2023 Legislative Bills Related to the Master Plan for Aging

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HOUSING • HEALTH REIMAGINED • INCLUSION & EQUITY • CAREGIVING • AFFORDING AGING

In January 2021, Governor Newsom released California's Master Plan for Aging (MPA), which lays out a ten-year plan to prepare the state for an aging and changing population. The MPA set five major goals: Housing for All Ages and Stages; Health Reimagined; Inclusion & Equity, Not Isolation; Caregiving that Works; and Affording Aging.

Last year, 11 bills in alignment with MPA goals were chaptered. In 2023, the California Legislature and Governor Newsom made additional strides in advancing the goals of the Master Plan for Aging. In alignment with the plan's five foundational goals, 12 bills were chaptered and signed by Governor Newsom. 5 bills were passed by the Legislature, but vetoed by Governor Newsom. There are several bills that did not fully advance through the legislative process, and a number of bills that will move in 2024 during the second year of the current legislative session.

In addition to this year's legislative efforts, there were a number of MPA related investments made in the 2023-24 state budget.

Justice in Aging compiled this summary of 2023 legislative bills. Sponsors are listed when known. Questions and additions, including to sponsors, can be referred to Yasmin Peled. Inclusion on this list does not indicate endorsement by Justice in Aging.

Goal 1: Housing for All Ages and Stages

BILLS:

1. AB 478 (Connolly): Wildfire Insurance
    - California Senior Legislature
    - This bill would prohibit an insurer from canceling or refusing to renew a policy of residential property insurance based solely on the fact that the insured property is located in a high or very high fire hazard severity zone, as identified by the State Fire Marshal, if the insured is 65 years of age or older.
        - » STATUS: Two-Year Bill

2. AB 540 (Wicks): Social Service Transportation Improvement Act
    - Choice in Aging
    - The Social Service Transportation Improvement Act would support coordinated transportation services agencies, creating a pathway for revolutionizing service delivery and access to affordable, available, and accessible transportation for elders and people with disabilities.
        - » STATUS: Two-Year Bill

3. AB 582 (Connolly): Senior Wildfire Tax Credit
    - California Senior Legislature
    - This bill would create a credit for home hardening costs incurred by seniors who reside in high fire severity zones.
        - » STATUS: Held on Suspense in Assembly Appropriations

4. AB 1085 (Maienshein): Housing Support Services as Medi-Cal benefit
    - Western Center on Law and Poverty, Corporation for Supportive Housing
    - This bill would require the Department of Health Care Services (DHCS) to seek federal approval to make housing support services a Medi-Cal benefit.
        - » STATUS: Vetoed by Governor Newsom

5. AB 839 (Addis): Residential Care Facilities for the Elderly: Financing
    - LeadingAge California
    - This bill would modernize and update the CHFFA and Cal-Mortgage statutes to allow nonprofit RCFEs, regardless of their connection to a SNF, to utilize the programs.
        - » STATUS: Chaptered, signed by Governor Newsom

6. SB 17 (Caballero): Senior Housing: Tax Credits
    - LeadingAge California
    - This bill would state the intent of the Legislature to enact legislation that would create new opportunities for the development of affordable senior housing. Additionally, this bill ties the 15% senior goal in the 9% Low-Income Housing Tax Credit (LIHTC) to the American Community Survey (ACS) census data, so that funding for affordable senior housing will increase in proportion to the size of the senior population.
        - » STATUS: Vetoed by Governor Newsom

7. SB 37 (Caballero): Older Adults and Adults with Disabilities Housing Stability Act
    - Justice in Aging, Corporation for Supportive Housing, LeadingAge California, State Council on Developmental Disabilities, United Way of Greater LA
    - This bill would create rental stabilization subsidies that would enable thousands of older adults and people with disabilities annually to access or keep their housing. The subsidies would be made available to severely low-income Californians who are experiencing homelessness or at imminent risk of homelessness.
        - » STATUS: Two-Year Bill

8. SB 657 (Caballero): Senior Housing
    - California Senior Legislature
    - This bill would require the council to coordinate with the California continuums of care and the area agencies on aging to partner in their shared regions to provide gerontological training for homelessness services staff and to ensure that homelessness service providers are well trained and well equipped to assist vulnerable older adults with accessing resources to gain a permanent housing solution. The bill would be implemented contingent on an appropriation for those purposes in the budget act.
        - » STATUS: Vetoed by Governor Newsom

Goal 2: Health Reimagined

BILLS:

9. AB 48 (Aguiar-Curry): Nursing Facility Resident Informed Consent Protection Act of 2023
    - California Advocates for Nursing Home Reform (CANHR)
    - This bill would codify and expand existing informed consent rules to ensure nursing home residents are given important information about drugs that are prescribed for them and an opportunity to consent or withhold consent.
        - » STATUS: Chaptered, signed by Governor Newsom
10. AB 336 (Cervantes): Contractors: Workers' Compensation Insurance
    - This bill would provide funding and resources, as well as reduce barriers, to address significant workforce shortages in county human services programs.
        - » STATUS: Chaptered, signed by Governor Newsom
11. AB 486 (Kalra): Nursing Home Citations: Appeal Process
    - Disability Rights California
    - This bill would provide a more consistent framework for the appeals process across regulatory citations for long-term care facilities in California. This would reduce the burden on our superior court system and save judicial resources and taxpayer money. Furthermore, it would streamline and improve a process that is designed to hold negligent facilities (i.e., nursing homes) accountable.
        - » STATUS: Two-Year Bill
12. AB 1036 (Bryan): Health Care Coverage: Emergency Medical Transport
    - California Senior Legislature
    - This bill would, if a physician has certified that emergency medical condition existed, require a health care service plan, disability insurance policy, and Medi-Cal managed care plan, to provide coverage for emergency medical transport, consistent with an individual's plan or policy.
        - » STATUS: Two-Year Bill

13. AB 1157 (Ortega and Wilson): Rehabilitative and Habilitative Services: Durable Medical Equipment and Services
    - Western Center on Law & Poverty, National Health Law Program (NHeLP)
    - This bill would clarify that durable medical equipment is a covered essential health benefit in California-regulated health plans and policies when prescribed by a doctor for rehabilitative or habilitative purposes. It will remove limitations such as annual caps on durable medical equipment coverage.
        - » STATUS: Held on suspense in Senate Appropriations

14. AB 1309 (Gómez Reyes): Long-Term Health Care Facilities: Admission Contracts.
    - California Advocates for Nursing Home Reform (CANHR)
    - This bill would require nursing homes to include the same level of detail on written notices to justify a resident eviction that is required of Residential Care Facilities for the Elderly (RCFEs), allowing residents to better defend against inappropriate and unsafe evictions on appeal.
        - » STATUS: Chaptered, signed by Governor Newsom

15. AB 1417 (Wood): Elder and Dependent Adult Abuse: Mandated Reporting
    - California Long Term Care Ombudsman Association
    - This bill will require mandated reporters to follow a single, simplified reporting process. This bill will also require reports of abuse or neglect to be reported sooner than under the current system (e.g., 24 hours vs. 2 working days); and ensure that criminal acts are reported to law enforcement first. By making the process easier to follow and requiring reports to be submitted in a timely manner, the bill will ensure that residents of long-term care facilities have the same protections against elder abuse as persons who reside in their own homes.
        - » STATUS: Chaptered, signed by Governor Newsom

16. SB 311 (Eggman): Medicare Part A Buy-In
    - Justice in Aging
    - This bill would require the Department of Health Care Services to submit a State Plan Amendment for California to become a Part A Buy-In State. This would benefit low-income older Californians and persons with disabilities, who rely on Medicare and Medi-Cal but struggle to pay costly Medicare Part A premiums, by simplifying the enrollment process for financial assistance.
        - » STATUS: Chaptered, signed by Governor Newsom

Goal 3: Inclusion & Equity, Not Isolation

BILLS:

17. AB 21 (Gipson): Peace Officers: Training
    - Alzheimer's Association
    - This bill would advance an Alzheimer's content training for peace officers. This includes a budget request being worked out with the author. Last year, a similar bill cost $13.5 million.
        - » STATUS: Held on Suspense in Assembly Appropriations

18. AB 385 (Ta): Alzheimer's Disease: Public Awareness Campaign
    - This bill would require the CA Department of Public Health to implement a public awareness campaign with education for unpaid caregivers of individuals with Alzheimer's Disease.
        » STATUS: Held on Suspense in Assembly Appropriations

19. AB 386 (Nguyen): California Right to Financial Privacy Act
    - County Welfare Directors Association of California (CWDA)
    - This bill would improve Adult Protective Services (APS) financial abuse investigations and better protect the assets of California's growing population of older and dependent adults by: (1) simplifying criteria to access financial records, (2) extending the time frame of accessible records, and (3) expanding the information APS can receive.
        » STATUS: Chaptered, signed by Governor Newsom

20. AB 387 (Aguiar-Curry): Alzheimer's Disease
    - Alzheimer's Association
    - This bill would update the state's Alzheimer's and Related Disorders Advisory Committee to add new members, conform term lengths, remove stigmatizing language, and uplift diversity.
        » STATUS: Held on suspense in Senate Appropriations

21. AB 449 (Ting): Hate Crimes: Law Enforcement Policies
    - California Alliance for Retired Americans
    - This bill would make adoption of a hate crimes policy by a local law enforcement agency mandatory. The bill would require those policies to include the supplemental hate crime report in the model policy framework developed by the commission and a schedule of hate crime or related trainings the agency conducts. By imposing requirements on local agencies, this bill would impose a state-mandated local program.
        » STATUS: Chaptered, signed by Governor Newsom

22. AB 751 (Schiavo): Elder Abuse
    - California Alliance for Retired Americans
    - The bill would codify existing law requiring most local law enforcement agencies to adopt a detailed, specific policy providing much better protection to the 8.5 million older adult Californians and to the 9 million California children and adults with disabilities.
        » STATUS: Chaptered, signed by Governor Newsom

23. AB 820 (Reyes) State Boards and Commissions: Seniors
    - California Commission on Aging (CCoA)
    - This bill would ensure that aging and disability are part of all equity initiatives and that equity metrics are clearly communicated to the appropriate audiences. Additionally, it would allow opportunities to review and strengthen state and local government leadership and partnership structures.
        » STATUS: Held on suspense in Senate Appropriations

24. AB 979 (Alvarez): Long-Term Care: Family Councils
    - California Advocates for Nursing Home Reform (CANHR)
    - This bill would modernize existing family council laws, so that members can continue to meet, communicate, and operate during a public health emergency; ensure facilities are more responsive to concerns; discourage operators from undermining family council activities; and clarify that control of the family council membership and participation in meetings lies with the family council itself.
        » STATUS: Chaptered, signed by Governor Newsom

25. SB 278 (Dodd): Elder Abuse
    - Consumer Attorneys of California, California Low Income Consumer Coalition and Elder Law & Advocacy-San Diego
    - This bill would clarify existing elder financial exploitation laws to ensure that older adult victims of financial scams can hold banks and other entities accountable for assisting in their financial exploitation.
        » STATUS: Two-Year Bill

26. SB 639 (Limón): Alzheimer's Disease
    - Alzheimer's Association
    - This bill would update the state Alzheimer's Disease Centers to include Dementia Care Aware, which will improve our state systems that help people receive a timely and accurate diagnosis.
        » STATUS: Inactive

Goal 4: Caregiving That Works

BILLS:

27. AB 518 (Wicks): Paid Family Leave
    - This bill would expand the definition of "family member" and "family care leave" which will allow family caregivers to take paid family leave to care for individuals related by blood or whose association with the caregiver is the equivalent of a family relationship.
        » STATUS: Inactive

28. AB 524 (Wicks): Discrimination: Family Caregiver Status.
    - Would add family caregiver status, defined as "a person who is a contributor to the care of one or more family members (including chosen family)," as a protected class under the existing CA Fair Employment and Housing Act.
        » STATUS: Vetoed by Governor Newsom

29. AB 575 (Papan): Paid Family Leave
    - This bill would remove unnecessary barriers for individuals seeking to access their paid family benefits by making improvements to California's Paid Family Leave program.
        » STATUS: Vetoed by Governor Newsom

30. AB 1672 (Haney): In-Home Supportive Services Employer-Employee Relations Act
    - SEIU 2015
    - This bill would allow In-Home Supportive Services (IHSS) providers and employers to negotiate their contracts and wages at a state level instead of at the county level.
        » STATUS: Two-Year Bill

31. SB 431 (Nguyen): Grandparents: Caregivers Support
    - California Senior Legislature
    - This bill would require the California Department of Aging, in consultation with the Department of Justice and the State Department of Social Services, to conduct a study to examine the issues faced by grandparents who are 60 years of age or older and are primary caregivers for their grandchildren, and require the California Department of Aging to report the findings of the study to the Legislature.
        » STATUS: Held on Suspense in Senate Appropriations

32. SB 616 (Gonzalez): Paid Sick Days: Accrual and Use
    - This bill would raise the minimum amount of paid sick time to 56 hours or 7 days. Paid sick leave can be used for a family member's preventative care or diagnosis, or the care or treatment of an existing health condition.
        » STATUS: Chaptered, signed by Governor Newsom

Goal 5: Affording Aging

BILLS:

33. AB 559 (Boerner Horvath): Personal Income Tax: California Senior Citizen Advocacy Voluntary Tax Contribution Fund
    - California Senior Legislature
    - This bill would require the Franchise Tax Board to revise the return for taxable years 2017 to 2030, inclusive, to allow a taxpayer to designate an amount in excess of personal income tax liability to be deposited into the California Senior Citizen Advocacy Voluntary Tax Contribution Fund, and would extend the repeal date for these provisions to January 1, 2032. By extending a continuously appropriated fund, the bill would make an appropriation.
        » STATUS: Chaptered, signed by Governor Newsom