

2017 Legislative Session – The End

The 2017 legislative session ended on Sunday, Oct 15th, the last day for the Governor to sign or veto bills. This year has seen many issues – health care both state and national, environmental issues, educational issues, housing, social justice issues and emergency response based the myriad of hurricanes, floods, wildfires, drought and blood borne diseases. Several of these issues have been addressed through recently signed legislation and some as yet to be determined by the court cases filed by the state.

The 2017 legislature introduced 2900 bills, the legislature passed 977 and the governor signed 859 and vetoed 118. We tracked 80 bills, took a support position on 16 bills, had one sponsored bill – AB 882 (Arambula) and opposed one – AB 1110 (Burke).

The bills related to school health issues:

AB 882 (Arambula) - Pupil health care services: School Nursing and Pupil Health Care Services Task Force

AB 254 (Thurmond) - Local Educational Agency Behavioral Health Integration Pilot Program

AB 834 (O'Donnell) - School-based health programs

All were stopped in Appropriations. There was little information before or after the fact as to why these bills were not moved forward. A review of other bills we tracked related to school health issues were either vetoed or stopped short of enrollment.

The following bills we supported were signed by the Governor:

AB 10 (Garcia) Chapter 687 – feminine hygiene products – public restrooms

AB 340 (Arambula) Chapter 700 -Early and Periodic Screening, Diagnosis, and Treatment Program: trauma screening

AB 643 (Frazier) Chapter 574 - Pupil instruction: abusive relationships

AB 841 (Weber) Chapter 843 – Pupil nutrition: Pupil nutrition: food and beverages: advertising: corporate incentive programs

SB 138 (McGuire) Chapter 724 - School meal programs: free and reduced-price meals: universal meal service

SB 250 (Hertzberg) Chapter 726 - Pupil meals: Child Hunger Prevention and Fair Treatment Act of 2017

Bills of interest:

SB 799 (Hill) Chapter 520 – Nursing
AB 422 (Arambula) Chapter 702 - California State University: Doctor
of Nursing Practice Degree Program
SB 379 (Atkins) Chapter 772 - Pupil health: oral health assessment

Health Care – National and State Issues

The latest attempt to repeal and replace ACA has taken the form of an executive order signed by the President on October 12th. Many of the policy organizations as well as an earlier report from the Congressional Budget Office (CBO) state that this will destabilize the individual market:

The Affordable Care Act requires insurers to reduce cost sharing (CSR) for individuals who enroll in silver plans and have household incomes not exceeding 250 percent of the federal poverty level.

“These provisions reduce the out-of-pocket limit for these enrollees — particularly for those with incomes below 200 percent of poverty — and sharply reduce coinsurance, copayments and deductibles. The reductions cost insurers around \$7 billion a year currently.”*

In my August update, these same issues were discussed but were not a reality at that time. The CSR issue is not new as the Congress in 2014 sued the Obama administration stating there had never been an appropriation for this funding, the issue is still before the courts.

The Congress failed to reauthorize CHIP – Children’s Health Insurance Program – on September 30th. The following is a summary of the issue and comments from Children Now:

2 CHIP markups on 10/4/17:

Senate Finance passed KIDS Act by voice vote. KIDS Act has 14 co-sponsors (5 total Reps). Only Senator Toomey voted against the bill. CBO score of Senate is \$8.2 billion over 5 years (note that this is amount over baseline, not total funding amount).

House Energy & Commerce marked up their Healthy Kids Act—policy on CHIP similar to KIDS Act, but the off-sets would harm other [critical programs](#) for kids/families (Medicare premium hike for higher-income seniors; ACA public health fund). Bill passed out of

committee on party line vote – Dems voted no because they didn't like the offsets.

IMPLICATIONS OF PASSING THE DEADLINE:

For states like CA that use Medicaid to cover CHIP kids, there's a serious budget problem – CA got [\\$2.4 B in federal CHIP funds in FY2016](#); DHCS is already working on our state's 2018-19 budget and needs certainty. How would CA make up a \$2.4B cut in the budget?

For states with separate CHIP programs, there's a serious looming concern of loss of coverage for kids & pregnant women.

Yesterday, it was reported that 2 Senators – Murray, Democrat from Washington and Sanders, Republican of Tennessee have a plan to continue the CSRs:

“The plan would fund the subsidies for two years, a step that would provide at least [short-term certainty to insurers](#). The subsidies, known as cost-sharing reduction payments, reimburse insurance companies for lowering deductibles, co-payments and other out-of-pocket costs for low-income customers. Without them, insurance companies said, premiums for many customers purchasing plans under the Affordable Care Act would shoot up, and with profits squeezed, some of the companies would probably leave the market.”

This is not legislation but a blue print of what could be a method for stabilizing the insurance markets. There is no guarantee this will result in legislation or that the legislation will be passed in either house. Stay tuned more to come!

Hurricanes, floods and wildfires and the effects on our state

Because of the various environmental assaults and shootings we have witnessed and been affected by the last 2 months, requests have gone out for blood donations.

Concerns particularly in Puerto Rico regarding the possible increase of mosquito borne illnesses are heightened. The threat of other diseases is likely because of a lack of clean water, contamination by animal urine and gastro-intestinal illnesses spread via unsanitary food and water along with crowded living facilities.

California itself is facing a Hep A outbreak in a number of counties primarily among the homeless and those using illicit drugs. A concerted public health effort has occurred in San Diego, where the outbreak appears to have originated and is now present in Santa Cruz, LA and to a lesser extent in other counties.

Governor Brown on October 13th declared a state of emergency and public health officials are urging potentially vulnerable populations to be immunized.

2018 – What is to Come?

Earlier this week I was invited to attend a meeting on AB 1110 (Burke) - Eye and vision screening. The author remains committed to this issue and seeks a way forward through meeting with the stakeholders. At this writing without any new language, our position remains the same based on the scientific research which we cited in both our letters and my testimony.

SB 562 (Lara & Atkins) – Healthy California Act – was introduced to discuss and implement state universal health coverage (single payer). You will recall the Speaker stopped the bill once it reached the Assembly, calling it “woefully incomplete”. On Monday, 23rd, there will be a joint informational hearing on the issue.

There are numerous initiatives that have been approved for signature collection:
<http://www.sos.ca.gov/elections/ballot-measures/initiative-and-referendum-status/initiatives-referenda-cleared-circulation/>

2 initiatives have already qualified for the June 2018 primary ballot:
<http://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures/>

Sources:

*Health Affairs Blog – Oct 13, 2017 –

<http://healthaffairs.org/blog/2017/10/13/administrations-ending-of-cost-sharing-reduction-payments-likely-to-roil-individual-markets/>

Kaiser Family Foundation – March 2017

<https://www.cbo.gov/system/files/115th-congress-2017-2018/reports/53009-costsharingreductions.pdf>

<http://www.smartbrief.com/s/2017/10/aabb-spacing-out-blood-donations-ensures-sufficient-supply-0>

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/Hepatitis-A-Outbreak.aspx#>