

Government Affairs/Legislative Update for the 2016-2016 Legislative Session

Approximately 2,300 total bills were introduced in the 2015-2016 legislative session by the February 27, 2015 deadline. Of those, 1,504 were Assembly bills and 793 were Senate bills. Those of interest to Occupational & Environmental Health Nurses have been called out below. Please note that not all bills may be represented below. An index by subject of all the bills introduced for 2015-2016 Legislative Session can be viewed in the [California Legislative Index](#). Clicking on the referenced bill will take you to the text of the bill.

NURSES AND NURSING

assistants, certified nurse— staff-to-patient ratios: skilled nursing facilities, [SB 779](#)
state facilities employees: overtime, [AB 840](#)
education— schools of vocational nursing, [AB 1165](#)
midwives, nurse. nurse-family partnership: program expansion, [AB 50](#)
practitioners, nurse— generally, [SB 323](#)
public health nurses, foster care, [SB 319](#)
registered nurses— skilled nursing services, [SB 390](#)
state facilities employees: overtime, [AB 840](#)
vocational nurses, licensed— skilled nursing services, [SB 390](#)

OCCUPATIONAL SAFETY AND HEALTH

excavation practices, [SB 119](#)
machinery, equipment, etc., operation of, [AB 850](#)
refineries, oil, [SB 421](#)
safety devices, safeguards, etc., [SB 743](#)
temporary variances: notifications, [AB 578](#)

WORKERS' COMPENSATION

prohibits gender bias in apportionment decisions, [AB 305](#)
bilingual services, [AB 438](#)
expands the coverage relating to compensable injury workers' compensation benefits to include "other" peace officers, [AB 511](#)
workers' compensation: false or misleading advertisements, SB [522](#), [542](#)
utilization review process and disclosure of payment methodology for UR services, [SB 563](#)
a person shall not be excluded from receiving WC benefits based on his or her citizenship or immigration status [SB 623](#)
workers' compensation: pilot program consisting of 24/7 primary and WC care for farmworkers, [AB 1170](#)
workers' compensation: formulary for prescribing medications, [AB 1124](#)
life guards, imperial beach, city of: entitles life guards to LOA and workers' compensation benefits, [SB 559](#)

HEALTH & HEALTH CARE – too many to list here. Below are some that may one's pique interest.

synthetic turf, study re adverse health impacts from: funding, [SB 47](#)

education and outreach re hepatitis c and screening in primary care, [AB 383](#)
 end of life options, [SB 128](#)

IMMUNIZATIONS

calworks eligibility, [AB 376](#)
 childhood immunizations, [AB 1117](#); [SB 277](#)
 day care centers and family day care homes: employees, [SB 792](#)
 disclosure of immunization information including TB screening, [SB 370](#)

ENVIRONMENTAL QUALITY, PROTECTION, CLIMATE CHANGE, ETC - approximately 40 bills introduced.

TOBACCO & TOBACCO PRODUCTS (including electronic cigarettes and sale to minors) -Approximately 20 bills introduced

A draft of recommended of bills to follow and of interest to CSAOHN and CECRAOHN are further described in the table below.

Bill	Subject	Status
AB 41 (Chau)	this bill would prohibit a health care service plan or health insurer from discriminating against any health care provider who is acting within the scope of that provider’s license or certification, as specified	Hearing in ASM HEALTH 4/28/15
AB 202 (Gonzalez)	This bill would require that a California-based professional sports team that utilizes the services of cheerleaders, as defined, to provide those cheerleaders with specified rights and benefits afforded to its employees under existing employment laws, regardless of the terms and conditions under which the cheerleader performs.	Hearing 4/18 Assembly Labor and Employment
AB 305 (Gonzalez)	AB 305 Would Prevent Workers’ Compensation System from penalizing Female Workers for conditions predominantly or only affecting women	Assembly Insurance
AB 511 (Gipson)	Extends WC presumption to expanded list of peace officers. Expands presumption to include: a custody assistant, correctional officer, security officer, or security assistant employed by a public agency, or a peace officer other than a peace officer to whom these provisions already apply.	Assembly Insurance
AB 578 (Low)	This bill would require an employer requesting temporary variance for occupational health or safety standard to also give notice to employees	Assembly Labor and Employment April 8
AB 1124 (Perea)	This bill would require the administrative director to establish a formulary for the purposes of prescribing prescription medications	ASM Insurance
Bill	Subject	Status

AB 1170 (Alejo)	Creates pilot program for the Care of Agricultural Workers. Sets up fund to provide essential health benefits AND WC care for agricultural workers. Ag employer will contribute monies to the fund.	Assembly Insurance
SB 27 (Hill)	This bill would prohibit the administration of medically important antimicrobial drugs, as defined, to livestock unless prescribed by a veterinarian pursuant to a veterinarian-client-patient relationship, as specified. The bill would make it unlawful to administer a medically important antimicrobial drug to livestock solely to cause an increased rate of weight gain or improved feed efficiency. The bill would also require the Department of Food and Agriculture to develop a program to track the use of medically important antimicrobial drugs in livestock and to track antibiotic-resistant bacteria and patterns of emerging resistance, and would also require the department, until March 1, 2020, to submit an annual report summarizing that data to the Legislature. The bill would also require the department to adopt regulations to promote the judicious use of medically important antimicrobial drugs in livestock, as specified. Comment: There is research indicating antibiotic resistance to livestock handlers.	Committee on AG
SB 277 (Pan)	Public Health – Immunizations This bill would eliminate the exemption from immunization based upon personal beliefs. The bill would make conforming changes to related provisions. This bill would require the governing board of a school district to also include in the notifications provided to parents or guardians of minor pupils at the beginning of the regular school term the immunization rates for the school in which a pupil is enrolled for each required immunization.	Set for hearing April 15 Comm. On Ed
SB 391 (Huff)	Assault and battery: transit employees. This bill would also make an assault committed against a transit employee punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment	Referred to Com. on PUB. S.
SB 323 (Hernandez/ Eggman)	This bill would authorize a nurse practitioner who holds a national certification from a national certifying body recognized by the board to practice without the supervision of a physician and surgeon, if the nurse practitioner meets existing requirements for nurse practitioners and practices in one of certain specified settings.	In Business, Professions and Economic Development Set for hearing April 20
SB 337 (Pavley)	Physician Assistance – Changes to MD Supervision requirements	Sen Business, Professions and Economic Development 4/20/15
SB 563 (Pan)	This bill would require each employer, insurer, or other entity that is subject to the utilization review process to disclose the payment methodology for each person who is involved in the process of reviewing, approving, modifying, delaying, or denying requests by physicians for authorization prior to, retrospectively to, or concurrently with the provision of medical treatment services to injured workers by providing this information to employees, physicians, and the public upon request.	Sen Labor and Industrial Relations 4/22/15

SB 623 (Lara)	This bill would provide that a person shall not be excluded from receiving benefits under the Uninsured Employers Fund or the Subsequent Injuries Benefits Trust Fund based on his or her citizenship or immigration status	Heard in Sen. Labor & Indus. Rela. 4/8/15. Passed as amended. Refer as amended to Committee on Appropriations
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Bill	Subject	Status
SB 792 (Mendoza)	This bill would prohibit a day care center or a family day care home from employing any person who has not been immunized against influenza, pertussis, and measles.	To Sen Health as amended. Hearing date 4/15/15
SB 779 (Hall)	Skilled Nursing Facilities: staffing ratios for certified nursing assistants	Scheduled for hearing in Senate Health 4/22/15

REGULATORY ISSUES & OSHA ADVISORY MEETINGS

Workers' Compensation Reform – SB 863 [July 2014 Report: SB 863 Assessment of Workers' Compensation Reforms](#)

[Return-to-Work Supplement Program – Text of proposed regulation](#)

1st 15-day comment period - April 1, 2015

This program is intended to provide supplemental payments to workers whose permanent disability benefits are disproportionately low in comparison to their earnings loss. This program is based on findings of studies done by RAND concerning permanent disability and in particular the study entitled Identifying Permanently Disabled Workers with Disproportionate Earnings Losses for Supplemental Payments, RAND, February 2014. http://www.dir.ca.gov/chswc/Reports/2014/Earnings_Losses_2014.pdf

[March 26, 2015 UPDATE: INDEPENDENT MEDICAL REVIEW INDEPENDENT BILL REVIEW MEDICAL TREATMENT UTILIZATION SCHEDULE](#) - Authored by Dr. Rupali Das, MD, Executive Medical Director, DWC

[DWC Issues Notice of Public Hearing for Qualified Medical Evaluator \(QME\) Regulations on May 22](#)

CAL/OSHA

Cal/OSHA Advisory Committee Meetings

The mission of the Cal/OSHA Advisory Committee is to promote and improve occupational health and safety conditions and public safety in California. The committee functions by providing information, advice, and assistance regarding programs and activities within the Department of Industrial Relations (DIR), particularly those of the

Division of Occupational Safety and Health (DOSH). Representatives from labor, management, and occupational safety and health professions participate on the committee...

2015 Schedule of Advisory Committee Meetings:

March 13, 2015 – Per Agenda items for discussion included: (unable to attend this meeting; awaiting minutes)

- Budget, staffing and recruiting for Cal/OSHA
- Draft proposal for a workers' OSH rights fact sheet
- Regulation projects : process safety management; workplace violence; sexually transmitted infection
- [New amendments to the heat illness prevention standard](#) – Effective May 1, 2015
- Implementation of email reporting and abatement credit legislation
- Cal/OSHA Advisory Committee membership – **submitted documents and request to continue to represent CSAOHN on the Advisory Committee**

Future Tentative Meeting Dates

10:30 AM – 1:00 PM, Thursday May 7, 2015 –Tentative

10:30 AM – 1:00 PM, Thursday August 6, 2015 – Tentative

10:30 AM – 1:00 PM, November 5, 2015 – Tentative

Location: Elihu Harris State Building, 1515 Clay Street, Room 1304

The meetings will include videoconferencing Cal/OSHA district office @ 1906 West Garvey Ave. South, Suite 200, West Covina, CA.

Subject Matter Advisory Meetings

Website of Subjects and Meeting Announcements [here](#)

[Workplace Violence in Healthcare](#) – last meeting was held April 1, 2015. CECRAOHN members were in attendance and report out is pending. Please click on the link embedded in the title to read the discussion draft, comments and the April 1, 2015 agenda. Dates of future meetings will be communicated when available.

[Occupational Lead Exposure](#) – Possible amendments to existing general industry regulation proposes lowering blood lead levels and exposure limits.

Scheduled meetings:

Tuesday, April 21, 2015 - 10:00 am - 3:00 pm – This will be the 4th meeting. Cal/OSHA will seek advice on the revised discussion draft of section 5198 for Lead in General Industry. See website by clicking on the title above. Agenda, Discussion Draft and handouts are posted.

Location: Elihu Harris State Building, 1515 Clay St. 2nd floor, Room 1, Oakland, CA

Thursday, May 28, 2015 - 10:00 am - 3:00 pm – Documents soon to be posted and following April 21st meeting.

Location: Elihu Harris State Building, 1515 Clay St. 2nd floor, Room 1, Oakland, CA

Other Advisory Committee meetings have been put on hold while CAL/OSHA focused resources to respond to [Ebola Virus Guidance](#) . Future schedule announcements for meetings will be communicated when received.

Please do let [Denise Souza](#) know of your interest in California State legislation, CAL/OSHA regulatory issues and/or Government Affairs in general. Also, if contact [Denise](#) if you are willing to attend any of the advisory meetings.

Would you like to learn more? Click on the following links and icons for additional resources.

[California Department of Industrial Relations](#)



California Association for Nurse Practitioners - [Senate Bill 323 Resource Center](#)