

# Education Committee

August 10, 2022



California  
**Telehealth**  
Policy  
Coalition

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# California Legislative Developments (1/3)

Bill No.	Coalition Support?	Recent Developments	Brief Description
<a href="#">AB 1758</a> (Aguiar-Curry)	Recommendation not to take a position.	Passed Senate BP&ED Comm. (6/6), read second time and ordered to third reading (6/21); on Sen. Floor	<ul style="list-style-type: none"> <li>Defines face-to-face contact for the purposes of “one hour of direct supervisor contact” for Board of Behavioral Sciences to mean in-person contact, contact via two-way, real-time videoconferencing or some combination of these</li> <li>Recent amendments removed references to telehealth.</li> </ul>
<a href="#">AB 1759</a> (Aguiar-Curry)	Continue to monitor.	Passed Senate BP&ED (6/6) and Sen. Approps (6/20); on Sen. Floor	<ul style="list-style-type: none"> <li>Would authorize associate clinical social workers, associate professional clinical counselors, and clinical counselor trainees to provide services via telehealth</li> <li>Would require applicants for licensure as MFT, LEP, LCSW or LPCC to show they have completed three hours of training via telehealth, including law and ethics relating to telehealth</li> </ul>
<a href="#">AB 1940</a> (Salas)	Continue to monitor.	Passed Sen. Health (6/8) and Sen. Ed (6/30); in Sen. Approps, referred to suspense file (8/1) – Suspense hearing 8/11	<ul style="list-style-type: none"> <li>The bill would authorize a school-based health center to provide primary medical care, behavioral health services, or dental care services onsite or through mobile health or telehealth.</li> </ul>
<a href="#">AB 1982</a> (Santiago)		Read second time, amended, re-referred to Sen. Approps (8/1), placed on suspense file (8/8) – Suspense hearing 8/11	Adds to <a href="#">AB 457 (Santiago, 2021)</a> private payer statutes regarding third-party telehealth providers that dental plans shall disclose information related to any contracted third-party telehealth providers. Amendments define third-party corporate telehealth providers.
<a href="#">AB 2089</a> (Bauer-Kahan)		Read second time, amended, and re-referred to Sen. Approps (8/1), ordered to second reading pursuant to 28.8 (8/8); on Sen. Floor	This bill would include “mental health application information” within the definition of “medical information” in California’s Confidentiality of Medical Information Act (CMIA) and provide that a business that offers a mental health app to consumers is a provider of health care. Minor amendments made.
<a href="#">SB 717</a> (Dodd)		Placed on suspense file (8/3) – Suspense hearing 8/11	This bill would require the Office of Planning and Research to conduct, complete, and submit a report to specified legislative committees that reviews and identifies barriers to, and opportunities for, investment in, and efficient building of, broadband access points on government-owned structures and property, private and public lands and buildings, and public rights of way. The bill would further require the review to provide recommendations on how to accelerate deployment of broadband access points to serve tribes, low-income customers, and disadvantaged or underserved communities. Amended to include “income of households in the area and the economic feasibility for internet service providers to deploy in

# California Legislative Developments (2/3)

Bill No.	Coalition Support?	Recent Developments	Brief Description
<a href="#">AB 2117</a> (Gipson)	Continue to monitor.	Placed on Sen. Approps suspense file (8/1) – Suspense hearing 8/11	This bill would a mobile stroke unit to mean a multijurisdictional mobile facility that serves as an emergency response critical care ambulance under the direction and approval of a local emergency medical services (EMS) agency, and as a diagnostic, evaluation, and treatment unit, providing radiographic imaging, laboratory testing, and medical treatment under the supervision of a physician in person or by telehealth, for patients with symptoms of a stroke.
<a href="#">AB 2754</a> (Bauer-Kahan)	Continue to monitor.	Passed Senate (8/8) with urgency clause; ordered to engrossing and enrolling	This bill would allow psychology trainees to be supervised remotely over audio and visual modalities.
<a href="#">SB 1475</a> (Glazer)		On Assembly Floor	Speaks to suspending telehealth requirements around consent for purposes of blood banks when a physician is not present. Amendments now state only as long as the method of telehealth is synchronous. Amended to include reporting of adverse events to dept.
<a href="#">AB 2751</a> (E. Garcia)	Recommendation to support with a suggestion that speed requirements be increased	Failed passage in Sen. G.O. Committee (6/14)	Affordable Internet and Net Equality Act of 2022: Creates Net Equality Program and requires state agencies to only do business with ISPs offering affordable (no more than \$40 a month) home internet service to households participating in certain public assistance programs. Requires minimum speed requirements defined as 25mbps/3mbps and speed and latency to support distance learning and telehealth services.
<a href="#">AB 1669</a> (Cunningham)		Hearing canceled at the request of author. (03/23)	California Internet Consumer Protection and Net Neutrality Act of 2018: United States Department of Veterans Affairs: telehealth applications – Specifies that the Act does not prohibit ISPs from exempting from a customer’s data usage allowance the use of telehealth applications administered by the VA.
<a href="#">AB 2092</a> (Weber)	Recommendation to support.	Held in Asm. Health Comm. (4/26)	This bill would allow CDPH to establish approval process to deliver care in home setting including via telehealth.
<a href="#">SB 1337</a> (McGuire)		Held in Sen. Approps. (5/19)	This bill requires coverage of coordinated specialty care (CSC) services for the treatment of early psychosis. Amendments removed references to telehealth.

# California Legislative Developments (3/3)

Bill No.	Coalition Support?	Recent Developments	Brief Description
<a href="#">AB 552</a> (Quirk-Silva)		Placed on Sen. Approps suspense file (8/1) – Suspense hearing 8/11	Integrated School-Based Behavioral Health Partnership Program; amendments clarify scope of qualifying behavioral health providers enrolled in Medi-Cal Amended to include following up with parents/guardians and pupils as necessary for consent and case management.
<a href="#">AB 32</a> (Aguiar Curry et al.)	 (2021)	Amended; Placed on Sen. Approps. suspense file (8/8) – Suspense hearing 8/11	<p>Redrafted bill amends FQHC/RHC rules adopted via SB 184 related to establishing a new patient relationship:</p> <ul style="list-style-type: none"> <li>• Language states that an FQHC/RHC shall not be precluded from establishing a new patient relationship via audio-only – removing SB 184 audio-only establishment prohibition and references to the department providing exceptions to the prohibition</li> <li>• In regard to limited allowance for asynchronous patient establishment language, amends remove requirement that the patient be at an originating and licensed FQHC/RHC site, instead saying the patient must be at the FQHC or RHC or at an intermittent site when service is performed.</li> </ul> <p>The bill also adds section related to licensed enrolled clinics providing care via telehealth, listing certain restrictions on the department, including that the department is prohibited from adopting telehealth reimbursement policies that are more stringent than those imposed on equivalent in-person services.</p> <p>Bill still amends existing definition of synchronous telehealth to explicitly add audio-only, applies private payer parity requirements to counties, and allows enrollment and recertification via virtual modalities including telephone for Medi-Cal programs. Bill requires the department to complete an evaluation on the benefits of telehealth in Medi-Cal by July 2025 as well.</p>
<a href="#">SB 371</a> (Caballero)	 (2021)	Two-year bill (in second house)	Creates a Deputy Secretary for Health Information Technology to coordinate health information technology efforts regarding hie, broadband, and telehealth

# Next Webinar/Fact Sheet Planning

- Q3/September: Telehealth Initiatives for the Aging
  - Over a year into the Master Plan on Aging, where is California today in meeting its goals and promoting telehealth to support care for older adults?
  - Potential Speakers:
    - *State perspective:* Sarah Steenhausen, Division of Aging Policy, Research and Equity, California Department of Aging
    - *Older adult perspective:* AARP representative
    - *Program perspective:* PACE program representative
    - *Advocacy/policy perspective:* West Health or SCAN Foundation representative

# Coalition Code of Conduct & Process – Voting!

## *See attachment with today's materials*

- Honor Coalition processes, principles, and majority decisions
- Keep discussions and interactions with other members and staff civil and respectful
- Respect your fellow members and speakers
- Remain on mute unless you are speaking
- Do not speak over others
- Do not utilize or share Coalition distribution lists for personal purposes
- Promote a collaborative environment to ensure the free flow of information and communication

# October Policy Briefing Planning

- Purpose: Educate legislative and agency staff on telehealth policy updates and provide an outlook on policy topics for 2023.
- Location: TBD
- Potential key topics to cover:
  - Coverage/access discrepancies between Medi-Cal and commercial patients in California
  - Federal issues: Medicare PFS and recent legislation extending certain PHE waivers; misconceptions pertaining to telefraud; licensing trends
  - Reproductive health access
  - Shift to value-based care
  - Need for better data



# Next Steps

- ❑ Continue monitoring legislation and budget updates
- ❑ Develop plan for Q3 webinar and fact sheet

# Closing Announcements

## *Upcoming Meetings*

### **Legislation Committee**

August 11, 2-3pm

### **Monthly Meeting**

August 19, 1-2pm

### **Education Committee**

September 14, 2-3pm

**Please reach to staff if you have any questions**

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