

# Assembly Committee on Aging and Long-Term Care 2007-08 Legislative Summary Patty Berg, Chair



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# 2007-08 Legislative Summary

## Assembly Committee on Aging and Long-Term Care

### 2007 Legislation

#### **AB 317 (Berg)**

AB 317 was amended in the Senate to require the Department of Health Care Services to allow for partial reimbursement for adult day health care (ADHC) centers if that center is forced to evacuate due to declared state of emergency.

**Last Action: Vetoed by the Governor, September 28, 2008.**

#### **AB 322 (Anderson & Berg)**

In the absence of enactment of the annual Budget Act by July 1 of a fiscal year, AB 322 appropriated from the Federal Trust Fund to the California Department of Aging (CDA) the amount of federal funds necessary for the administration of programs under the jurisdiction of the Area Agencies on Aging (AAAs); and to the Department of Rehabilitation (DOR), the amount of federal funds necessary for the administration of programs under the jurisdiction of the Independent Living Centers (ILCs).

**Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

#### **AB 378 (Benoit)**

AB 378 provided that a caretaker of an elder or dependent adult who is convicted of a second or subsequent violation of financial abuse laws with respect to the property of an elder or dependent adult would be subject to punishment by imprisonment, by a fine, or a combination of the fine and imprisonment.

**Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

#### **AB 380 (Berg)**

AB 380 required CDA to increase the annual allocation for the Multipurpose Senior Services Program (MSSP) by the same percentage as the annual increase in the Medical reimbursement rate for intermediate care facilities for that year.

**Last Action: Held in Senate Appropriations Committee.**

#### **AB 572 (Berg)**

AB 572 clarifies existing law governing ADHC and provides greater flexibility to ADHC providers in transportation and nutrition requirements.

**Last Action: Chaptered by the Secretary of State – Chapter 648, Statutes of 2008.**

### **AB 736 (Strickland)**

AB 736 would have authorized CDA to provide to an eligible senior citizen a multivitamin-mineral supplement as an addition to a meal.

**Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

### **AB 749 (Berg)**

AB 749 was amended in the Senate to become AB 749 (Wolk) which requires residential care facilities for the elderly (RCFEs) to have an emergency plan that includes specific provisions and is available, upon request, to residents onsite and available to local emergency responders.

**Last Action: Chaptered by the Secretary of State – Chapter 477, Statutes of 2008.**

### **AB 827 (Hancock)**

AB 827 modified the moratorium on service capacity for ADHC centers to allow for an increase in capacity for an existing ADHC site, relocation of an existing site, or under a change in ownership, under certain circumstances.

**Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

### **AB 1022 (Saldana)**

AB 1022 established a category of continuing care home programs in which services are provided to elderly individuals in their own residences by a continuing care retirement community, and exempted the residences from licensing provisions applicable to residential care facilities.

**Last Action: Vetoed by the Governor, September 27, 2008.**

### **AB 1318 (Blakeslee)**

AB 1318 repealed the provisions in the Mello-Granlund Older Californians Act which state the Legislature's affirmation of the need to restructure certain programs that offer medical, social, and other support services in order to address the duplication and fragmentation of long-term care and home and community-based services.

**Last Action: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.**

### **SB 321 (Alquist)**

SB 321 required the Alzheimer's Disease and Related Disorders Advisory Committee (committee) to develop the State Alzheimer's Disease Strategic Plan for the years 2010 through 2020.

**Last Action: Held in Assembly Appropriations Committee.**

### **SJR 12 (Simitian)**

SJR 12 requests the United States President and Congress to enact legislation to authorize the U.S. Postmaster General to establish a special postage stamp to provide funds for elder abuse prevention and awareness programs.

**Last Action: Chaptered by the Secretary of State – Res. Chapter 5, Statutes of 2008.**

## **2008 Legislation**

### **AB 1765 (Blakeslee)**

AB 1765 changed the reporting requirements for mandated reporters for elder and dependent adult abuse to include the local law enforcement agency as well as the local ombudsman or adult protective services agency.

**Last Action: Held in Assembly Public Safety Committee.**

### **AB 1999 (Adams)**

AB 1999 prohibited any owner, employee, agent, or consultant of a RCFE or member of his or her immediate family, or the representative of a public agency or organization operating within the RCFE from purchasing or receiving any item or property with a fair market value of more than \$100 from a resident of the facility unless the transaction is made in the presence of the State Long-Term Care Ombudsman.

**Last Action: Held in Assembly Human Services Committee.**

### **AB 2100 (Wolk)**

AB 2100 requires the local ombudsman and the local law enforcement agency to report cases of known or suspected elder and dependent adult abuse to the local district attorney's office.

**Last Action: Chaptered by Secretary of State – Chapter 481, Statutes of 2008.**

### **AB 2105 (DeSaulnier)**

AB 2105 expanded the category of mandated reporters for suspected financial elder and dependent adult abuse to include all finance lenders or brokers licensed under the California Finance Lenders Law and the California Residential Mortgage Lending Act, and their employees engaged in lending or servicing activities, except for those employees involved in solely administrative or clerical practices.

**Last Action: Vetoed by the Governor, September 28, 2008.**

### **AB 2160 (Carter)**

AB 2160 added the California Fair Employment and Housing Act definition of disability to the Mello-Granlund Older Californians Act.

**Last Action: Vetoed by the Governor, September 28, 2008.**

### **AB 2163 (Strickland)**

AB2163 required CDA to contract with private organizations to obtain multivitamin-mineral nutritional supplements to distribute to each county that implements a pilot program to provide the supplements to older adults.

**Last Action: Held in Assembly Aging & LTC Committee.**

### **AB 2172 (Cook)**

AB 2172 required the Department of Justice to develop an Internet website, to be updated regularly, which would make available to the public certain information about persons convicted of violating at least one crime against an elder or dependant adult, as specified.

**Last Action: Held in Assembly Public Safety Committee.**

### **AB 2947 (Eng)**

AB 2947 prohibited a RCFE from requiring as a condition of admission or continued care that the elder or dependent adult, or his or her representative, waive certain legal rights under the Elder Abuse and Dependent Adult Civil Protection Act.

**Last Action: Vetoed by the Governor, September 30, 2008.**

### **SB 491 (Alquist)**

SB 491 expands the membership of the Alzheimer's Disease and Related Disorders Advisory Committee (Committee), and requires the Committee to develop the State Alzheimer's Disease Strategic Plan for the years 2010 through 2020.

**Last Action: Chaptered by Secretary of State – Chapter 339, Statutes of 2008.**

**SB 977 (Correa)**

SB 977 required the California Commission on Aging to conduct a review of existing data, surveys, and reports related to senior center infrastructure needs.

**Last Action: Vetoed by the Governor, September 27, 2008.**

**SB 1268 (Denham)**

SB 1268 permits the Department of Public Health, upon the request of an applicant who is a member a recognized church or religious denomination that operates a faith-based skilled nursing facility, and historically prohibits the acquisition of the formal education that would otherwise be required for the applicant to take the licensing examination, to waive the licensing examination educational requirements for that applicant if he or she has completed a program-approved Administrator-in-Training Program.

**Last Action: Chaptered by Secretary of State – Chapter 397, Statutes of 2008.**

**SB 1518 (Correa)**

SB 1518 required CDA to seek to ensure that MSSP services are provided in the most integrated setting possible and give consideration to a prospective provider's experience in integrating medical and social services when establishing a new MSSP site or procuring an existing site through the competitive bidding process.

**Last Action: Vetoed by the Governor, September 27, 2008.**