



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

June 1, 2011

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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

This memorandum contains an update of actions taken by budget subcommittees; two pursuits of County position on legislation related to the commercial manufacture, sale, or distribution of Bisphenol A in products intended for children three years of age or younger and to authorize HIV counselors to perform skin punctures for hepatitis C virus tests; a change in pursuit of County position on legislation related to smoking cessation services; an update on County-sponsored legislation regarding reimbursement for medical treatment of juveniles; and information on a proposed City of Los Angeles ordinance related to community care facilities.

State Budget

On May 27, 2011, Assembly Budget Subcommittees took action on the following items of interest to the County:

- **Restoration of the Maddy Emergency Medical Services Fund.** Assembly Budget Subcommittee No. 1 on Health and Human Services adopted the Governor's May Revision proposal to restore \$55.0 million for the Maddy Emergency Medical Services (EMS) Fund. This action conforms to the action taken by the Senate Budget Subcommittee No. 3 on Health and Human Services on May 26, 2011. The action taken by both subcommittees would result in maintaining approximately \$5.1 million in Maddy EMS funding for the County.

"To Enrich Lives Through Effective And Caring Service"

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- **AB 3632 Special Education Mandate.** Assembly Budget Subcommittee No. 2 on Education approved the Governor's May Revision framework to shift the AB 3632 program from county mental health departments to schools, but continued the existing mandate on counties until January 1, 2012. Senate Budget Subcommittee No. 1 on Education adopted the Governor's May Revision proposal on May 26, 2011. It is unclear at this time how the different actions taken by both subcommittees will be resolved.

Pursuit of County Position on Legislation

AB 1319 (Butler), as amended on May 10, 2011, would enact the Toxin-Free Toddlers and Babies Act, effective July 1, 2013, which would prohibit the commercial manufacture, sale, or distribution of any bottle or cup, or any infant formula, liquid, baby food, or beverage in a can or jar, containing Bisphenol A (BPA) at a level above 0.1 parts per billion, if the product is intended primarily for children three years of age or younger. The bill notes that BPA is a known hormone disruptor and that the National Institutes of Health (NIH) is concerned that BPA exposure in children may lead to problems with brain development, behavior, early puberty, breast cancer, and prostate cancer. The NIH also indicates that new research has suggested that BPA may interfere with metabolism and lead to obesity, heart disease, and diabetes. Provisions in AB 1319 would not apply to food or beverage containers designed or intended for use by the general population.

The Department of Public Health indicates that the extent and degree of risks associated with BPA is not fully known. Babies and pregnant women are the groups that are at greatest risk of harmful effects of BPA. Nevertheless, the concept that BPA bottles and baby cups be discontinued is reasonable as a precautionary step, although there are other actions that could be taken such as labeling requirements.

The Department of Public Health and this office support AB 1319. Therefore, consistent with existing Board policy to support measures which limit the level of BPA in commercial products intended for use by children, **the Sacramento advocates will support AB 1319.**

AB 1319 is supported by the Alliance for California Autism Organizations, American Congress of Obstetrics and Gynecologists (California), Asian Communities for Reproductive Justice, Autism One, Autism Research Institute, Breast Cancer Fund, California League of Conservation Voters, California Medical Association,

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Center for Environmental Health, Children Now, Consumers Union, County of Santa Clara, First 5 LA, Great Beginnings for Black Babies, Inc., Healthy Child Health World, Making Our Milk Safe, Senator Dianne Feinstein, Solano County Board of Supervisors, St. John's Well Child and Family Center (Los Angeles) and the US Autism and Asperger Association.

AB 1319 is opposed by the American Chemistry Council, California Chamber of Commerce, California Citizens Against Lawsuit Abuse, California Grocers Association, California Health Care Institute, California League of Food Processors, California Manufacturers and Technology Association, Can Manufacturers Institute, Civil Justice Association of California, Consumer Specialty Products Association, Grocery Manufacturers Association, Industrial Formula Council, Juvenile Products Manufacturers Association, National Federation of Independent Business, and North American Metal Packaging Alliance, Inc.

AB 1319 passed the Assembly Floor by a vote of 42 to 29 on May 23, 2011. This measure is currently in the Senate awaiting a committee assignment.

AB 1382 (Hernandez), which as amended March 31, 2011, would authorize HIV counselors to perform skin punctures for hepatitis C virus (HCV) or a combination of HIV/HCV tests.

Existing law permits HIV counselors who meet specified requirements to perform skin punctures for drawing blood for HIV test purposes. According to the Department of Public Health (DPH), allowing HIV test counselors to also administer HCV or HIV/HCV tests increases the availability of HCV screenings. Early detection is key to increasing the number of individuals who enter treatment, and results in better health outcomes and in reduced health care costs for undetected HCV infections.

The Department of Public Health and this office support AB 1382. Therefore, consistent with Board policy to support proposals for the provision of comprehensive HIV counseling, testing, education, and outreach, **the Sacramento advocates will support AB 1382.**

AB 1382 is supported by the California Department of Public Health and the California Hepatitis Alliance. There is no registered opposition at this time.

AB 1382 passed the Assembly Floor, on consent, by a vote of 78 to 0 on May 19, 2011. This measure is currently in the Senate awaiting a committee assignment.

Change in Pursuit of County Position on Legislation

County-supported SB 136 (Yee), which as introduced on January 31, 2011, would have required health care services plans and individual or group health insurance policies to provide coverage for smoking cessations services was amended on April 28, 2011 to delete these provisions. As amended, SB 136 would extend the sunset date on permitting the use of store and forward technology for teledermatology and teleophthalmology services. Therefore, **the Sacramento advocates will remove support for SB 136 and take no position on this measure.**

Status of County-Sponsored Legislation

County-sponsored SB 396 (Mitchell), which as amended on May 12, 2011, would allow counties and the Division of Juvenile Facilities with the State Department of Corrections and Rehabilitation to obtain Federal matching funds to seek reimbursement for the cost of medical treatment for minors who are hospitalized and outside of a juvenile detention facility for more than 24 hours, passed the Assembly Floor by a vote of 72 to 0 on May 26, 2011. This measure now proceeds to the Senate.

City of Los Angeles Proposed Ordinance Relating to Community Care Facilities

On June 1, 2011, the Los Angeles City Council will consider an ordinance to update the Los Angeles Municipal Code regarding licensed community care facilities to conform to State law and to create a distinction between family residences and boarding/rooming houses.

One provision in the proposed ordinance would define a single housing unit in the City of Los Angeles as one household in which all members live under a single lease agreement either written or oral. The Department of Mental Health (DMH) indicates that this definition may impact the Department's ability to locate and secure permanent housing for persons who are homeless or at risk of homelessness. DMH notes that individual lease agreements allow clients to directly negotiate with landlords if reasonable accommodations are needed for mental health or physical disabilities. DMH states that individual leases often promote an environment of recovery for persons with mental illnesses.

The Community Development Commission (DCD) indicates that proposed definition of a single housing unit would classify non-licensed, shared living arrangements, including supportive housing such as boarding or rooming houses, making these living

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arrangements illegal in low-density residential neighborhoods. According to CDC, if the ordinance is implemented, it would narrow the independent housing with supportive services for homeless and special needs individuals who do not require placement in licensed facilities, thus reducing the availability of this needed housing option.

We will continue to keep you advised.

WTF:RA
MR:VE:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
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