



Tidbits from Sacramento

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Legislative and Governmental Advocacy
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BUDGET IN LIMBO – WILL THIS BE A LONG, HOT SUMMER??

The Budget Committees of both houses finished their work over two weeks ago, setting the stage for the Joint Budget Conference Committee to meet and resolve the differences between the Senate and Assembly versions of a budget.

The Joint Budget Conference Committee began its work on June 12. A great divide exists between the Democrats and Republicans. The Democrats are very vocal about the need to raise taxes and the Republicans are clear that raising taxes is not acceptable, nor do they believe it is the only resolution.

According to the “experts” our deficit is somewhere between \$15.2 Billion (the latest projection) and \$17.2 Billion (Governor’s May Revision of his January budget). No one is surprised that we have a deficit. We have been “band-aiding” budgets for years. The trouble this time is there is nowhere to go as a result of the significant downturn in the economy. California took a heavier hit than almost all other states, primarily related to the housing market.

As the budget stalemate continues, the rhetoric and demonstrations by various organizations increases. Various healthcare groups fill the hallways and they are not alone. Advocates for education, transportation, local governments, labor unions and others attempt to lobby for their programs and the dollars needed to continue their programs.

Several unofficial polls have been taken in the Capitol environs that indicate that it may be August before the budget compromise is resolved. The Democrats have their convention in late August and the Republicans in early September.

Stay tuned – there will be much rhetoric, but eventually California will have a budget – it must!

NOVEMBER ELECTIONS SHAPING UP

This seems to be the year of elections – first in February, then June and now we have the “big” one in November. While many voters may be tired of all the political hoop-la, there will be a number of critical issues on the November ballot. The deadline for getting legislative measures on the ballot was June 26; however, the deadline is often waived for certain issues – we may need a few legislative “fixes” for the budget!

Initiatives - Eleven initiatives will be on the ballot in November including the Redistricting Initiative. This will be an important measure relative to the composition of the California legislature. As you may recall, the current district lines were put in place after the last census by the members of the California Legislature. This Initiative will take the drawing of the district lines away from the Legislature and place that responsibility in the hands of a 17 member commission which will include a variety of individuals.

Other initiatives will include bonds for High Speed Rail, Children's Hospitals and Alternative Energy. Treatment of Farm Animals, Parental Notification, Gay Marriage, Nonviolent Offender Rehabilitation, Victims' Rights and Anti-Gang Penalties will also be included as initiatives on the November ballot.

Legislative Elections – For a number of districts, the outcome of the elections for Senate/Assembly members took place in the June election. Those were districts that were clearly either solidly Democrat or Republican seats and therefore would only have token opposition in November. Below are the “safe seats” for the Senate – only odd number seats were in play.

SD-1 Republican Dave Cox retains his current seat

SD-3 Democrat Mark Leno unseated incumbent Carole Migden.

SD-9 Democrat Loni Hancock will move up to the Senate.

SD-11 Democrat Joe Simitian will retain his seat in the Senate

SD-13 Democrat Elaine Alquist will retain her seat in the Senate

SD-15 Republican Abel Maldonado will retain his seat in the Senate

SD-21 Democrat Carol Liu will become the Senator for this district.

SD-23 Democrat Fran Pavley will become the Senator for this district

SD-25 Democrat Rod Wright will become the Senator for this district

SD-27 Democrat Alan Lowenthal will retain his seat in the Senate

SD-29 Republican Bob Huff will move up to the Senate

SD-31 Republican Bob Dutton will retain his Senate seat

SD-33 Republican Mimi Walters will move up to the Senate

SD-35 Republican Tom Harman will retain his seat in the Senate

SD-37 Republican John Benoit will move up to the Senate

SD-39 Democrat Christine Kehoe will retain her seat in the Senate

LEGISLATION

The legislative bill process has begun to wind down. There are numerous bills that either failed passage in their respective committees or were held in the Appropriations Committees of both houses due to excessive costs. However, there are still hundreds of bills that are making their way through the final processes. The following are some of the key bills that are in the second house and are still in play:

AB 501 (Swanson) – Addresses appropriate disposal of sharps for home injections.

AB 1945 (DeLaTorre) – Would require a health plan or insurer to receive approval from the DMHC or DOI prior to rescinding, cancelling or limiting a health plan contract.

AB 2081 (Coto) – Addresses a variety of issues relative to employers and workers' compensation.

AB 2220 (Jones) – Attempts to address the “balance billing” of patients issue.

AB 2716 (Ma) – Requires employers to provide paid sick leave once an employee has had 7 days of employment. Sick leave would be acquired at the rate of one hour for every 30 hours worked. Makes a number of other provisions relative to sick leave.

AB 2969 (Lieber) – Specifies that only a physician licensed in California may modify, delay or deny authorization of workers' comp related medical treatment.

SB 981 (Perata) – Prohibits non-contracted physicians from balance-billing patients for emergency care. Establishes an independent dispute resolution process for disputed billings. Makes a number of other provisions related to this process.

SB 1270 (Kuehl) – Requires insurers/plans to spend no more than 15% of premiums on administration and not less than 85% on health care services.

SB 1406 (Correa) For many years/decades, optometrists and ophthalmologists have been "sparring" over various scope of practice issues. It appears that some compromises have been reached in SB 1406. It should be in print within the next day or so. Stay tuned.

SB 1721 (Yee) – Requires newly hired direct care nursing staff to complete an orientation to the hospital and patient care unit in which they will work. Certain state hospitals would be exempt from this requirement.

MINI-TIDBITS

The State of Massachusetts has declared that it will no longer accept bills from hospitals or doctors who operate on the wrong limb or give dangerous doses of medicine. According to the Boston Globe, a representative of the Leapfrog Group stated that no other state "has taken the level of leadership on this issue that Massachusetts is demonstrating."

The California State Senate may see a significant increase in the number of women legislators. There are currently 10 women Senators – after November, their number is expected to increase to 14!!

In the Assembly, the number of women legislators is expected to decline by 2 to 5 members. However, the top spot in the Assembly will be held by Karen Bass, Speaker of the Assembly!!!

The U.S. Chamber Institute for Legal Reform released a report in April stating that California ranks as one of the 10 worst legal environments in the nation; however, it is one step up from last year's report.