

# Policy At A Glance:

## New California Health Policies Going into Effect on January 1, 2024

*In the fall of 2023, Governor Gavin Newsom signed a total of 890 bills passed by the California State Legislature. This brief highlights key health legislation signed in 2023 that will go into effect on January 1, 2024.*

## Introduction

The year 2023 brought the highest number of newly elected officials as Californians voted for the first time in November 2022 for California's newly established legislative districts in response to the 2020 Census.<sup>1</sup> Before the session began, Democratic leaders announced their legislative priorities, including housing, economic investment, and healthcare. Additionally, Republican leaders shared their legislative priorities, including investing in students, acting on homelessness, and tackling crime.<sup>2</sup>

The 2023 California Legislative Session concluded just before midnight on September 14, 2023, and, on October 13, just one day before the deadline, Governor Gavin Newsom concluded his work for the first year of the two-year legislative session.<sup>3,4</sup> The California State Legislature introduced a total of 3,030 bills in 2023. Of the ones passed by the Legislature, Governor Newsom vetoed 156 and signed a total of 1,170 bills throughout the year, with a total of 890 signed in the fall.<sup>5</sup>

Among the bills signed by Governor Newsom in 2023, major strides were made towards labor and workers' rights; telehealth and access to healthcare; and efforts to improve public safety. Though many bills will go into effect throughout 2024 and beyond, this brief provides an overview of key health legislation passed in 2023 that will go into effect on January 1, 2024.

## *Policies Covered in This Brief*

- AB 28** Firearms and Ammunition
- AB 232** Temporary Practice Allowances
- AB 1241** Medi-Cal: Telehealth
- AB 1369** Out-of-State Physicians and Surgeons
- AB 1740** Human Trafficking: Notice: Pediatric Care Facilities
- SB 2** Firearms
- SB 14** Serious Felonies: Human Trafficking
- SB 43** Behavioral Health
- SB 616** Paid Sick Leave
- SB 673** Emergency Notification: Ebony Alert: Missing Black Youth
- SB 727** Human Trafficking: Civil Action
- SB 815** Healing Arts
- SB 848** Employment: Leave for Reproductive Loss

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# Protecting Workers' Rights and Access to Healthcare

## New Employment Laws Related to Health

### **Paid Sick Leave (SB 616)<sup>6</sup>**

- Signed into law on October 4, 2023.
- Amends California's paid sick leave law to expand mandatory paid sick leave from three days (24 hours) to five days (40 hours).
- Regardless of the accrual rate, employees must be able to accrue 40 hours by their 200th day of employment.

### **Employment: Leave for Reproductive Loss (SB 848)**

- Signed into law on October 11, 2023.
- Requires employers with five or more employees to provide employees who have worked for at minimum 30 days with up to five days of reproductive loss leave.<sup>7,8</sup>
- Reproductive loss includes "miscarriage, failed surrogacy, stillbirth, unsuccessful 'assisted reproduction,' or failed adoption."<sup>8</sup>

## New Laws Related to Licensure and Care Provision to Expand Access

### **Temporary Practice Allowances (AB 232)<sup>9</sup>**

- Signed into law on October 10, 2023.
- Extends authorization for practitioners who hold a license in another state as a marriage and family therapist, clinical social worker, or professional clinical counselor to provide services in California for up to 30 consecutive days until January 1, 2026.

### **Medi-Cal: Telehealth (AB 1241)**

- Signed into law on September 8, 2023.<sup>10</sup>
- Ensures standard of care, regardless of income or Medi-Cal eligibility, for all individuals to access connected healthcare.<sup>10,11,12</sup>

- Maintains protocols for patient referral to mirror in-person care when the standard of care cannot be met by video synchronous interaction or audio-only synchronous interaction.<sup>10,12</sup>

### **Out-of-State Physicians and Surgeons:**

#### **Telehealth: License Exemption (AB 1369)<sup>13</sup>**

- Signed into law on October 13, 2023.
- Also known as the David Hall Act.
- Licensed physicians and surgeons from other states would be authorized to deliver healthcare via telehealth to an eligible patient who has a disease or condition that is immediately life-threatening and meets other statutory requirements for care.

#### **Behavioral Health (SB 43)<sup>14</sup>**

- Signed into law on October 10, 2023.
- Expands the definition of gravely disabled as "a condition in which a person, as a result of mental health or substance use disorder, is at substantial risk of serious harm or is currently experiencing serious harm to their physical or mental health."<sup>15</sup>

#### **Healing Arts (SB 815)<sup>16</sup>**

- Signed into law on September 30, 2023.
- Increases initial licensure and renewal fee for physician and surgeon licenses and faculty permits.
- Expands an existing regulation to authorize a resident enrolled in an out-of-state postgraduate training program accredited by the Accreditation Council for Graduate Medical Education to receive medical training in California without obtaining a board license for up to a 90-day period.<sup>17</sup>

# Efforts to Improve Public Safety

## Laws Related to Firearm Safety

### Firearms and Ammunition (AB 28)<sup>18</sup>

- Signed into law on September 26, 2023.
- Imposes an 11% excise tax on the purchase of guns and ammunition.
- Revenue collected from the excise tax will be deposited into the Gun Violence Prevention and School Safety Fund and used to fund various gun violence prevention, research, education, and investigation programs.

### Firearms (SB 2)<sup>19</sup>

- Signed into law on September 26, 2023.
- Restricts individuals under 21 from obtaining a concealed carry permit and requires all permit holders to have additional training, including how to safely handle, store, and transport firearms.
- Limits where individuals can carry a firearm, such as playgrounds, childcare facilities, all forms of public transportation, hospitals, care facilities, and airports.

## Laws Related to Human Trafficking

### Human Trafficking: Notice: Pediatric Care Facilities (AB 1740)<sup>20</sup>

- Signed into law on July 21, 2023.
- Requires facilities that provide pediatric care, as defined, to post informational notices regarding human trafficking in a visible location near the public entrance of the establishment or in another location in clear view to the public and employees.

- Facilities that do not comply may be subject to a penalty of \$500 for a first offense and \$1,000 for each subsequent offense.

### Serious Felonies: Human Trafficking (SB 14)<sup>21,22</sup>

- Signed into law on September 25, 2023.
- Amends the Penal Code to add human trafficking of minors to the list of serious crimes under California law.
- Classifies human trafficking as a strike offense and makes individuals convicted of human trafficking subject to the same penalties that apply to all serious crimes under the Three Strikes law.

### Human Trafficking: Civil Action (SB 727)<sup>23,24</sup>

- Signed into law on September 15, 2023.
- Provides survivors of human trafficking another level of protection by authorizing them to seek a court finding that specific debts attributed them were incurred because of trafficking and without their consent.

### Emergency Notification: Ebony Alert: Missing Black Youth (SB 673)<sup>25,26</sup>

- Signed into law on October 8, 2023.
- Enables the California Highway Patrol to activate the Ebony Alert upon request from local law enforcement when a Black youth or young Black woman is reported missing due to unexplained or suspicious circumstances; is deemed at risk, cognitively impaired, or developmentally disabled; has been abducted; or if the missing person is believed to be in the presence of someone potentially dangerous.

## Conclusion

In 2023, California remained a leader in many policy conversations taking place nationwide. Even with financial constraints, Governor Newsom signed legislation towards improving labor rights, increasing access to healthcare, and enhancing public safety with the bills passed. However, many other bills passed by the CA State Legislature were vetoed, including AB 881, which would have provided some jurors with \$100 a day; two housing-related bills, one which was aimed at developing state-owned social housing projects and the other requiring the state to help fund organizations that provide transitional housing for homeless LGBTQ+ youth; and three healthcare-related bills: one to require health plans to cover hearing aids for individual under the age of 20, another that would cap the cost of insulin copayments to \$35, and the bill that would have expanded perinatal care under Medi-Cal.<sup>27</sup> As the 2024 legislative session begins, it will be interesting to see what proposals from California will be mirrored across the nation.

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## Did you know?

California's violent crime rate increased in 2022, with 67% of crimes reported due to aggravated assaults; 25% robberies; 7% rapes; and 1% homicides.<sup>28</sup>



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