Seaco LEGISLATION update

November 2019

**AB 8, as introduced, Chu. Pupil health: mental health professionals.**

Existing law requires the governing board of any school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for the work. Existing law, effective January 1, 2019, requires a school of a school district or county office of education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both, as provided. Existing law, effective January 1, 2019, requires, subject to sufficient funds being provided, the State Department of Education, in consultation with the State Department of Health Care Services and appropriate stakeholders, to, on or before July 1, 2020, develop guidelines for the use of telehealth technology in public schools, including charter schools, to provide mental health and behavioral health services to pupils on school campuses.

**Proposal:**

This bill would require, on or before December 31, 2022, a school of a school district or county office of education and a charter school to have at least one mental health professional, as defined, for every 600 pupils generally accessible to pupils on campus during school hours. The bill would require, on or before December 31, 2022, a school of a school district or county office of education and a charter school with fewer than 600 pupils to have at least one mental health professional generally accessible to pupils on campus during school hours, to employ at least one mental health professional to serve multiple schools, or to enter into a memorandum of understanding with a county agency or community-based organization for at least one mental health professional employed by the agency or organization to provide services to pupils. The bill would require a school subject to the bill’s provisions with pupils who are eligible to receive Medi-Cal benefits to seek reimbursement for costs of implementing the bill’s provisions through the Local Education al Agency Medi-Cal Billing Option and the School-Based Medi-Cal Administrative Activities program, as specified. By imposing additional requirements on local education al agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**Bill History:**

**11/19/19 NO CHANGE**

**9/18/19 NO CHANGE**

|  |  |
| --- | --- |
|  |  |
| **07/08/19** | **In committee: Hearing postponed by committee.** |
| **06/25/19** | **In committee: Set, first hearing. Hearing canceled at the request of author.** |
| **06/12/19** | **From committee: Do pass and re-refer to Com. on HEALTH. (Ayes 7. Noes 0.) (June 12). Re-referred to Com. on HEALTH.** |
| **06/06/19** | **Referred to Coms. on ED. and HEALTH.** |
| **05/24/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |

**AB 16, as introduced, Luz Rivas. Homeless children and youths: reporting.**

Existing federal law, the McKinney-Vento Homeless Assistance Act, provides grants to states to carry out activities relating to the education of homeless children and youths, as defined, including, among others, providing services and activities to improve the identification of homeless children and youths and to enable them to enroll in, attend, and succeed in school. The act requires the state plans submitted for the receipt of the grant to include assurances that local education al agencies will designate an appropriate staff person to act as a local education al agency liaison for homeless children and youths and a description of how the state will ensure that local education al agencies and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths.

Under existing state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified, and a local educational agency liaison for homeless children and youths is required to ensure that public notice of the education al rights of homeless children and youths is disseminated in schools within the liaison’s local educational agency that provide services pursuant to the act.

**Proposal:**

This bill would require a local educational agency to ensure that each school within the local educational agency identifies all homeless children and youths enrolled at the school, and would also require the local educational agency to annually report to the department the number of homeless children and youths enrolled. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

**Bill History:**

|  |  |
| --- | --- |
| **\*\*10/13/19** |  **VETOED BY GOVERNER** |
| **09/12/19** | **Enrolled and presented to Governor**  |
| **07/11/19** | **From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.** |
| **07/03/19** | **From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 3). Re-referred to Com. on APPR.** |
| **06/12/19** | **From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on ED.** |
| **06/03/19** | **In committee: Set, first hearing. Hearing canceled at the request of author.** |
| **05/29/19** | **Referred to Com. on ED.** |
| **05/23/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |

**AB 70, as introduced, Berman. Mental health in schools.**

Existing law requires the State Department of Health Care Services to develop systems of care that target seriously emotionally and behaviorally disturbed children and requires counties to provide mental health services to those children. Existing law, the School-based Early Mental Health Intervention and Prevention Services for Children Act of 1991, provides for matching grants to local educational agencies to pay the state share of the costs of providing programs that provide school-based early mental health intervention and prevention services to eligible pupils in schools.

**Proposal:**

This bill would state the intent of the Legislature to enact legislation that would support youth mental health in schools.

**Bill History:**

**11/19/19 NO CHANGE**

**9/18/19 No change**

|  |  |
| --- | --- |
| **12/04/18** | **From printer. May be heard in committee January 3.** |
| **12/03/18** | **Read first time. To print.** |

**AB 39 (Muratsuchi D) Education finance: local control funding formula: funding increase.**

**Current Text:** Introduced: 12/3/2018 html pdf

**Introduced:** 12/3/2018

**Status:** 1/17/2019-Referred to Com. on ED.

**Summary:** Current law establishes a public school financing system that requires state funding for school districts and charter schools to be calculated pursuant to a local control funding formula, as specified. Current law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of pupils who are English learners, foster youth, or eligible for free or reduced-price meals, as specified, served by the school district or charter school.

**Proposal:**

This bill would specify new, higher base

grant amounts for the 2019–20 fiscal year, which would also increase the supplemental and

concentration grant amounts and result in various other changes to funding calculations for purposes of the local control funding formula.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **09/14/19** | **Ordered to the inactive file by senator Bradford.** |
| **09/03/19** | **Read second time. Ordered to third reading.** |
| **08/30/19** | **Read second time and amended. Ordered returned to second reading.** |
| **08/30/19** | **From committee: Amend, and do pass as amended. (Ayes 7. Noes 0.) (August 30).** |
| **06/24/19** | **In committee: Referred to APPR. suspense file.** |
| **06/12/19** | **From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 12). Re-referred to Com. on APPR.** |
| **05/29/19** | **Referred to Com. on ED.** |
| **05/23/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |
| **05/22/19** | **Read third time. Passed. Ordered to the Senate. (Ayes 74. Noes 0. Page 1783.)** |
| **05/20/19** | **Read second time. Ordered to third reading.** |
| **05/16/19** | **From committee: Do pass. (Ayes 17. Noes 1.) (May 16).** |

**AB 43 (Gloria D) Mental health.**

**Current Text:** Introduced: 12/3/2018 html pdf

**Introduced:** 12/3/2018

**Status:** 12/4/2018-From printer. May be heard in committee January 3.

**Summary:** Current law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health

programs.

**Proposal:**

This bill would state the intent of the Legislature to enact legislation to ensure that Mental Health Services Act funds are used in accordance with the provisions of the act and that there is adequate oversight of excess unspent funds.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **08/30/19** | **In committee: Held under submission**  |
| **07/08/19** | **In committee: Referred to APPR. suspense file.** |
| **06/24/19** | **Read second time and amended. Re-referred to Com. on APPR.** |
| **06/20/19** | **From committee: Amend, and do pass as amended and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 9. Noes 0.) (June 19).** |
| **06/06/19** | **Referred to Com. on HEALTH.** |
| **05/24/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |
| **05/23/19** | **Read third time. Passed. Ordered to the Senate. (Ayes 78. Noes 0. Page 1916.)** |
| **05/20/19** | **Read second time. Ordered to third reading.** |

**SB 66 (Atkins): Medi-Cal: federally qualified health center and rural health clinic services**

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides that federally qualified health center (FQHC) services and rural health clinic (RHC) services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis. “Visit” is defined as a face-to-face encounter between a patient of an FQHC or RHC and specified health care professionals, including a ~~physician.~~ *physician and marriage and family therapist.* Under existing law, “physician,” for these purposes, includes, but is not limited to, a physician and surgeon, an osteopath, and a podiatrist.

**Proposal:**

This bill would authorize reimbursement for a maximum of 2 visits taking place on the same day at a single location if after the first visit the patient suffers illness or injury requiring additional diagnosis or treatment, or if the patient has a medical visit and a mental health visit or a dental visit, as defined. The bill would authorize an FQHC or RHC that currently includes the cost of a medical visit and a mental health visit that take place on the same day at a single location as a single visit for purposes of establishing the FQHC’s or RHC’s rate to apply for an adjustment to its per-visit rate, and after the department has approved that rate adjustment, to bill a medical visit and a mental health visit that take place on the same day at a single location as separate visits, in accordance with the bill.

This bill would also ~~make an FQHC or RHC visit to a licensed acupuncturist reimbursable on a per-visit basis. The~~ *include a licensed acupuncturist within those health care professionals covered under the definition of “visit.” The* bill would require the department, by July 1, 2020, to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services to reflect certain changes described in the bill, and to seek necessary federal approvals. The bill would also make conforming and technical changes.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **09/11/19** |  **Ordered to the inactive ile on request of assembly member Calderon** |
| **09/03/19** | **Read second time. Ordered to third reading.** |
| **08/30/19** | **From committee: Do pass. (Ayes 18. Noes 0.) (August 30).** |
| **08/30/19** | **Coauthors revised.** |
| **08/14/19** | **August 14 set for first hearing. Placed on APPR. suspense file.** |
| **07/03/19** | **From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (July 2). Re-referred to Com. on APPR.** |
| **07/03/19** | **Coauthors revised.** |
| **06/03/19** | **Referred to Com. on HEALTH.** |
| **05/24/19** | **In Assembly. Read first time. Held at Desk.** |

**SB 217 (Portantino D) Special education: individuals with exceptional needs: early education programs.**

(1) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law requires, in the 2014–15 school year and each school year thereafter, and as a condition of receipt of apportionments for pupils in a transitional kindergarten program, a child who will have their 5th birthday between September 2 and December 2 to be admitted to a transitional kindergarten program maintained by a school district or charter school. Existing law authorizes, for the 2015–16 school year, and each school year thereafter, a school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year, as provided.

(2) Existing law requires school districts, county offices of education, and special education local plan areas to identify, locate, and assess individuals with exceptional needs and to provide those pupils with a free appropriate public education in the least restrictive environment, and with special education and related services as reflected in an individualized education program.

Existing law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations and to allocate funds per unit of average daily attendance reported for each special education local plan area.

**Proposal:**

This bill would require, for the 2019–20 school year and each school year thereafter, a school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year if the child is an individual with exceptional needs, subject to specified conditions.

This bill would establish the Special Education Early Intervention Grant Program, and would require as part of that program, subject to an appropriation in the annual Budget Act or another statute, the Superintendent to allocate to school districts $4,000 per child within the school district of residence who is 3 or 4 years of age, is an individual with exceptional needs, and is enrolled in transitional kindergarten, a California state preschool program, a federal Head Start program, or any other early education preschool program, as provided.

The bill would require a school district, as a condition of receiving funds, to coordinate with its special education local plan area to provide specified data relating to the grant program to the Superintendent. The bill would require the Superintendent to report this data to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the State Board of Education, and the Legislative Analyst’s Office by March 1 of each year.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **06/12/19** | **June 19 hearing postponed by committee.** |
| **06/06/19** | **Referred to Com. on ED.** |
| **05/24/19** | **In Assembly. Read first time. Held at Desk.** |
| **05/23/19** | **Read third time. Passed. (Ayes 38. Noes 0. Page 1264.) Ordered to the Assembly.** |

**AB 123 (McCarty D) Early childhood education: state preschool program: transitional kindergarten: access: standards.**

The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services to eligible children from infancy to 13 years of age, inclusive. Existing law requires the Superintendent to administer all California state preschool programs, which include part-day age and developmentally appropriate programs for 3- and 4-year-old children, as provided. Existing law provides that 3- and 4-year-old children are eligible for the state part-day preschool program if the family meets one of several eligibility requirements, including income eligibility. Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law requires, in the 2014–15 school year and each school year thereafter, and as a condition of receipt of apportionments for pupils in a transitional kindergarten program, a child who will have his or her 5th birthday between September 2 and December 2 to be admitted to a transitional kindergarten program maintained by a school district or charter school.

**Proposal:**

Would make various findings and declarations regarding early childhood education and would provide that it is the intent of the Legislature to enact legislation that would do certain things relating to early childhood education, including expanding the state preschool program and enabling local educational agencies to blend the program with transitional kindergarten.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **07/10/19** | **In committee: Hearing postponed by committee.** |
| **06/10/19** | **In committee: Set, first hearing. Hearing canceled at the request of author.** |
| **06/06/19** | **Referred to Com. on ED.** |
| **05/29/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |
| **05/28/19** | **Read third time. Passed. Ordered to the Senate. (Ayes 62. Noes 0. Page 2018.)** |
| **05/20/19** | **Read second time. Ordered to third reading.** |
| **05/16/19** | **From committee: Do pass. (Ayes 14. Noes 3.) (May 16).** |

**AB 197 (Weber D) Full-day kindergarten.**

Current law provides that school districts offering kindergarten may maintain kindergarten

classes at different school sites for different lengths of time.

**Proposal:**

This bill would require, commencing with the 2021–22 school year, school districts offering kindergarten to implement a full-day kindergarten program, thereby imposing a state-mandated local program. The bill would provide that a minimum school day for full-day kindergarten is the same number of minutes per school day that is offered to pupils in 1st grade.

**Bill History:**

**\*\*10/13/2019-VETOED BY GOVERNOR**

|  |  |
| --- | --- |
| **09/12/19** | **Enrolled and presented t the governor**  |
| **07/01/19** | **In committee: Referred to APPR. suspense file.** |
| **06/19/19** | **From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 19). Re-referred to Com. on APPR.** |
| **06/10/19** | **In committee: Hearing postponed by committee.** |
| **06/06/19** | **Referred to Com. on ED.** |
| **05/24/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |
| **05/23/19** | **Read third time. Passed. Ordered to the Senate. (Ayes 60. Noes 15. Page 1921.)** |
| **05/20/19** | **Read second time. Ordered to third reading.** |
| **05/17/19** | **Read second time and amended. Ordered returned to second reading.** |
| **05/16/19** | **From committee: Amend, and do pass as amended. (Ayes 13. Noes 4.) (May 16).** |

**AB 428, as introduced, Medina. Special education funding.**

Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula. Existing law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations. Existing law requires the Superintendent, for the 2013–14 fiscal year, to compute an equalization adjustment for each special education local plan area for purposes of increasing the funding rates for special education local plan areas with funding rates below the 90th percentile, as specified.

Existing law defines “average daily attendance reported for the special education local plan area” for purposes of these and other provisions to mean the total number of units of average daily attendance reported in the school district or districts and in the county office of education or county offices of education, or portion of a county office of education that is a part of more than one special education local plan area, as specified.

**Proposal:**

This bill would increase that percentile to the 95th percentile and would require the Superintendent to compute that equalization adjustment commencing with the first fiscal year after funds are apportioned pursuant to a specified formula and for each fiscal year thereafter in which an equalization appropriation is made, as specified. The bill would require the Superintendent to make certain computations following each year in which an equalization appropriation is made.

The bill would establish the high-cost service allowance for the purpose of providing supplemental funding to a special education local plan area on the basis of the number of pupils who are severely disabled and the number pupils with both deafness and blindness, traumatic brain injury, or multiple disabilities, and would require the Superintendent to make specified computations that would determine the high-cost service allowance for each special education local plan area.

The bill would require, commencing with the first fiscal year after funds are apportioned pursuant to a specified formula, a special education local plan area that reports serving children 3 or 4 years of age who meet the definition of an “individual with exceptional needs” to count 3 times all units of average daily attendance generated by children enrolled in kindergarten less those children eligible for transitional kindergarten, for purposes of calculating units of average daily attendance, except as provided. By adding to the duties of special education local plan areas, the bill would impose a state-mandated local program.

The bill would revise that definition to mean the total number of units of average daily attendance reported for the current school year or the prior school year, whichever is greater, in those same entities, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **08/30/19** | **In committee: Held under submission**  |
| **06/24/19** | **In committee: Referred to APPR. suspense file.** |
| **06/12/19** | **From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 12). Re-referred to Com. on APPR.** |
| **06/06/19** | **Referred to Com. on ED.** |
| **05/29/19** | **In Senate. Read first time. To Com. on RLS. for assignment.** |

**SB 428, as amended, Pan. Pupil health: school employee training: youth mental and behavioral health.**

Existing law requires the governing board of any school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for the work. Existing law requires a school of a school district or county office of education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both, as provided.

**Proposal:**

This bill, contingent on an appropriation made for these purposes, would require the State Department of Education to identify an evidence-based training program for a local educational agency to use to train classified and certificated school employees having direct contact with pupils on youth mental and behavioral health, as specified. The bill would define a local educational agency for purposes of these provisions to mean a county office of education, school district, state special school, or charter school that serves pupils in any of grades 7 to 12, inclusive. The bill would require a local educational agency, on or before January 1, 2023, to certify to the department that at least 10% of its classified employees and at least 10% of its certificated employees having direct contact with pupils at each schoolsite, or at least 2 classified employees and at least 2 certificated employees having direct contact with pupils at each schoolsite, whichever is greater, have received the youth mental and behavioral health training identified by the department. To the extent this bill, if implemented, would impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**Bill History:**

|  |  |
| --- | --- |
| **\*\*10/13/19** | **IN SENATE. CONSIDERATION OF GOVERNOR'S VETO PENDING.** |
| **10/13/19** | **VETOED BY THE GOVERNOR.** |
| **09/17/19** | **Enrolled and presented to the governor**  |

|  |  |
| --- | --- |
| 07/05/19 | Read second time and amended. Re-referred to Com. on APPR. |
| 07/03/19 | From committee: Do pass as amended and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (July 2). |
| 06/26/19 | Read second time and amended. Re-referred to Com. on HEALTH. |
| 06/25/19 | From committee: Do pass as amended and re-refer to Com. on HEALTH. (Ayes 7. Noes 0.) (June 19). |
| 06/03/19 | Referred to Coms. on ED. and HEALTH. |
| 05/22/19 | In Assembly. Read first time. Held at Desk. |

**SB 582, as amended, Beall. Youth mental health and substance use disorder services.**

Existing law establishes the Investment in Mental Health Wellness Act of 2013. Existing law provides that funds appropriated by the Legislature to the California Health Facilities Financing Authority and the Mental Health Services Oversight and Accountability Commission for the purposes of the act be made available through a grant program to selected counties or counties acting jointly, except as otherwise provided, and be used to provide, among other things, a complete continuum of crisis services for children and youth 21 years of age and under regardless of where they live in the state.

**Proposal:**

This bill would require the commission, when making grant funds available on and after July 1, 2021, to allocate at least 1/2 of those funds to local educational agency and mental health partnerships, as ~~specified.~~ *specified, if moneys are appropriated for this purpose.* The bill would require this funding to be made available to support prevention, early intervention, and direct services, as determined by the commission. The bill would require the commission, in consultation with the Superintendent of Public Instruction, to consider specified criteria when determining grant recipients. The bill would authorize the commission to allocate the funds towards other purposes if there is an inadequate number of qualified applicants, as specified. The bill would require the commission to provide a status report to the fiscal and policy committees of the Legislature, as specified, no later than March 1, 2022.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **08/30/19** | **August 30 hearing: held in committee and under submission.** |
| **08/14/19** | **August 14 set for first hearing. Placed on APPR. suspense file.** |
| **07/11/19** | **(Received at desk July 10 pursuant to JR 61(a)(10)).** |
| **07/11/19** | **From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 7. Noes 0.) (July 10). Re-referred to Com. on APPR.** |
| **06/18/19** | **From committee: Do pass and re-refer to Com. on ED. (Ayes 14. Noes 0.) (June 18). Re-referred to Com. on ED.** |
| **06/06/19** | **Referred to Coms. on HEALTH and ED.** |
| **05/24/19** | **In Assembly. Read first time. Held at Desk.** |

**SB 585, as amended, Wieckowski. Education governance: school district reorganization: *unified school districts:* report.**

Existing law establishes a system of public elementary and secondary education in this state that includes, among other local educational agencies, school districts. School districts are generally divided into 3 types: unified school districts, high school districts, and elementary school districts. Existing law authorizes the reorganization of school districts pursuant to specified procedures. Existing law provides that an action to reorganize one or more school districts is initiated upon the filing with the county superintendent of schools of a petition to reorganize one or more school districts, if the petition is signed by any of 4 specified groups. Existing law defines an “action to reorganize districts” as either an action to form a new school district, as specified, or an action to transfer territory, including the transfer of all or part of an existing school district to another existing school district. Existing law specifies that one type of an “action to reorganize districts” is deunifying a school district, which includes the conversion of all or part of a unified school district into one or more new high school districts, each with 2 or more new component districts.

**Proposal:**

This bill would delete the provision that references the deunifying of a school district as a type of an “action to reorganize districts.” The bill would prohibit a reorganization from converting any of the territory of a unified school district into territory of a school district of a different kind. The bill would make conforming changes related to these provisions.

This bill would require the State Department of Education to prepare a detailed plan for a transition so that, as of July 1, 2025, all school districts existing in the state on that date will be unified school districts. The bill would require the plan to specify all of the district changes that would be necessary to accomplish the transition. The bill would also specify several topics, including certain geographic, academic, and financial factors, as well as the ethnic composition of pupils enrolled in the districts, that the department would be required to consider in preparing the plan.

The bill would require the department to submit the plan, along with pertinent findings and recommendations, in the form of a written report to the chairpersons of the education policy committees of the respective houses of the Legislature, on or before January 1, 2021, as specified.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **05/16/19** | **May 16 hearing: Held in committee and under submission.** |
| **05/10/19** | **Set for hearing May 16.** |
| **05/06/19** | **May 6 hearing: Placed on APPR. suspense file.** |
| **04/26/19** | **Set for hearing May 6.** |
| **04/23/19** | **Read second time and amended. Re-referred to Com. on APPR.** |
| **04/22/19** | **From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 0. Page 650.) (April 10).** |
| **04/04/19** | **Set for hearing April 10.** |

**AB 666, as amended, Gabriel. Pupil mental health: model referral protocols.**

Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for this purpose. Existing law requires a school of a school district or county office of education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both, as provided.

**Proposal:**

This bill would require the State Department of Education to develop model referral protocols, as provided, for addressing pupil mental health concerns. The bill would require the department to consult with various entities in developing the protocols, including current classroom teachers and administrators. The bill would require the department to post the model referral protocols on its internet website. The bill would make these provisions contingent upon funds being appropriated for its purpose in the annual Budget Act or other legislation, or state, federal, or private funds being allocated for this purpose.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| 05/16/19 | In committee: Held under submission. |
| 04/24/19 | In committee: Set, first hearing. Referred to APPR. suspense file. |
| 04/22/19 | Re-referred to Com. on APPR. |
| 04/11/19 | From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended. |
| 04/11/19 | From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (April 10). Re-referred to Com. on APPR. |
| 03/26/19 | Re-referred to Com. on ED. |

**AB 875 (Wicks): Pupil health: in-school support services**

The Healthy Start Support Services for Children Act requires the Superintendent of Public Instruction to award grants to local educational agencies or consortia to fund programs in qualifying schools that provide support services, which include case-managed health, mental health, social, and academic support services, to eligible pupils and their families. The act establishes the Healthy Start Support Services for Children Program Council, specifies the members of the council, and provides for the duties of the council, which include assisting a local educational agency or consortium with local technical assistance, as provided. The act authorizes a local educational agency or consortium to contract with other entities, including county agencies and private nonprofit organizations or private partners, to provide services to pupils and their families.

**Proposal:**

This bill would revise the list of entities that qualify for a grant and the eligibility criteria for a grant, as provided. The bill would rename the council to the Healthy Start Support Services for Children Initiative Council and would revise its membership. The bill would define “technical assistance,” for purposes of the act, as provided. The bill would authorize a local educational agency or consortium to contract additionally with a family resource center.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **06/17/19** | **In committee: Hearing postponed by committee.** |
| **06/03/19** | **In committee: Set, first hearing. Hearing canceled at the request of author.** |
| **05/29/19** | **Referred to Com. on ED.** |

**AB 898, as amended, Wicks. Early and Periodic ~~Screening Diagnosis,~~ *Screening, Diagnostic,* and Treatment services: behavioral health.**

Existing law provides for the California Health and Human Services Agency, which includes the State Department of Health Care Services, the State Department of Developmental Services, and the Department of Managed Health Care. Under existing law, various state and local agencies are responsible for providing or arranging for the provisions of behavioral health services to adults and children in the state.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including Early and Periodic Screening, ~~Diagnosis,~~ *Diagnostic,* and Treatment (EPSDT) services, which encompass screening services, vision services, and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan, for any individual under 21 years of age. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions.

**Proposal:**

This bill would ~~require, by March 30, 2020, and monthly thereafter, the California Health and Human Services Agency, under the oversight of the Governor, to convene~~ *require the California Health and Human Services Agency, under the oversight of the Secretary of California Health and Human Services or their designee, to convene, by March 30, 2020, and monthly thereafter,* the Children’s Behavioral Health Action Team, which would consist of no fewer than 30 individuals, including the Director of Health Care Services, Director of Social Services, the Director of Managed Health Care, and representatives from community-based behavioral health agencies, to maximize the *Medi-Cal program’s investment in the social, emotional, and developmental health and* well-being of children in California who receive ~~EPSDT services and~~ health care through the Medi-Cal program. The bill would require the Action Team to develop and report specified findings and recommendations, including identifying opportunities for the state to better ensure that Medi-Cal eligible children receive behavioral health services, to prepare a final implementation plan, to distribute the reports and plan to specified entities, including the Legislature and the public, and to disband upon the submission of the plan.

**Bill History:**

**11/19/19 NO CHANGE**

|  |  |
| --- | --- |
| **08/30/19** | **in committee: held under submission.** |
| **06/24/19** | **In committee: Referred to APPR. suspense file.** |
| **06/13/19** | **Read second time and amended. Re-referred to Com. on APPR.** |
| **06/12/19** | **From committee: Amend, and do pass as amended and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 9. Noes 0.) (June 12).** |
| **05/29/19** | **Referred to Com. on HEALTH.** |

**AB 1126, as amended, O’Donnell. ~~Pupil health: mental health services.~~ *Mental Health Services Oversight and Accountability Commission.***

Existing law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, among other things, establishes the Mental Health Services Oversight and Accountability Commission to oversee the administration of various parts of the MHSA. The MHSA authorizes the commission to, among other things, establish technical advisory committees, assist in providing technical assistance to accomplish the purposes of the MHSA, and employ all other strategies necessary or convenient to enable it to perform its duties. Existing law authorizes the MHSA to be amended by a 2/3 vote of the Legislature if the amendments are consistent with, and further the purposes of, the MHSA, and also permits the Legislature to clarify procedures and terms of the MHSA by a majority vote.

**Proposal:**

This bill would require the commission, by January 1, 2021, to establish technical assistance centers and one or more clearinghouses to support counties in addressing mental health issues of statewide concern, with a focus on school mental health and reducing unemployment and criminal justice involvement due to untreated mental health issues.

The bill would also require the commission to develop a fiscal transparency and accountability strategy, a program transparency and accountability strategy for local government mental health programs, and an outcome transparency and accountability strategy for local government mental health programs in order to support public understanding of mental health funding, access to mental health services, and outcomes achieved by publicly funded or supported mental health programs. The bill would give the commission access to data, information, policies, procedures, and practices held or maintained by state and local agencies in order to develop these strategies and would require the commission to comply with applicable privacy and confidentiality laws with respect to this data. By requiring local agencies to provide access to the commission, this bill would impose a state-mandated local program.

(2) The MHSA also requires counties to create plans for innovative programs, funds for which may be expended upon approval by the commission.

This bill would, subject to the availability of funds, require the commission, by January 1, 2021, to establish an innovation incubator to support implementation of those innovative programs.

(3) By authorizing a new use of MHSA moneys, this bill would amend the MHSA. The bill would state the findings and declarations of the Legislature that this change is consistent with and furthers the intent of the MHSA.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **05/16/19** | **In committee: Held under submission.** |
| **05/08/19** | **In committee: Set, first hearing. Referred to APPR. suspense file.** |

**AB 1322, as amended, Berman. School-based health programs.**

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive ~~healthcare~~ *health care* services. The Medi-Cal program is, in part, governed by, and funded pursuant to, federal Medicaid program provisions. Existing law establishes the Administrative Claiming process under which the department is authorized to contract with local governmental agencies and local educational consortia for the purpose of obtaining federal matching funds to assist with the performance of administrative activities relating to the Medi-Cal program that are provided by a local governmental agency or local educational agency (LEA). Existing law also provides that specified services provided by LEAs are covered Medi-Cal benefits and are reimbursable on a fee-for-service basis under the LEA Medi-Cal billing option. ~~Existing~~

*Existing* law requires the ~~State Department of Health Care Services~~ *department* to engage in specified activities relating to the LEA Medi-Cal billing option, such as amending the Medicaid state plan to ensure that schools ~~shall be~~ *are* reimbursed for all eligible services and examining methodologies for increasing school participation in the LEA Medi-Cal billing option. Existing law requires that these activities be funded and staffed by proportionately reducing federal Medicaid payments allocable to LEAs for the provision of benefits funded by federal Medicaid program payments under the LEA Medi-Cal billing option in an amount not to exceed $1,500,000 annually.

**Proposal:**

This bill would require the State Department of Education to, no later than July 1, 2020, establish an Office of School-Based Health Programs for the purpose of, among other things, administering health-related programs under the purview of the State Department of Education and advising on issues related to the delivery of school-based Medi-Cal services in the state. The bill would authorize the office to form additional advisory groups, as specified, and would require the State Department of Education to make available to the office any information on other school-based dental, health, and mental health programs. The bill would require the office to be supported through an interagency agreement with the State Department of Health Care Services and by federal matching funds available through the Administrative Claiming process for eligible staff time, and would authorize the office to receive additional funds from grants and other sources. ~~The~~

*The* bill would increase the annual funding limit for the activities of the State Department of Health Care Services that support the LEA Medi-Cal billing option to $2,000,000, and would require that $500,000 of that amount be available for transfer to the State Department of Education to support the office pursuant to that interagency agreement.

The bill would require a specified summary of activities prepared by the State Department of Health Care Services to include, among other things, activities conducted at the request of, or in coordination with, the office. The bill would require the State Department of Health Care Services to, among other things, collaborate with the State Department of Education through technical assistance and other activities requested by the office, as specified.

**Bill History:**

|  |  |
| --- | --- |
| **\*\*10/11/19** | **VETOED BY GOVERNOR.** |

|  |  |
| --- | --- |
| **09/12/19** | **Senate amendments concurred in. to engrossing and enrolling.** |

|  |  |
| --- | --- |
| **07/08/19** | **Read second time and amended. Re-referred to Com. on APPR.** |
| **07/05/19** | **From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (July 3).** |
| **06/05/19** | **From committee: Do pass and re-refer to Com. on HEALTH. (Ayes 5. Noes 0.) (June 5). Re-referred to Com. on HEALTH.** |

**AB 1546 (Kiley and O’Donnell): Pupil health: mental health**

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including mental health services that are provided through county mental health plans. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides that Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services, which includes screening services and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan, is covered under the Medi-Cal program for any individual under 21 years of age pursuant to federal law.

**Proposal:**

This bill would authorize a county mental health plan to contract with a local educational agency (LEA) to provide EPSDT services, including mental health assessments, and mental health, social work, and counseling services, to Medi-Cal eligible pupils. The bill would require the department to permit an LEA to make claims for federal financial participation directly to the department for EPSDT services, to examine methodologies for increasing LEA participation in the Medi-Cal program, and to seek federal approval to implement these provisions.

**Bill History:**

**11/19/2019 NO CHANGE**

|  |  |
| --- | --- |
| **04/24/19** | **From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (April 23). Re-referred to Com. on APPR.** |
| **04/01/19** | **Re-referred to Com. on HEALTH.** |
| **03/28/19** | **From committee chair, with author's amendments: Amend, and re-refer to Com. on HEALTH. Read second time and amended.** |
| **03/28/19** | **Referred to Com. on HEALTH.** |