

PUBLIC RISK INNOVATION, SOLUTIONS, & MANAGEMENT

LEGISLATIVE COMMITTEE

MEETING SUMMARY

Web Conference/Telephonic Meeting

Thursday, February 10, 2022

10:30 a.m.

First Meeting – 2022

Members Present

Matt Gutierrez, Kern County
Jill Abel, Yuba County
Rhonda Haynes, OCFA
Barbara Esquivel, MPA
Karen Harris, City of Garden Grove
William Kerwin, Huntington Beach UHSD
Nancy Rice, Monterey County
Andrew Lathrop, City of Oakland
Craig Schweikhard, SMCSIG
Dave George, SELF
Alexander Zaretsky, Gold Coast Transit
Steve Taylor, Shasta County
Catherine Laveau, Ventura County

Members Absent

Selection of Chair & Vice Chair

Matt Gutierrez was re-elected as Chair and Jill Abel was re-elected as the Vice Chair for 2022.

Consent Agenda

The Code of Conduct and Standard Operating Procedures were approved.

Legislative Activity

PRISM Lobbyist, Jason Schmelzer, provided an update on the beginning of the legislative session. This is the second half of a two year session. Bill introductions have been slow this year; however the deadline to introduce bills is next Friday so we can expect to see additional bills introduced. COVID-19 numbers are coming down and the Governor and local governments are responding accordingly with updates and changes to existing guidelines. The Governor signed the COVID Supplemental Paid Sick Leave bill on February 9th, which provided payroll tax credits for some small businesses, but no funding for local governments and non-profits. This is an election year and we will see a lot of activity relating to that.

The Committee, staff and lobbyists discussed bills that have been introduced to date. The following bills were discussed and positions taken:

<u>Bill No.</u>	<u>Author</u>	<u>Area</u>	<u>Bill Description</u>	<u>Position</u>
AB-0084	Budget Committee	EE Benefits	Employment; COVID-19; Supplemental Paid Sick Leave (amended - previously Employment Rehiring & Retention)	Watch
SB-0850	Laird	EE Benefits	Special Death Benefits; Additional Percentages; Children of Members	Watch
AB-1041	Wicks	EE Benefits	Leave	Oppose 3
SB-0114	Budget Committee	EE Benefits	COVID-19 Supplemental Paid Sick Leave	Concerns
AB-0032	Aguiar-Curry	Healthcare	Telehealth: Policy Coverage	Support 1
AB-0562	Low	Healthcare	Mental Health Services for Healthcare Providers	Watch-Spot Bill
AB-1132	Wood	Healthcare	Healthcare Consolidation & Contracting Fairness Act of 2021	Watch
SB-0250	Pan	Healthcare	Healthcare Coverage: Dept of Managed HealthCare & Insurance Commissioner Review	Watch
SB-0473	Bates	Healthcare	Healthcare Coverage; Insulin Cost Sharing	Watch
SB-0523	Leyva	Healthcare	Healthcare Coverage; Contraceptives	Watch
SB-0562	Portantino	Healthcare	Healthcare Coverage; Pervasive Developmental Disorders or Autism	Watch
SB-0568	Pan	Healthcare	Deductibles; Chronic Disease Management	Watch
SB-0853	Wiener	Healthcare	Prescription Drug Coverage	Watch
SB-0858	Wiener	Healthcare	Healthcare service plans; Discipline; Civil Penalties	Watch
AB-0013	Chau	Liability	Personal Rights: Automated Decision Systems	Watch

AB-0058	Salas	Liability	Pupil Health: Suicide Prevention Policies & Training: School-based Health Programs: Pilot Program	Watch
AB-0408	Quirk-Silva	Liability	Homeless Children & Youths; Reporting	Oppose 2
AB-0452	Friedman	Liability	Pupil Safety; Parental Notification: Firearm Safety Laws	Oppose 2
AB-0547	McCarty	Liability	Domestic Violence; Victim's Rights	Watch
AB-0552	Quirk-Silva	Liability	Integrated School-Based Behavioral Health Partnership Program	Watch
AB-0655	Kalra	Liability	California Law Enforcement Accountability Reform Act	Watch
AB-0718	Cunningham	Liability	Peace Officers; Investigations of Misconduct	Watch
AB-0748	Carrillo	Liability	Pupil Mental Health; Mental Health Assistance Posters	Watch
AB-0931	Villapudua	Liability	Peace Officer Training; Duty to Intercede	Watch
AB-1105	Rodriguez	Liability	Hospital Workers; COVID-19 Testing	Watch
AB-1406	Lackey	Liability	Law Enforcement Agency Policies; Carrying of Equipment	Watch
AB-1672	Boerner Horvath	Liability	Public Swimming Pools; Lifeguards	Drop
AB-1838	Bauer-Kahan	Liability	Schools; Parental Notices; Primary Language Translations	Watch
SB-0012	McGuire	Liability	Local Government: Planning & Zoning: Wildfires	Watch
SB-0299	Leyva	Liability	Victim Compensation; Use of Force by Law Enforcement	Watch
SB-0387	Portantino	Liability	Schools: Pupil Health: Employee and Pupil Training; Youth Mental & Behavioral Health	Watch
SB-0871	Pan	Liability	Schools; Public Health; Immunizations	Watch

SB-0931	Leyva	Liability	Deterring Union Mmembership; Violations	Watch
AB-0343	Fong	Other	California Public Records Act Ombudsperson	Watch
AB-1017	Quirk-Silva	Other	Public Restrooms; Right to Restrooms Act of 2021	Watch
AB-0334	Mullin	Work Comp	WC: Skin Cancer: Presumption	Watch
AB-0399	Salas	Work Comp	WC: MPN, UR, Bill Review	Watch
AB-1148	Daly	Work Comp	WC Insurance Reporting	Watch-Spot Bill
AB-1465	Ryees	Work Comp	WC; Medical Treatment; MPN	Watch
AB-1751	Daly	Work Comp	COVID-19; Critical Workers; Presumption	Oppose 3
SB-0213	Cortese	Work Comp	WC: Hospital Employees: Presumption	Oppose 3
SB-0216	Dodd	Work Comp	WC: Contractors: Mandatory Coverage	Watch
SB-0284	Stern	Work Comp	WC: Firefighters & Peace Officers: PTSD Presumption	Oppose 3
SB-0335	Cortese	Work Comp	WC; Proceedings; Payment Delay	Oppose 3
OSHA ETS	OSHA	Work Safety	OSHA: Emergency Temporary Standards: COVID-19	Concerns
SB-0410	Leyva	Work Safety	OSHA; Regulations	Oppose 3
SB-0687	Hueso	Work Safety	Emergency Response; Trauma Kits	Watch

The following bills that were two year bills coming out of the 2021 session did not make it out of their house of origin and are considered dead with no further discussion needed:

<u>Bill No.</u>	<u>Author</u>	<u>Area</u>	<u>Bill Description</u>	<u>Position</u>
AB-0008	Smith	EE Benefits	Unemployment Benefits: Direct Deposit	Watch
AB-0019	Santiago	EE Benefits	Unemployment Insurance Compensation: COVID-19 Pandemic: Temporary Benefits	Watch
AB-0024	Waldron	EE Benefits	Unemployment Insurance: Benefit Determination Deadlines	Watch
AB-0095	Low	EE Benefits	Employees: Bereavement Leave	Oppose 2

AB-0123	Gonzalez	EE Benefits	Paid Family Leave: Weekly Benefit Amount	Watch
AB-0513	Bigelow	EE Benefits	Employment: Telecommuting Employees	Support 2
AB-0867	Kiley	EE Benefits	Family Care Leave; Child Deceased in Childbirth	Watch
AB-0995	Gonzalez	EE Benefits	Paid Sick Days; Accrual and Use	Oppose 2
AB-1028	Sevarto	EE Benefits	Telework Flexibility Act	Watch
AB-1119	Wicks	EE Benefits	Employment Discrimination	Oppose 3
AB-1179	Carrillo	EE Benefits	Employer Provided Benefit Backup; Childcare	Oppose 3
AB-1301	Gray	EE Benefits	Labor Code; Protections, Obligations & Prohibitions; Legislature	Watch
AB-0093	Garcia	Healthcare	Pandemics: Priority for Medical Treatment: Food Supply Industry Workers	Watch
AB-0507	Kalra	Healthcare	Healthcare Service Plans; Review of Rate Increase	Watch-Spot Bill
AB-0510	Wood	Healthcare	Out-of-Network Healthcare Benefits	Watch
AB-0752	Nazarian	Healthcare	Prescription Drug Coverage	Watch
AB-0797	Wicks	Healthcare	Healthcare Coverage; Treatment for Infertility	Watch
AB-0933		Healthcare	Prescription Drug Cost Sharing	Watch
AB-0935	Maienschein	Healthcare	Telehealth; Mental Health	Watch
AB-1011	Waldron	Healthcare	Healthcare Coverage; Substance Use Disorders	Watch
AB-1162	Villapudua	Healthcare	Healthcare Coverage; Claims Payments	Oppose 2
AB-1254	Gipson	Healthcare	Healthcare Coverage; Mobile Stroke Units	Watch
AB-1400	Kalra	Healthcare	Guaranteed Healthcare for All	Watch
AB-1468	Cunningham	Healthcare	Prior Authorization	Watch
AB-1520	Levine	Healthcare	Healthcare Coverage; Prostate Cancer; Screening	Watch
SB-0613	Limon	Healthcare	Maternal Health; Neonate Medical Wrap	Watch

AB-0017	Cooper	Liability	Peace Officers: Disqualification from Employment	Watch
AB-0055	Horvath	Liability	Employment: Telecommuting	Watch
AB-0060	Salas	Liability	Law Enforcement: Disqualifications	Watch
AB-0230	Voepel	Liability	Employment: Flexible Work Schedules	Watch
AB-0530	Fong	Liability	Labor Code Private Attorneys General Act of 2004; Filing Requirements	Watch
AB-0594	McCarty	Liability	Law Enforcement Policies	Watch
AB-0603	McCarty	Liability	Law Enforcement Settlements & Judgments; Reporting	Oppose 3
AB-0768	Holden	Liability	School Safety; Aquatic & Pool Safety Program; Model Policy	Watch
AB-0800	Gabriel	Liability	Wildfires; Local General Plans; Safety Elements; Fire Hazard Severity Zones	None Taken
AB-1122	Garcia	Liability	Employment Discrimination; FEHA	Watch
AB-1313	Bigelow	Liability	COVID-19; Immunity from Civil Liability	Watch
AB-1372	Muratsuchi	Liability	Right to Temporary Shelter	Oppose 3
AB-1496	Cooper	Liability	Educational Employment Relations; PERS Board; Investigations; Unfair Practices	Watch-Spot Bill
SB-0055	Stern	Liability	Very High Fire Hazard Severity Zone: State Responsibility Area: Development Prohibition	Watch
SB-0217	Dahle	Liability	Comprehensive Sexual Health Educations & HIV Prevention Educations	Oppose 2
SB-0249	Melendez	Liability	Educational Equity; Political Affiliation	Watch
SB-0508	Stern	Liability	Mental Health Coverage; School-Based Services	Watch
SB-0681	Ochoa	Liability	Child Abuse Reporting; Mandated Reports	Watch
AB-0339	Lee	Other	State & Local Government; Open Meetings	Oppose 3

AB-0449	Voepel	Other	COVID-19; Death Data; Hospital Reporting	Watch-Spot Bill
AB-0703	Rubio	Other	Open Meetings; Local Agencies; Teleconferences	Watch
SB-0289	Newman	Other	Recycling; Batteries & Battery-Embedded Products	Support 2
SB-0550	Dahle	Other	Legislature; Employment	Watch
AB-0404	Salas	Work Comp	WC; Medical-Legal Expenses; Fee Schedule	Watch
AB-0415	Rivas	Work Comp	Employment: WC Cancer Presumption	Oppose 3
AB-0772	Ramos	Work Comp	WC: Domestic Terrorism	Oppose 3
AB-0872	Wood	Work Comp	Leave of Absence; Firefighters; Dept of Forestry	Watch
AB-0991	Ward	Work Comp	Presumed Injuries; PTSD; Lifeguards; City of San Diego	None Taken
AB-1393	Cooley	Work Comp	Insurance; Liability Insurers	Watch-Spot Bill
AB-1562	Insurance Committee	Work Comp	WC: Reports	Watch-Spot Bill
SB-0788	Bradford	Work Comp	WC; Risk Factors; Apportionment	Watch
AB-0757	Davles	Work Safety	Private Employment; COVID-19; Positive test or Diagnosis; Documentation	Watch
AB-0893	Davies	Work Safety	OSHA: COVID-19 Emergency Regulations	Support 1
AB-1152	Rubio	Work Safety	Postsecondary Education; COVID-19 Safety & Liability	Watch-Spot Bill
SB-0704	Gonzalez	Work Safety	OSHA	Watch-Spot Bill

Staff Legislative Activity Report and General Discussion

CAJPA's Legislative Action Day is scheduled for March 29th and will be held virtually this year. Further details are forthcoming from CAJPA.

Upcoming conferences include PARMA in February and CCWC in June.

2021 Fall Retreat Recap

A strategic planning retreat was conducted virtually in November 2021 as part of the annual process of strategic planning for PRISM. Members of the Executive Committee and Committee Chairs and/or Vice Chairs participated in this four two-hour planning sessions, with the focus on the following topics:

- Should PRISM develop an EAP/Wellness program for public safety personnel?
- Should PRISM expand in-house services in the areas of legal (employment legal consulting, contract review, and coverage evaluations), claims auditing and workers' compensation claims administration?
- Should PRISM expand legislative efforts with an emphasis on tort reform?
- Should PRISM revisit county/non-county participation and representation in PRISM governance?

Staff provided a summary of the outcome of the Fall Retreat.

Legislative Action Plan

One of the outcomes of the Fall Retreat included expanding our influence in the legislative arena. The Executive Committee deemed certain priority items with the goal of trying to complete these within 6-12 months.

- Discuss results of the CAJPA tort study with members and support them in influencing their local officials to change the mindset and effect change over time.
- Continue to work with partners to define a common position and strengthen a coalition around this issue.
- Continue to build relationships with legislators and look for opportunities to influence minds on this issue.

The Executive Committee has directed the Legislative Committee to discuss and consider the following:

- Determine a "vehicle" to drive legislative or cultural change regarding verdicts and awards.
- This may require dollars to be set aside to build resources for when the political climate changes.
- Distribute the Legislative Action Plan to members so they can consider including aspects in the legislative platform.

The Committee approved the development of a Legislative Action Plan. Staff will begin working on this and present to the Committee at a future meeting.

Future Meetings

The next regularly scheduled meeting is **Thursday, March 24, 2022, at 10:30 a.m. at the PRISM office or Web Conference.**