



California Association for the Retarded

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LEGISLATIVE BILL STATUS REPORT July 20, 2009

BILLS CURRENTLY BEING CONSIDERED BY THE LEGISLATURE

Assembly Bills under consideration - 2009-10 session

Bill #	Author	Amended	Subject	Status	CAR Position
AB 123	Portantino	07/02/09	Community Care Facilities	Enrolled - SEN Appropriations	Watch
<p>Would exempt from licensing standards housing occupied by elderly or disabled persons under a regulatory agreement pursuant to federal law, and housing that qualifies for low-income housing credit and occupied by elderly or disabled persons.</p>					
AB 132	Mendoza	07/14/09	School safety – immigration investigations	SEN 3 rd reading	Watch
<p>Would require schools NOT collect information on immigrant status of pupils or their family; would encourage schools to comply with procedures relating to child care procurement; and provide counseling services relating to enforcement activities of immigration agents.</p>					
AB 140	Beall	07/02/09	Dispute resolution – regional centers & generic organizations	Enrolled - SEN Appropriations	Support
<p>Would establish procedures for resolution of disputes between regional centers and generic organizations over provision of or payment for services in an IPP or FSP for a child under 6 years of age.</p>					
AB 152	Carter	01/23/09	Disability definition	ASM Aging & Long Term Care	Support
<p>Would define 'disability' as a mental or physical disability in Older Californians Act.</p>					
AB 287	Beall	06/10/09	Employment of persons with developmental disabilities	SEN Appropriations	Support if amended
<p>Would require IPP process for transition age youth and working age adults be guided by employment first policy, as established. Monitoring assigned to State Council on DD – standing committee.</p>					
AB 302	Beall	06/01/09	Regional centers	SEN Human Services	Support
<p>Would require DDS, using existing data, to determine for state & by regional center information on use of purchase of service funds for linguistically and ethnically diverse consumers.</p>					
AB 325	Beall	05/06/09	Earned income tax credit outreach	ASM Appropriations	Support

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Would designate Dept Community Services and Development lead agency for implementing federal Earned Income Tax Credit (EITC) outreach programs, & require it to coordinate outreach efforts with prescribed entities to increase number of eligible persons applying for and receiving EITC.

AB 367	Galgiani Strickland	04/30/09	Medi-Cal facilities for persons with developmental disabilities	ASM Appropriations	Support
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Would provide fund transfers to Medical Providers Interim Payment Fund be sufficient to make continued payments to Medi-Cal providers of services for developmentally disabled, among others.

AB 386	Ruskin	07/08/09	Post-secondary education instructional materials; disabled students	SEN Appropriations	Support
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Would expand definition of non-printed instructional materials to include variety of electronic media compatible with other media and accessible by deaf and blind. Bill amended 6/26/9 to shift focus of instructional material to captioned formats.

AB 393	Yamada	02/23/09	Vehicle Warranties; disabled rights	ASM Business & Professions	Support
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Would extend warrant requirements to any vehicle manufacturer who modifies new vehicles into vehicles useable by persons with disabilities.

AB 416	Block	02/23/09	Developmental services; consumer abuse registry	ASM Appropriations	Support
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Would require substantiated case of abuse of a consumer by a direct service worker be reported to DDS, & DDS to establish a registry of abusers - & providers to access registry before hiring a direct service worker & prohibit hiring one in registry.

AB 438	Beall	04/21/09	Developmental services; criminal proceedings; diversion	SEN Appropriations	Watch
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Would make diversion process applicable to persons with developmental disabilities charged with non-violent felony and not exclude those previously diverted; Interim reports due to Legislature on July 1, 2011; July 1, 2012; & final report on July 1, 2013.

AB 595	Adams	02/25/09	Placement of children; criminal background checks	SEN Appropriations	Support
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Would prohibit DSS (Social Services) from licensing foster family home without California and Federal Bureau of Investigation criminal record clearance (or exemption from disqualification); exemptions unavailable to those convicted of some felonies at any time or certain felonies within last 5 years.

AB 661	Torlakson	02/25/09	Special education; behavioral intervention plan; mandate claim; funding	ASM Appropriations	Watch
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Would require Superintendent to calculate increased funds per unit of average daily attendance for each Special Education Local Plan Area (SELPA); makes appropriations.

Bill #	Author	Amended	Subject	Status	CAR Position
AB 762	Lowenthal	05/28/09	Residential Care Facilities for the Elderly	3 rd rdg. SEN Appropriations	Watch

Would redefine 'non-ambulatory' to mean a resident who is unable to transfer independently to and from bed, but does not require assistance in turning and repositioning in bed.

AB 826	Buchanan Berryhill	02/26/09	Special Education Local Plan Areas; funding	ASM Education	Watch
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Would require Superintendent to apply different calculation to determine level of general fund money for SELPAs per unit of average daily attendance.

AB 862	Knight	02/26/09	Penal Code; sexual assault	From printer – may be heard	Support
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Would establish definition of rape to include 'that a mental disorder or developmental or physical disability rendered the victim incapable of giving consent.'

AB 885	Nestande	04/15/09	Area Agencies on Aging & Independent Living Centers; funding	ASM Appropriations	Support
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Would ensure that without state budget federal trust fund money will be available to area agencies on aging and independent living centers.

AB1037	Lowenthal	04/15/09	Medi-Cal; managed care	ASM Appropriations	Watch
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Would establish Medi-Cal Managed Care Pilot Program in Riverside & San Bernardino counties; require report to Legislature by March 1, 2014.

AB 1124	Yamada	04/22/09	Special education; due process hearings	ASM Appropriations	Support
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Would require local educational agencies, during pendency of a hearing re application of a pupil for initial preschool services for children with exceptional needs between ages 3 to 5 years old who is no longer eligible for early intervention services due to attainment of 3 years of age, to continue providing services.

AB 1213	Skinner	02/27/09	Employment of persons with disabilities	SEN Labor & Industrial Relations	Watch
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Would provide that the Superintendent of Public Instruction be a member of the Governor's Committee on Employment of People with Disabilities.

AB 1296	Blumenfield	04/14/09	Developmental services; regional centers	ASM Education	Watch
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Would allow nonpublic, nonsectarian school to accept a pupil if local education agency and parent agree on a temporary basis school cannot provide services in IEP due to shortage of qualified professionals.

AB 1532	Lieu	04/14/09	In-Home Supportive Services	ASM Human Services	Watch
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Would require specified additional funds be available to counties to supplement expenditures made in 2007-08 for In-Home Supportive Services.

AB 1538	Ma	05/13/09	Pupil discipline: restraint and seclusion	ASM Inactive File - Education	Support
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Would prohibit defined physical and chemical restraints.

Senate Bills under consideration - 2009-10 session

SB 61	Cmte on Budget & Fiscal Review	05/18/09	Budget Act 2009	SEN Conference	Watch
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Budget Act for FY2009-10

SB 110	Liu	05/05/09	People with disabilities; victims of crimes	SEN Appropriations	Support
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Would require Dept of Justice describing intent & laws relating to protection of persons with disabilities; would include information on deaths in procedures relating to review teams; would require DDS to ascertain facts and report cases of abuse to law enforcement; would require CA Emergency Management Agency to convene a work group on crimes against elders, dependent adults and people with disabilities; would state Legislative intent that persons with disabilities be included as members of the Domestic Violence Advisory Council; would state that no state or local agency is required to update training re additional reporting requirements but that training be updated if possible without substantial cost; would allow non-licensed service providers with a vendor relationship with a regional center to get criminal background checks & fire or do not hire those convicted of specific offenses.

SB 360	Yee	04/23/09	Direct care nurses	SEN Appropriations	Support
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Would require each new direct care registered nursing hire to receive & complete an orientation to hospital & patient care unit where working; would preclude new hire who has not completed orientation being assigned direct patient care or counted as part of nurse-to-patient ratio; exempts state developmental center among others from provision.

SB 383	Liu	04/16/09	WIC re autism	SEN Appropriations	Support
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Would require DDS to partner with at least on regional center to implement a 2-year autism spectrum disorders early screening, intervention & treatment pilot program in at least 3 key geographic areas to establish best practices & report to legislature by July 1, 2012; would require DDS seek federal funding for this purpose.

SB 621	Florez	05/06/09	Education Code: career technical education	SEN Appropriations	Watch
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Would require Superintendent of Public Instruction to coordinate development of model curriculum standards to include persons with exceptional needs.

SB 682	Padilla	06/24/09	Education; persons with exceptional needs	ASM Appropriations	Watch
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Would allow consortia to establish pilot program combining academic & occupational training to secondary school pupils with autism spectrum disorders & other disabilities or special needs.

SB 732	Alquist	03/31/09	Medi-Cal reimbursement	SEN Appropriations	Watch
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Would require Dept Health Services to develop by 7/1/10, establish cost reporting method allowing departmental rate adjustments expediently.

SB 755	Negrete McLeod	05/21/09	State contract participation; persons with developmental disabilities business enterprises	SEN Appropriations	Watch
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Would establish statewide goal of not less than 1% for persons with developmental disabilities business enterprises to participate in state contracts for goods and services; that each state agency take actions to encourage participation; provides protection against fraud.

SB 788	Wyland Steinberg	06/22/09	Licensed Professional Clinical Counselors	ASM Appropriations	Support
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Addresses reporting requirements for sexual abuse of clients, sets out procedures for licensure.

SB 810	Leno	04/23/09	Single Payer Health Care Coverage	SEN Appropriations	Watch
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Large but fairly straightforward proposal to enact system of universal health care coverage. Would establish new system, new agency, new commissioner, new policy board, new office of patient advocacy, new office of health planning, new office of health care quality, new office of inspector general for healthcare system, new healthcare fund and payments board, new healthcare premium commission; only premium commission would be operative on 01/01/12; remaining provisions operative when Legislature notified that sufficient funds exist to implement system – operative within 2 years.

SB 812	Ashburn	05/04/09	Developmental services; housing	SEN Appropriations	Watch
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Would require Dept Housing & Community Development, with cooperation of DDS, prepare report to Legislature evaluate & identify housing needs of persons receiving services from either department or a regional center who are diagnosed with an autism spectrum disorder.

Assembly and Senate Bills Chaptered

Bill #	Author	Amended	Subject	Status	CAR Position
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Assembly and Senate Bills Vetoed

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