

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1133**

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**Introduced by Assembly Member Mitchell**  
*(Principal coauthor: Assembly Member Quirk-Silva)*

February 22, 2013

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An act to amend Section 152 of the Health and Safety Code, relating to public health, add Section 17739 to the Welfare and Institutions Code, relating to foster children.

LEGISLATIVE COUNSEL'S DIGEST

AB 1133, as amended, Mitchell. ~~Office of Health Equity. Foster children: special health care needs.~~

*Under existing law, the State Department of Social Services licenses foster families, and the department and each county provide assistance to foster parents of low-income children under the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program. Existing law requires the department to develop a program, to be administered by the department and county social services departments, for the establishment of foster care homes for children with special health care needs with foster parents trained by health care professionals pursuant to the discharge plan of the facility releasing the child being placed in, or currently in, foster care. Existing law requires each county department of social services to develop a specified plan for foster care placement of children with special health care needs.*

*This bill would require that, when the placement of a foster child with special health care needs is being considered, preference be given to placement with a foster parent who is a health care practitioner authorized to provide in-home medical care, as specified, but that this*

*preference be subordinate to the preference granted to a relative of the child, in accordance with federal law.*

~~Existing law establishes the Office of Health Equity within the State Department of Public Health for the purposes of aligning state resources, decisionmaking, and programs to accomplish various goals relating to health, and requires the office to perform various duties specifically relating to multicultural health.~~

~~This bill would make a technical, nonsubstantive change to these provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 17739 is added to the Welfare and  
2     Institutions Code, to read:

3     17739. (a) When the placement of a foster child with special  
4     health care needs is being considered, preference shall be given  
5     to placement with a foster parent who is a health care practitioner  
6     authorized to provide in-home medical care as described in  
7     subdivision (t) of Section 14132 of the Welfare and Institutions  
8     Code.

9     (b) The preference described in subdivision (a) shall be  
10    subordinate to the preference granted to a relative of the child  
11    under Section 361.3, in accordance with Section 671(a)(19) of  
12    Title 42 of the United States Code.

13    SECTION 1. ~~Section 152 of the Health and Safety Code is~~  
14    ~~amended to read:~~

15    152. ~~(a) The Office of Health Equity within the State~~  
16    ~~Department of Public Health shall do all of the following:~~

17    ~~(1) Perform strategic planning to develop departmentwide plans~~  
18    ~~for implementation of goals and objectives to close the gaps in~~  
19    ~~health status and access to care among the state's diverse racial~~  
20    ~~and ethnic communities, women, persons with disabilities, and the~~  
21    ~~lesbian, gay, bisexual, transgender, queer, and questioning~~  
22    ~~(LGBTQQ) communities.~~

23    ~~(2) Conduct departmental policy analysis on specific issues~~  
24    ~~related to multicultural health.~~

1 ~~(3) Coordinate projects funded by the state that are related to~~  
2 ~~improving the effectiveness of services to ethnic and racial~~  
3 ~~communities, women, and the LGBTQQ communities.~~

4 ~~(4) Identify the unnecessary duplication of services and future~~  
5 ~~service needs.~~

6 ~~(5) Communicate and disseminate information and perform a~~  
7 ~~liaison function within the department and to providers of health,~~  
8 ~~social, educational, and support services to racial and ethnic~~  
9 ~~communities, women, persons with disabilities, and the LGBTQQ~~  
10 ~~communities. The department shall consult regularly with~~  
11 ~~representatives from diverse racial and ethnic communities,~~  
12 ~~women, persons with disabilities, and the LGBTQQ communities,~~  
13 ~~including health providers, advocates, and consumers.~~

14 ~~(6) Perform internal staff training, an internal assessment of~~  
15 ~~cultural competency, and training of health care professionals to~~  
16 ~~ensure more linguistically and culturally competent care.~~

17 ~~(7) Serve as a resource for ensuring that programs collect and~~  
18 ~~keep data and information regarding ethnic and racial health~~  
19 ~~statistics, including those statistics described in reports released~~  
20 ~~by Healthy People 2020, and information based on sexual~~  
21 ~~orientation, gender identity, and gender expression, strategies and~~  
22 ~~programs that address multicultural health issues, including, but~~  
23 ~~not limited to, infant and maternal mortality, cancer, cardiovascular~~  
24 ~~disease, diabetes, human immunodeficiency virus (HIV), acquired~~  
25 ~~immunodeficiency syndrome (AIDS), child and adult~~  
26 ~~immunization, osteoporosis, menopause, and full reproductive~~  
27 ~~health, asthma, unintentional and intentional injury, and obesity,~~  
28 ~~as well as issues that impact the health of racial and ethnic~~  
29 ~~communities, women, and the LGBTQQ communities, including~~  
30 ~~substance abuse, mental health, housing, teenage pregnancy,~~  
31 ~~environmental disparities, immigrant and migrant health, and health~~  
32 ~~insurance and delivery systems.~~

33 ~~(8) Encourage innovative responses by public and private entities~~  
34 ~~that are attempting to address multicultural health issues.~~

35 ~~(9) Provide technical assistance to counties, other public entities,~~  
36 ~~and private entities seeking to obtain funds for initiatives in~~  
37 ~~multicultural health, including identification of funding sources~~  
38 ~~and assistance with writing grants.~~

39 ~~(b) Notwithstanding Section 10231.5 of the Government Code,~~  
40 ~~the State Department of Public Health shall biennially prepare and~~

- 1 ~~submit a report to the Legislature on the status of the activities~~
- 2 ~~required by this chapter. This report shall be included in the report~~
- 3 ~~required under paragraph (1) of subdivision (d) of Section~~
- 4 ~~131019.5.~~

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