acute, short term pain.

Opioid misuse and addiction is a national epidemic that has been devastating for many California communities. Since 2014, the Department of Public Health has lead the Prescription Opioid Misuse and Overdose Prevention Workgroup which is comprised of state and local agencies as well as medical and patient organizations committed to reducing opioid overdose rates in California. Furthermore, both the California Medical Board and the federal Centers for Disease Control have published updated guidelines for prescribing controlled substances for pain including opioids. For these reasons, this bill is unnecessary.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

OCT 06 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 725 without my signature.

This bill prohibits smoking on state coastal beaches and throughout the State Park System, and requires the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

Last year I vetoed Senate Bill 1333, a similar measure, because I believed that such a far-reaching prohibition in every state park and on every state beach was too broad. In addition, the fine prescribed in this bill for lighting one cigarette is excessive: over \$250 dollars, after the mandatory assessments.

If people can't smoke even on a deserted beach, where can they? There must be some limit to the coercive power of government.

Sincerely,


Edmund G. Brown Jr.





OFFICE OF THE GOVERNOR

OCT 02 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 859 without my signature.

This bill lowers the standard of proof for claims of elder physical abuse or neglect made against a skilled nursing facility or residential care facility for the elderly when a judge has found intentional destruction of evidence.

Intentional destruction or concealment of evidence, known as spoliation, is illegal. Currently when judges find spoliation, they have numerous sanctions at their disposal which they can impose against an offending party. In appropriate circumstances, this will facilitate establishing a claim of abuse. Accordingly, I don't believe changing the standard of proof is warranted.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

OCT 03 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 1279 without my signature.

This bill requires the Department of Public Health to develop outreach programs to educate the public about Valley Fever.

The department already provides fact sheets, brochures, posters and other educational materials to raise awareness of this disease. Expanding this program would necessitate additional resources which should be considered along with other funding requests as part of the budget process.

Sincerely,


Edmund G. Brown Jr.





OFFICE OF THE GOVERNOR

OCT 11 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 1461 without my signature.

This bill requires employees of a food facility that offers a meal subscription plan to obtain food handler cards if they work with unpackaged food.

This bill attempts to regulate a burgeoning new business model of home food delivery. I'm not convinced, however, that the existing regulatory scheme for food facilities is suitable for this new industry. I encourage the Legislature to continue to work on this issue with the Department of Public Health and interested stakeholders to ensure food safety is protected and innovation is encouraged.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

OCT 06 2017

To the Members of the California State Senate:

I am returning Senate Bill 386 without my signature.

This bill prohibits smoking on state coastal beaches and throughout the State Park System, and requires the Department of Parks and Recreation to post signs to notify the public of the smoking ban.

Last year I vetoed Senate Bill 1333, a similar measure, because I believed that such a far-reaching prohibition in every state park and on every state beach was too broad. In addition, the fine prescribed in this bill for lighting one cigarette is excessive: \$485 dollars, after the mandatory assessments.

If people can't smoke even on a deserted beach, where can they? There must be some limit to the coercive power of government.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

SEP 11 2017

To the Members of the California State Senate:

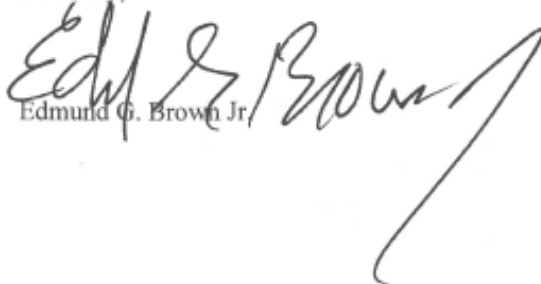
I am returning Senate Bill 663 without my signature.

This bill outlines standards that will determine if cannabis packages or labels are attractive to children.

Current law already prohibits cannabis and cannabis products from being designed to be attractive to children.

State licensing authorities are currently drafting emergency regulations on packaging and labeling for the cannabis industry, which must take effect before January 1, 2018. This process is more nimble than statute and allows the licensing authorities to respond to the changing industry. Rather than creating new statutory restrictions, it would be prudent to allow licensing authorities to finish drafting the regulations.

Sincerely,


Edmund G. Brown Jr.



OFFICE OF THE GOVERNOR

OCT 14 2017

To the Members of the California State Senate:

I am returning Senate Bill 687 without my signature.

This bill requires a nonprofit hospital to receive approval from the Attorney General prior to reducing or eliminating services in its emergency department.

A hospital's decision to reduce or eliminate emergency services poses real challenges for a community. This is why current law requires public notice prior to a hospital taking such an action. Removing a hospital's authority to determine emergency service needs, however, will not solve the underlying financial issues that typically force these decisions. An Attorney General decision to prohibit a reduction or elimination of these services may hasten the reduction of other services or closure of the entire hospital.

For this reason, I cannot sign this bill.

Sincerely,


Edmund G. Brown Jr.

