



**PHARMACY
VISION
20/20**

CSHP SEMINAR 20 • SEPTEMBER 24-27

Disneyland
RESORT

CALIFORNIA LEGISLATIVE UPDATE

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DISCLOSURE

Tim Valderrama and Mark Weideman have no potential conflict of interests

We are however unabashed supporters of the advancement of the pharmacist profession and feel great to have gotten that off our chests.

LEARNING OBJECTIVES

PHARMACIST OBJECTIVES:

- List key pharmacy/healthcare legislation from 2020.
- Discuss COVID response and opportunities created for the pharmacist profession.
- Review CSHP accomplishments with the Newsom Administration
- Describe 2020 CSHP-supported legislation.
- Describe upcoming 2020 elections.

LEARNING OBJECTIVES

PHARMACY TECHNICIAN OBJECTIVES:

- List key pharmacy/healthcare legislation from 2020.
- Discuss COVID response and opportunities created for the pharmacist tech profession.
- Review CSHP accomplishments with the Newsom Administration
- Describe 2020 CSHP-supported legislation.
- Describe upcoming 2020 elections.

TEST QUESTIONS

- What are some of the key actions taken by the administration on COVID-19?
- What are some of CSHP's key engagements with the Administration?
- What does SB 275 require?
- How many Assembly seats are up for election?

THE LEGISLATIVE BRANCH

- One of the three branches of government
- Core duty is to make laws
- Features a bicameral legislature (Assembly and Senate) that runs on a 2 year session
- 120 legislators
 - 40 Senators
 - 80 Assembly Members
 - All subject to term limits





ASSEMBLY OVERVIEW



- 80 Assembly Members
 - 61 Democrats
 - 18 Republicans
 - 1 Vacancy
- Serve 2 year terms at a time
- Speaker of the Assembly Anthony Rendon
- Republican Leader Marie Waldron



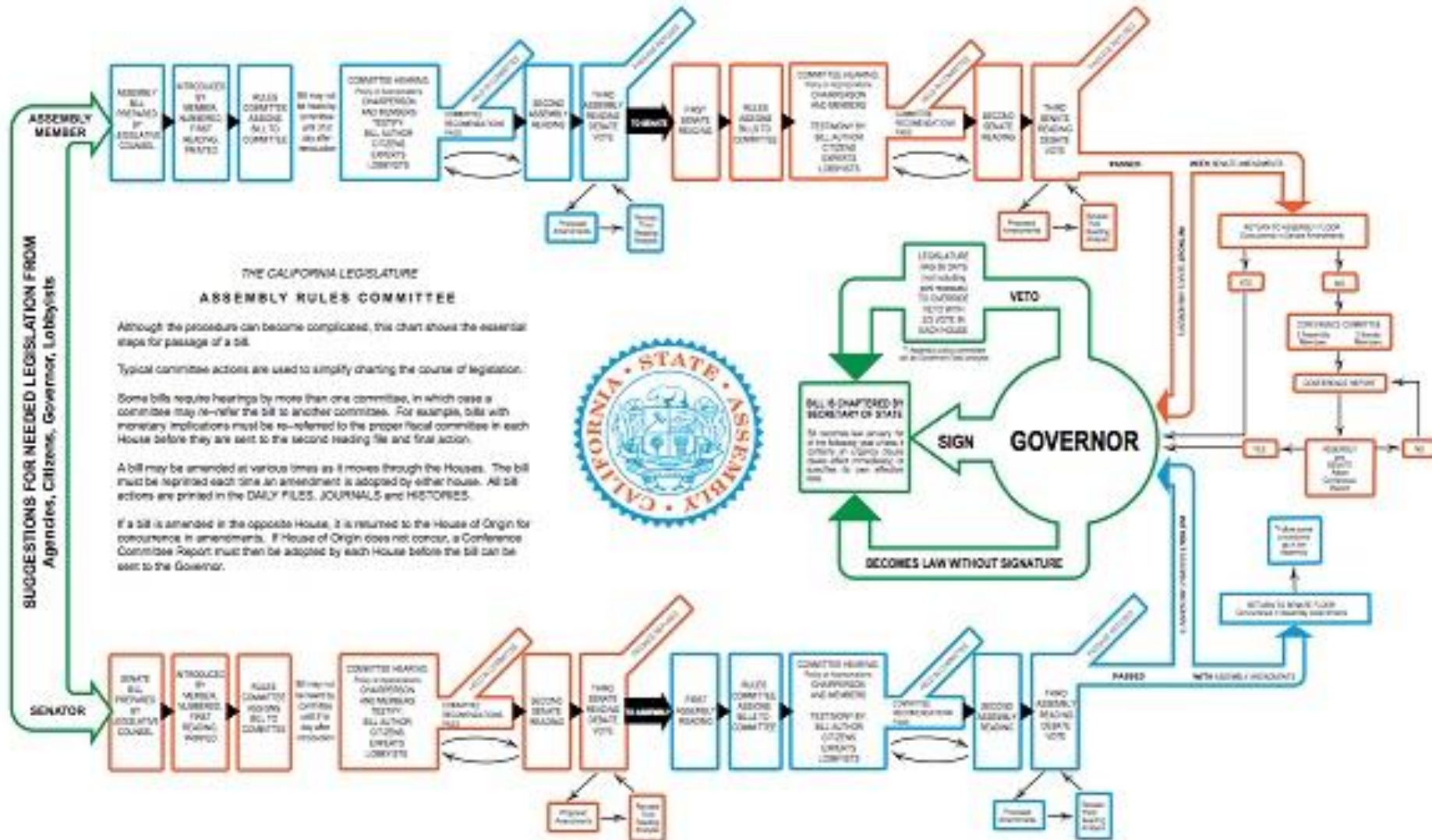
SENATE OVERVIEW

- 40 Senators
 - 29 Democrats
 - 11 Republicans
- Serve 4 year terms at a time
- President pro Tempore Toni Atkins
- Republican Leader Shannon Grove

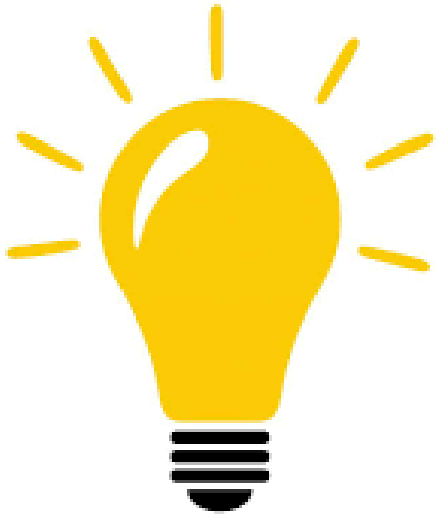


THE LIFE CYCLE OF LEGISLATION

From Idea into Law



THE IDEA



- All legislation starts off as an idea
- Ideas can originate from an individual, organization, or legislator
- A legislator must be persuaded to author a bill based on the idea
- Legislative Counsel Office drafts the idea into the actual bill
- Ready for introduction

INTRODUCTION

- Senators introduce bills in the Senate and Assembly Members in the Assembly
- Bills are assigned a bill number and go into print where the public has access to the language
- 30 day print rule - the bill must be in print for 30 days before it can be heard in committee
- Bill introduction limits
 - Senators get 40 bills per 2 year session
 - Assembly Members get 50 bills per 2 year session



RULES COMMITTEE - REFERRALS

- Each substantive bill is assigned to the appropriate committee(s) by the Rules Committee after it is introduced
 - Bills are referred by subject area
 - “Spot bills” are non-referable
- Bills will be heard in policy committee(s) and then the fiscal committee if there is a cost associated with implementing the bill



POLICY COMMITTEES



- 29 Assembly policy committees
- 19 Senate policy committees
- Before the hearing
 - Discussions about potential amendments
 - Working the bill to ensure passage or failure
- Hearing day
 - Author presents, witnesses in support and opposition testify, committee members discuss, and the committee acts on the bill
- If the bill is approved, it goes on to the next committee or the Floor
- Bills that fail can be reconsidered by the committee

APPROPRIATIONS COMMITTEE



- Bills that are keyed fiscal must go through the appropriations committee
- Appropriations Committee addresses the fiscal impacts of the bill not the policy impacts
- If a bill has a fiscal impact of over \$150,000 it is placed on the Suspense File
- A Suspense File hearing occurs where either the bill is held or passed on to the Floor

FLOOR VOTE

- After it has cleared committees, a bill goes to the floor to be voted on by all the members of that house
- The author presents the bill in the house of origin, debate can take place, and a vote is taken
- Majority vote is usually needed unless it is a $\frac{2}{3}$ vote
 - Assembly: 41 votes or 54 votes
 - Senate: 21 votes or 27 votes



ON TO THE NEXT HOUSE



- Once a bill passes the house of origin, it is sent to the other house where the process starts over again
- Rules Committee, policy committee(s), appropriations committee, floor vote
- If the bill is amended in the second house, the bill will have to go back to the house of origin for a concurrence vote before it is sent to the Governor
- A bill that is held in the second house becomes a 2 year bill and can be acted upon during the second year of the legislative session

THE GOVERNOR'S DESK



- Governor usually has 12 days to take action but 30 days if the bill is passed in the last two weeks of session
- Possible actions:
 - *Sign* - bill becomes law
 - *Veto* - $\frac{2}{3}$ vote in each house needed to override
 - *Nothing* - bill becomes law
- Bills become law on the first of the following year unless otherwise specified

KEY HEALTH LEGISLATION

- SB 275 (Pan) – Health care and essential workers: Personal Protective Equipment
- AB 890 (Wood) – Nurse practitioners: Practice without physician oversight
- SB 852 (Pan) – Health care: Generic prescription drugs
- SB 406 (Senate Health) – Protects key provisions of the ACA

KEY PHARMACY LEGISLATION

- AB 387 (Gabriel) – Task force: Adverse drug events
- AB 1710 (Wood) – Pharmacy practice: Vaccines
- AB 2100 (Wood) – Medi-Cal: Pharmacy benefits
- AB 2983 (Holden) – Pharmacies: Automatic refills
- SB 617 (Glazer) – Pharmacy Technician: Supervision

SB 275 BY DR. RICHARD PAN

- CSHP's engagement with SEIU, CHA and CPCA was the genesis of SB 275
- Introduced by the Chair of the Senate Health Committee
- Requires the state and health care providers to establish PPE stockpiles for a future pandemic.
- CSHP successfully secured an amendment to specifically include pharmacists in the bill under the definition of *health care worker*.
- Signed into law.

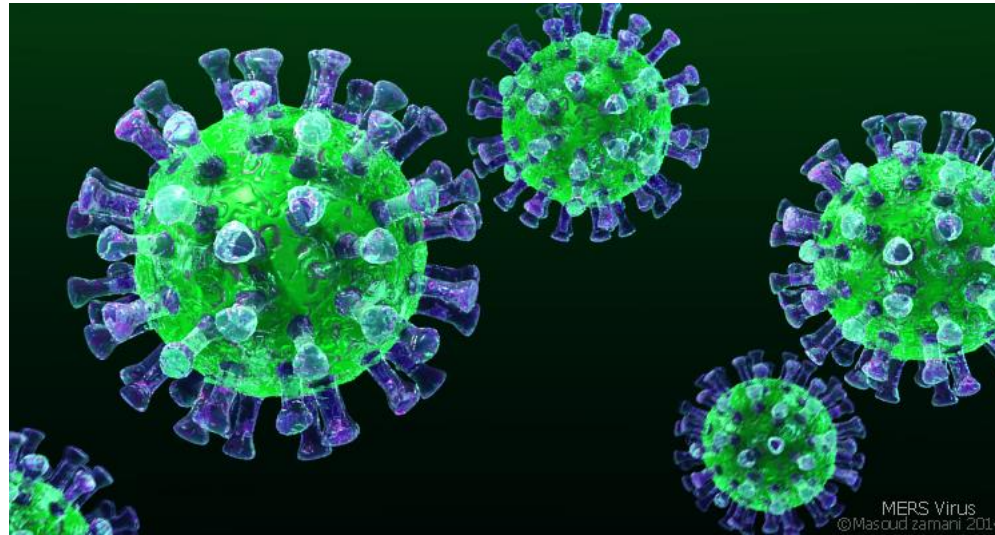


AB 1710 BY DR. JIM WOOD



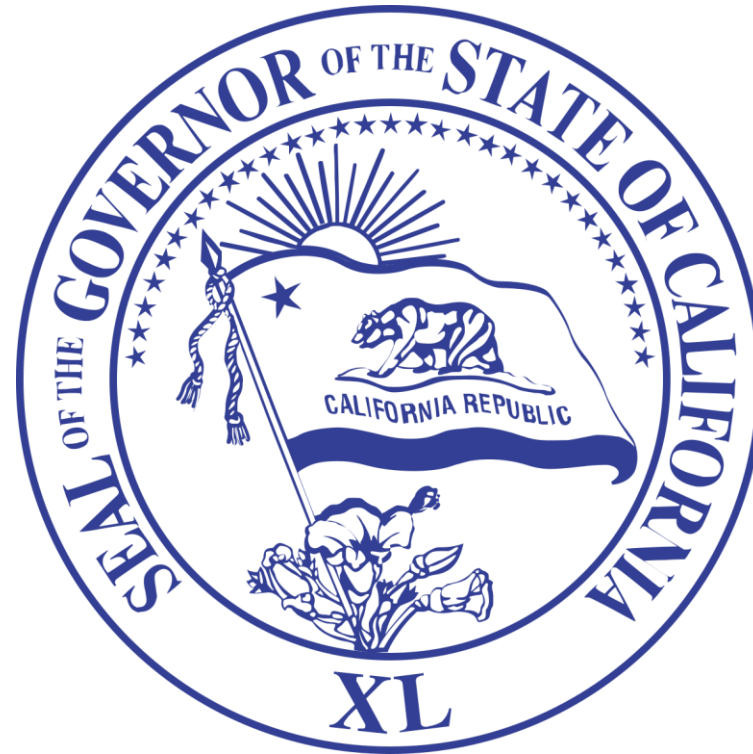
- Authored by the Chair of the Assembly Health Committee.
- Will allow pharmacists to administer vaccines beyond those listed on the Federal Advisory Committee on Immunization Practices recommended list.
- Pharmacists will be able to also administer vaccines that have been authorized OR approved by the FDA.
- CSHP worked closely with stakeholders and the bill author, to expand this language to ensure pharmacists can play an active role in COVID treatment regardless of the avenue the FDA using to bring a vaccine to market
- Signed into law.

COVID-19



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THE EXECUTIVE BRANCH



GOVERNOR GAVIN NEWSOM

- 40th Governor of California elected in 2018
 - Received 7,721,410 Votes (61.9%)
- Lieutenant Governor 2011 – 2018
- Mayor of San Francisco 2004 – 2011
- San Francisco Supervisor 1997 - 2004



CHALLENGES OF 2020

- COVID-19 Pandemic
- PPE supply shortages
- \$54 billion budget shortfall
- Recession and mass unemployment in California
- Historic wildfires/climate change



KEY ACTION TAKEN TO COMBAT COVID-19

- PPE contracts
- Testing Task Force
- Contact tracing training for 10,000
- Project RoomKey
- Jobs and Economic Recovery Task Force
- Numerous executive orders



CSHP KEY ENGAGEMENT WITH THE ADMINISTRATION

- **PPE & Critical Care Medication** – CSHP wrote a letter to the Governor with concerns over the lack of transparency and PPE stockpiles. CSHP also engaged with key stakeholders (SEIU, CHA, CPCA) that lead to the creation of an informal early warning system that helps ensure critical care medications are closely monitored.
- **Compounding Hand Sanitizer** – CSHP stepped up to meet the urgent need of hand sanitizer and got an official green light from CDPH to begin compounding this much-needed product.
- **Telehealth All Plan Letter** – CSHP worked with DMHC, who ultimately published an all plan letter, indicating that telephonic services should be reimbursed at the same rate as video and that patients should not be subjected to greater cost sharing.

CSHP KEY ENGAGEMENT WITH THE ADMINISTRATION

- **COVID-19 Tests** – CSHP wrote a letter to the Governor and engaged CDPH, CHHS, the Legislature, and the Governor’s staff in an effort that would allow pharmacists to order and collect COVID-19 specimens. As a result of CSHP’s advocacy, the Governor issued an executive order specifically authorizing pharmacists to do this.
- **CLIA Waived Tests** – CSHP engaged the Administration and legislative leadership on the need for the state to allow pharmacists and pharmacy techs to support the testing capacity. As a result of CSHP’s advocacy, the Governor issued an executive order allowing the professions to conduct CLIA waived COVID-19 tests. DCA concurrently released the guidance, which has been extended to meet the ongoing testing needs.

OTHER NEWSOM ADMINISTRATION ACTIONS

- Waiver of the provision of Business and Professions Code section 4114(a) to allow for general supervision of an intern pharmacist at the discretion of the supervising pharmacist under certain conditions
- Waived examination and continuing education requirements for licenses.

2020 GENERAL ELECTION

- November 3, 2020
- Presidential Election
- All 80 Assembly seats up for election
- Only odd-numbered Senate seats up for election
- 12 statewide ballot initiatives



ASSEMBLY CONTESTS

- AD 38 (D - Christy Smith)
 - Republicans lost it in 2018 but 2 Republicans advanced to the General
- GOP will try to win back other seats they lost in 2018:
 - AD 74 (D–Petrie-Norris v. R-Dixon)
 - AD 76 (D–Boerner Horvath v. R-Burkholder)
 - AD 77 (D–Maienschein v. R-Yang Cutter)
- Democrats have Republican held districts in their sight:
 - AD 68 (R-Choi v. D-Fox)
 - AD 72 (R-Diep; *incumbent was defeated in the Primary*; R-Nguyen v. D-Nguyen)

SENATE CONTESTS

- Democrats have Republican held districts in their sight:
 - SD 21 (R-Wilk v. D-Mueller)
 - SD 23 (Open seat; R-Ochoa Bogh v. D-Medina)
 - SD 29 (R-Chang v. D-Newman)

- Dem-on-Dem Races:
 - SD 11 (D-Wiener v. Dem Socialist-Fielder)
 - SD 15 - Open Seat (D-Cortese v. D-Ravel)

POTENTIAL VACANCIES

- There are 2 Democratic incumbent Senators running for local office in the middle of their Senate term, potentially triggering a future special election if they are successful.
 - Holly Mitchell (SD 30) is running for Los Angeles County Board of Supervisors and is termed out in 2022.
 - ✓ Asm. Kamlager has filed to run for SD 30 in 2022 but we one can expect her to run in the special election if Senator Mitchell wins.
 - Ben Hueso (SD 40) is running for San Diego County Board of Supervisors and is termed out in 2022.

PROPOSITIONS

There are a total of 12 statewide ballot propositions on the ballot. These are some of the most talked about initiatives:

- **Prop. 15** – Tax on Commercial & Industrial Properties for Education & Local Government Funding Initiative: Increases funding for local schools, community colleges, and local government services by changing tax assessment of commercial and industrial property real property be taxed based on current market value. Exempts from this change: residential properties; agricultural properties; and owners of commercial and industrial properties with combined value of \$3 million or less.
- **Prop. 16** – Government Preferences/Affirmative Action: Repeals portions of Prop. 209 (1996) and restores the ability for the State of California to consider race and gender in state contracts, hiring, and college admissions

PROPOSITIONS

- **Prop. 22** – App-Based Drivers as Contractors & Labor Policies Initiative: Defines app-based transportation (rideshare) and delivery drivers as independent contractors and adopts labor and wage policies specific to app-based drivers and companies.
- **Prop. 23** – Dialysis Clinics Requirements Initiative: Authorizes state regulation of kidney dialysis clinics. Requires at least one licensed physician on site during treatment at outpatient kidney dialysis clinics; authorizes CDPH to exempt clinics from this requirement due to shortages of qualified licensed physicians if at least one nurse practitioner or physician assistant is on site. Requires clinics to report dialysis-related infection data to state and federal governments. Requires state approval for clinics to close or reduce services
- A full list of of propositions can be found at:
<https://voterguide.sos.ca.gov/propositions/>

TEST QUESTIONS

- What are some of the key actions taken by the administration on COVID-19?
- Answer: PPE Contracts Testing Task Force, 10,000 Contact Tracers, Project Roomkey, Jobs and Economic Recovery Taskforce
- What are some of CSHP's key engagements with the Administration?
- Answer: PPE and Critical Care Letter, Compounding Hand Sanitizer, Telehealth All Plan Letter, COVID-19 Tests, CLIA Waived Tests

TEST QUESTIONS

- What does SB 275 require?
- Answer: The state and health care providers must establish PPE stockpiles for a future pandemic

- How many Assembly seats are up for election?
- Answer: All 80 seats

**SESSION
CODE:**



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