

POLICY & PLANNING COMMITTEE

Meeting Summary – June 14, 2023

COMMISSIONERS REPRESENT: Tony Bell, Bruce Boardman, Deena Duncan, Joseph Essavi, Tonya McKenzie, Dean Nakanishi, Juan Navarro, and Sharona R. Nazarian

GUEST REGISTER: William Gould

MATERIAL DISTRIBUTED: Policy and Planning Committee June 2023 Agenda; Policy and Planning Committee April 2023 Minutes – Draft; Policy and Planning Committee March 2023 Minutes – Draft; Policy and Planning Committee February 2023 Minutes – Draft; Policy and Planning Committee January 2023 Minutes – Draft; P&P Handout - Updates June 2023

Topic	Discussion/Finding
1. Call to Order & Introduction of Commissioners and Guests	<p>Chair Deena Duncan, County of Los Angeles, the Commission on Alcohol and Other Drugs (CAOD) Policy and Planning Committee convened the meeting at 12:32 p.m.</p> <p>Roll taken and quorum not present.</p>
2. Public Comments	No public comments.
3. Action on Approval of Meeting Minutes from January 2023 Meeting	<p>Chair Deena Duncan entertained a motion which was moved to approve by Commissioner Tony Bell seconded by Commissioner Tonya McKenzie Motion was tabled due to four (4) abstentions from Commissioners Bruce Boardman, Joseph Essavi, Juan Navarro, and Sharona R. Nazarian.</p>
4. Legislative Report/Update	<p>William Gould, Health Program Analyst II, Policy and Strategic Initiatives Unit Strategic and Network Development Branch for Substance Abuse Prevention and Control (SAPC), discussed the following legislation:</p> <p>AB 19 (Patterson) Introduced: 12/05/22 <i>Pupil health: opioid antagonists</i></p> <p>Existing law authorizes school districts, county offices of education, and charter schools to provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or voluntary trained personnel, and authorizes those nurses and voluntary trained personnel to use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose, as provided.</p> <p>This bill would require each individual public school operated by a school district, county office of education, or charter school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist for purposes of those authorizations. By imposing additional duties on public schools, the bill would impose a state-mandated local program.</p> <p>The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.</p> <p>This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.</p>

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	<p>Latest Update: On May 26, 2023, In Senate. Read first time. To Senate Com. on Rules for assignment. 05/25/23 Read third time. Passed. Ordered to the Senate. (Ayes 78. Noes 0.)</p> <p>AB 86 (Jones-Sawyer) Introduced: 1/04/23 <i>Statewide Homelessness Coordinator.</i> Existing law establishes various programs to address homelessness, including requiring the Governor to create an Interagency Council on Homelessness. Existing law requires the council to, among other things, identify mainstream resources, benefits, and services that can be accessed to prevent and end homelessness in California and promote systems integration to increase efficiency and effectiveness to address the needs of people experiencing homelessness.</p> <p>This bill would require the Governor to appoint a Statewide Homelessness Coordinator, within the Governor’s Office, to serve as the lead person for ending homelessness in California.</p> <p>Latest Update: On June 1, 2023 In Senate. Read first time. To Com. on Rules for assignment. 05/31/23 Read third time. Passed. Ordered to the Senate. (Ayes 79. Noes 0.)</p> <p>AB 374 (Haney) Introduced: 2/01/23 <i>Cannabis: local control: cannabis consumption</i> This bill would remove some restrictions on cannabis consumption lounges, allowing operators to serve prepared foods and coffee as well as to host live music events. More specifically it would make possible for a local jurisdiction to allow retailers or microbusiness to conduct business activities on the premises other than the smoking, vaporizing, and ingesting of cannabis or cannabis products, including, but not limited to, selling non-cannabis-infused food, selling nonalcoholic beverages, and allowing, and selling tickets for, live musical or other performances.</p> <p>Latest Update: On June 1, 2023 In Senate. Read first time. To Senate Com. on Rules for assignment. 05/31/23 Read third time. Passed. Ordered to the Senate. (Ayes 64. Noes 9.)</p> <p>AB 1207 (Irwin) Introduced: 2/13/23 <i>Cannabis: labeling and advertising.</i> This bill called “the Cannabis Candy Child Safety Act” would prohibit: cannabis or cannabis products that are attractive to children; advertisement and marketing that is attractive to children; the appearance of a flavor or descriptor of flavor in greater than 8-point font on the package or label of an edible cannabis product; cannabis products intended for use by inhalation or combustion from containing any natural or synthetic flavors or descriptors of flavors. The bill would also require edible cannabis products be composed only of physically separated individual doses and that beverages not exceed one dose per container.</p> <p>Latest Update: On May 26, 2023 In Senate. Read first time. To Com. on Rules for assignment. 05/25/23 Read third time. Passed. Ordered to the Senate.</p> <p>SB 43 (Eggman)</p>

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	<p>Introduced: 12/5/22 <i>Behavioral Health.</i> Existing law, the Lanterman-Petris-Short Act, provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled. Existing law, for purposes of involuntary commitment, defines “gravely disabled” as either a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for food, clothing, or shelter or has been found mentally incompetent, as specified. This bill expands the definition of “gravely disabled” to also include a condition that will result in substantial risk (vs evidence) of serious harm to the physical or mental health of a person due to a mental health disorder or a substance use disorder or both. The bill defines “serious harm” for purposes of these provisions to mean significant deterioration, debilitation, or illness due to a person’s inability to carry out specified tasks, failure to meet certain conditions, including, among other things, attend to needed personal or medical care and attend to self-protection or personal safety. The bill specifies circumstances under which substantial risk (vs evidence) of serious harm may be evidenced, as specified. The bill would make conforming changes. To the extent that this change increases the level of service required of county departments, the bill would impose a state-mandated local program.</p> <p>Existing law also authorizes the appointment of a conservator, in the County of Los Angeles, the County of San Diego, or the City and County of San Francisco, for a person who is incapable of caring for the person’s own health and well-being due to a serious mental illness and substance use disorder. Existing law establishes the hearsay rule, under which evidence of a statement is generally inadmissible if it was made other than by a witness while testifying at a hearing and is offered to prove the truth of the matter stated. Existing law sets forth exceptions to the hearsay rule to permit the admission of specified kinds of evidence. Under this bill, for purposes of an expert witness in any proceeding relating to the appointment or reappointment of a conservator pursuant to the above-described provisions, the statements of specified health practitioners or a licensed clinical social worker included in the medical record would not be hearsay. The bill would authorize the court to grant a reasonable continuance if an expert witness in a proceeding relied on the medical record and the medical record has not been provided to the parties or their counsel.</p> <p>The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.</p> <p>Latest Update: Latest Update : On May 26, 2023 In Assembly. Read first time. Held at Desk. 05/26/23 Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly.</p> <p>SB 58 (Wiener) Introduced: 12/16/22 <i>Controlled substances: decriminalization of certain hallucinogenic substances.</i> This bill would decriminalize “psilocybin, psilocyn, dimethyltryptamine (DMT), ibogaine, and mescaline.” The bill has Assembly Member Kalra as Principal coauthor as well as Coauthors: Senators Newman and Smallwood-Cuevas and Assembly Members Haney, Lee, Low, and Wicks. This legislative proposal is similar to a bill in the last legislative session, unsuccessful SB 519. According to the</p>

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	<p>text, this bill will lay the groundwork for California to develop a regulated therapeutic access program for psychedelic plants and fungi. The new bill contains at least two key changes from the measure that advanced last session.</p> <p>First, it excludes synthetic psychedelics like LSD and MDMA from the list of substances that would be legalized and focused only on those that are derived from plants or fungi. That aligns the legislation more closely with the bulk of local psychedelic decriminalization measures that have been enacted in cities across the U.S. in recent years. Second, the bill no longer includes a provision mandating a study to explore future reforms. The senator had said that the study language was unnecessary given the high volume of research that's already been done and continues to be conducted.</p> <p>Latest Update: On June 1, 2023 Referred to Assembly Committees on Public Safety and Health. 05/25/23 In Assembly. Read first time. Held at Desk. 05/24/23 Read third time. Passed. (Ayes 21. Noes 16.) Ordered to the Assembly.</p> <p>SB 234 (Portantino, Umberg) Introduced: 1/24/23 <i>Opioid antagonists: schools, college campuses, stadiums, concert venues, and amusement parks.</i></p> <p>This bill would require each public and elementary and secondary school in the state, including charter schools, to maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its schoolsite at all times, and to ensure that at least 2 employees are aware of the location of the naloxone hydrochloride or other opioid antagonist. <i>The bill would require school districts, county offices of education, and charter schools to report to the State Department of Education and the State Department of Health Care Services, on an annual basis at the end of every school year, all incidents of oncampus pupil opioid exposure during that school year.</i> The bill would make other conforming changes. By imposing new duties on public schools, the bill would impose a state-mandated local program.</p> <p>This bill would require every campus of the California Community Colleges, the California State University, the University of California, an independent institution of higher education, and a private postsecondary educational institution to maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its campus at all times, and to ensure that at least 2 employees are aware of the location of the naloxone hydrochloride or other opioid antagonist. By imposing new duties on community college districts, the bill would impose a state-mandated local program. The bill would exempt from civil or criminal liability any person who, in good faith and not for compensation, administers naloxone hydrochloride or another opioid antagonist on a college campus, other than an act or omission constituting gross negligence or willful or wanton misconduct.</p> <p><i>This bill would, among other things, authorize a community college to provide emergency naloxone hydrochloride or another opioid antagonist to school nurses and trained personnel who have volunteered, as specified, and authorize school nurses and trained personnel to use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. The bill would require a qualified supervisor of health or administrator at a community college electing to use naloxone hydrochloride or another opioid antagonist for emergency medical aid to obtain the prescription for naloxone hydrochloride or another opioid antagonist from an authorizing physician and surgeon, as defined. The bill would prohibit an authorizing</i></p>

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	<p><i>physician and surgeon from being subject to professional review, being liable in a civil action, or being subject to criminal prosecution for any act in the issuing of a prescription or order, pursuant to these provisions, unless the act constitutes gross negligence or willful or malicious conduct. The bill would prohibit a person trained under these provisions who administers naloxone hydrochloride or another opioid antagonist by nasal spray or auto-injector, in good faith and not for compensation, to a person who appears to be experiencing an opioid overdose from being subject to professional review, being liable in a civil action, or being subject to criminal prosecution for this administration.</i></p> <p><i>This bill would exempt from civil or criminal liability any person who, in good faith and not for compensation, administers naloxone hydrochloride or another opioid antagonist by nasal spray or auto-injector on a campus of the California State University, the University of California, an independent institution of higher education, or a private postsecondary educational institution.</i></p> <p>This bill would require each stadium, concert venue, and amusement park to maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its premises at all times, and to ensure that at least 2 employees are aware of the location of the naloxone hydrochloride or other opioid antagonist. The bill would exempt from civil or criminal liability any person who, in good faith and not for compensation, administers naloxone hydrochloride or another opioid antagonist on the premises of a stadium, concert venue, or amusement park, other than an act or omission constituting gross negligence or willful or wanton misconduct.</p> <p>This bill requires each campus of a K-12 public school, California Community Colleges (CCC), the California State University (CSU), the University of California (UC), an independent institution of higher education, and a private postsecondary educational institution, and requires each stadium, concert venue, and amusement park, to maintain unexpired opioid antagonist doses on its premises and ensure that at least two employees are aware of the location of the other opioid antagonist.</p> <p>Latest Update: On May 31, 2023 In Assembly. Read first time. Held at Desk. 05/30/23 Read third time. Passed. (Ayes 38. Noes 2.) Ordered to the Assembly</p> <p>SB 495 (Dodd) Introduced: 2/14/23 <i>Alcoholic beverages: deliveries: off-sale retail licenses and consumer delivery service permits.</i></p> <p>This bill would establish a new license type for a consumer delivery service permit (Type 95) and would set an application fee of \$20,000 and an annual renewal fee of \$1,500. This bill would require, among other things, that the licensee be authorized to sell alcoholic beverages for off-sale. This bill would exempt a licensee from discipline for the delivery or furnishing of an alcoholic beverage to an obviously intoxicated person, or to a person under 21 years of age, if certain requirements are met.</p> <p>Latest Update: On June 1, 2023 In Assembly. Read first time. Held at Desk. 05/31/23 Read third time. Passed. (Ayes 34. Noes 2.) Ordered to the Assembly.</p> <p>SB 525 (Durazo) Introduced: 2/14/23 <i>Minimum wage: health care workers.</i></p> <p>This bill would require a health care worker minimum wage of \$25 per hour for hours worked in covered health care employment, as defined, subject to</p>

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	<p>adjustment, as prescribed on or before January 1, 2024. The bill would provide that the health care worker minimum wage constitutes the state minimum wage for covered health care employment for all purposes under the Labor Code and the Wage Orders of the Industrial Welfare Commission. The health care worker minimum wage would be enforceable by the Labor Commissioner or by a covered worker through a civil action, through the same means and with the same relief available for violation of any other state minimum wage requirement. By establishing a new minimum wage, the violation of which would be a crime, the bill would impose a state-mandated local program.</p> <p>This bill would require, for covered health care employment where the employee is paid on a salary basis, that the employee earn a monthly salary equivalent to no less than 2 times the health care worker minimum wage for full-time employment in order to qualify as exempt from the payment of minimum wage and overtime.</p> <p>This bill would make legislative findings and declarations as to the necessity of a special statute for health care workers.</p> <p>Latest Update: On June 1, 2023 In Assembly. Read first time. Held at Desk. 05/31/23 Read third time. Passed. (Ayes 21. Noes 11.) Ordered to the Assembly.</p> <p>Commissioner Tony Bell asked if BOS was in support of bills.</p>
5. Comments from Commissioners on items of interest	No comments from commissioners
6. Adjournment	Meeting was adjourned at 1:03 p.m. Next meeting: September 13, 2023