

**ALAMEDA COUNTY
BOARD OF SUPERVISORS'
PERSONNEL/ADMINISTRATION/LEGISLATION
COMMITTEE**

Monday, April 14, 2014

1:30 p.m.

Supervisor Keith Carson, Chair
Supervisor Wilma Chan

Location: Board of Supervisors Chambers – Room 512 5th floor
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

I. Federal Legislative Update

The House and Senate are recess and will return the last week of April.

Secretary Sebelius Stepping Down

Late last week Secretary Kathleen Sebelius announced her plans to resign from her position as head of the Department of Health and Human Services (HHS). Her resignation follows the announcement from the Obama administration that 7.5 million people signed up for the Affordable Care Act before the March 31 deadline. President Obama announced that the Director of the Office of Management and Budget (OMB) Sylvia Mathews Burwell will be nominated to replace Sebelius as the Secretary of HHS.

Last year, the Senate unanimously approved Burwell's nomination to be Director of OMB. Confirmation hearings will likely begin in the next few weeks. Sebelius has said she is committed to staying at HHS until Burwell's confirmation is approved.

Surface Transportation Reauthorization

Leadership from the Senate Environment and Public Works (EPW) Committee announced that they have reached an agreement on a broad outline for a long-term highway and transit reauthorization bill. The agreement calls for a six-year bill that maintains current funding levels plus inflation. A final proposal is expected to be ready when the Senate returns April 28, 2014.

The senators did not provide any specifics for funding the bill and said the length of the bill will be determined by how much funding the House Ways and Means Committee and Senate Finance Committees can find to pay for the legislation. The senators did not address the looming insolvency problem of the Highway Trust Fund.

The Administration is expected to release legislative text for its four-year \$302 billion proposal later this month. A one-year extension at current levels would cost about \$18 billion over what is currently in the Highway Trust Fund.

House FY15 Budget Resolution

The House of Representatives approved House Budget Chairman Paul Ryan's FY15 budget resolution last week. The resolution called for significant changes to discretionary and mandatory spending in the later years. The budget blueprint called for many of the same changes that Chairman Ryan had in his previous budget proposals.

Senate Democrats say they will not take up the resolution nor provide their own resolution due to the budget agreement from December 2013. Both the House and Senate Appropriations Committees will continue the appropriations process and will not take Chairman Ryan's budget into account when drafting their respective appropriations bills.

FY15 Appropriations Hearings

The House and Senate have held numerous hearings for the FY15 budget. The House Military Construction-VA and Legislative Branch appropriations bills are the only two bills to have passed out of their respective subcommittees in both the House and the Senate.

In total, the legislation provides \$71.5 billion in discretionary funding – a cut of \$1.8 billion below the fiscal year 2014 level. This reduction will not negatively affect projects or services on which troops and veterans rely. The bill provides less funding than the previous year for military construction while increasing funding for veterans programs by \$1.5 billion.

The Veterans Affairs Appropriations bill does include funding to continue to address the disability claims processing backlog. The bill provides \$173 million for the paperless claims processing system and an increase of \$20 million above the request for digital scanning of health records, centralized mail, and overtime to end the backlog in disability compensation claims by 2015. In addition, rigorous reporting requirements to track the performance of each regional office on claims processing are continued.

House Appropriations Chairman Hal Rogers said he will wait until the Congressional Budget Office (CBO) scores the President's FY15 budget proposal (to be released on April 17th) before he provides the remaining House subcommittees a 302(b) allocation or topline number to fund their respective appropriations bills.

The Senate Appropriations Committee will begin marking up the Senate appropriations bills before the Memorial Day recess.

Unemployment Insurance Extension

The Senate passed an unemployment insurance extension bill last Monday. Although the legislation had bipartisan support in the Senate, House Speaker John Boehner said he would not bring the bill up for a vote in the House.

Paycheck Fairness Act

The Senate failed to reach a 60-vote threshold to consider legislation that would narrow the pay gap between men and women. The bill was part of a larger movement by Senate Democrats to consider legislation that would aid their chances in the 2014 elections. Senate Democratic leadership says it will next consider a federal minimum wage bill following the Easter recess. That also is unlikely to garner enough Republican support to reach the 60-vote threshold in the Senate.

Purpose:

- Report progress
- Advocacy or Education
- Request PAL Committee Recommendation or Position
- Other: Federal legislative update**

II. State Legislative Update

The Legislature is on Spring Break in their districts this week and will return next Monday to face several deadlines in quick succession – fiscal bills must pass out of policy committees by May 2nd, non-fiscal bills must pass out of policy committees by May 9th, bills must pass out of the appropriations committees by May 23rd, and all measures must move from their house of origin by May 30, 2014.

The Governor will present the May Revision on May 14th, with updated estimates of revenues and changes to his January Budget Proposal. The Legislature will then act on the numerous budget proposals before them, most of which they have heard, but have deferred making decisions on until after the May Revision. At that time, both houses will be prioritizing expected reinvestments in programs that were cut during the recession. The Budget is required to be passed by June 15th, with a majority vote in both houses of the Legislature.

On April 23rd the Senate has cancelled all hearings and will instead conduct ethics training for all of the Senate staff. Senate Pro Tem Steinberg also cancelled the annual Pro Tem Cup, a golf tournament raising money for the Democratic Party, and instead called the event sponsors to thank them for their donations.

SB 1014 (Jackson) Pharmaceutical Disposal

Alameda County-sponsored bill, SB 1014, modeled after the County's safe pharmaceutical disposal ordinance, is scheduled to be heard in the Senate Business, Professions, and Economic Development Committee on April 21st. Last week, due to heavy opposition and lobbying from the pharmaceutical industry, it was clear that there were not enough votes to move it out of the committee. As a result, Senator Hannah-Beth Jackson opted to amend the bill to simply contain model guidelines for voluntary pharmaceutical take-back programs. The guidelines were previously codified, but had expired.

Child Care Restructuring

The LAO released a report last week providing a thorough overview of the State's current child care system and recommending its fundamental restructure. Included in the report was a 5-year phased-in approach to implementation of the proposal using only existing resources. Some core issues that the LAO believes need to be addressed in California's child care system are access, standards of care, reimbursement rates, and administration.

Access: Currently, CalWORKs families and some former CalWORKs families are guaranteed access to child care, whereas families who haven't utilized CalWORKs, but may be lower income are not receiving care. The LAO recommends continuing to prioritize child care for new CalWORKs families but recommend a 6-8 year time limit for all families receiving child care subsidies. In order to give parents greater choice in the selection of a child care provider, it's recommended that the State switch to a primarily voucher system.

Also recommended is equalizing access to care across counties by either serving a set percentage of eligible families in each county or serving all families under a certain percentage of the State Median Income. The latter proposal does not account for the wide discrepancies in regional costs.

Standards of Care: The LAO suggests requiring programs serving 4 year-olds focus on preparing children for school. Children from 0 to 3 would receive developmentally appropriate care for three hours per day under the proposal, while programs serving school-age children would no longer be required to contain an educational component.

Reimbursement Rates: Simplification of California's current reimbursement rate structure is included in the LAO's proposal. Regional Market Rates would be replaced by reimbursement based on providing care in low, medium, or high cost areas. Rates would be higher for younger children and lower for older ones, and programs with a developmental component would receive a higher subsidy.

Administration: The LAO suggests merging Stage 1 and Stage 2 child care to be administered by the Department of Social Services. They also suggest merging CalWORKs Stage 3 and non-CalWORKs child care programs to be administered by the Department of Education. In order to more easily identify how much funding is being spent on CalWORKs child care, the LAO proposes separating the funds from counties' single-allocation grant. Finally, the LAO recommends that the Department of Education implement a monitoring system to ensure that they are meeting the required standards, and reestablish Centralized Eligibility Lists to keep track of individuals waiting for care.

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Request for Legislation Position – Action Items

i. AB 1517 (Skinner) DNA Evidence

Recommendation: Support: Nancy O'Malley, Alameda County District Attorney
Continued from March 31, 2014

ii. AB 1610 (Bonta) Material Witnesses: Human Trafficking

Recommendation: Support: Nancy O'Malley, Alameda County District Attorney
Continued from March 31, 2014

iii. AB 1756 (Skinner) Court Records: Sealing and Destruction

Recommendation: Support: Brendon Woods, Alameda County Public Defender
Continued from March 31, 2014

iv. AB 1900 (Quirk) Victims of Sex Crimes: Testimony: Video-Recording

Recommendation: Support: Nancy O'Malley, Alameda County District Attorney
Continued from March 31, 2014

v. SB 978 (DeSaunier) Rape Victims: Local Rape Victim Counseling Centers: Notice

Recommendation: Support: Nancy O'Malley, Alameda County District Attorney
Continued from March 31, 2014

vi. SB 1029 (Hancock) CalWORKs and CalFresh Eligibility

Recommendation: Support: Brendon Woods, Alameda County Public Defender
Continued from March 31, 2014

vii. AB 1500 (Dickinson) Cigarettes, Tobacco Products and Electronic Cigarettes

Recommendation: Support: Alex Briscoe, Director, Health Care Services Agency

viii. AB 1805 (Skinner) Medi-Cal: Reimbursement: Provider Payments

Recommendation: Support: Alex Briscoe, Director, Health Care Services Agency

ix. AB 1819 (Hall, III) Family Day Care Home: Smoking Prohibition

Recommendation: Support: Alex Briscoe, Director, Health Care Services Agency

x. AB 2591 (Weber) Homeless Youth: Basic Material Needs Assistance

Recommendation: Support: Supervisor Keith Carson, District 5, Board of Supervisors

xi. SB 1341 (Mitchell) Medi-Cal: Statewide Automated Welfare System

Recommendation: Support: Lori Cox, Director, Social Services Agency

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Recommendation from PAL Committee: Approve. Move to the full Board of Supervisors.

PUBLIC COMMENT: None.