

AMENDED IN SENATE AUGUST 19, 2014

AMENDED IN SENATE JULY 1, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1792**

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**Introduced by Assembly Member Gomez**

February 18, 2014

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An act to add Section 13084 to the Government Code, to amend Section 1095 of the Unemployment Insurance Code, and to add Section 11026.5 to the Welfare and Institutions Code, relating to public benefits.

LEGISLATIVE COUNSEL'S DIGEST

AB 1792, as amended, Gomez. Public benefits: reports on employers.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and under which qualified low-income persons receive health care benefits. The Medi-Cal program is governed, in part, by federal Medicaid provisions.

Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which each county distributes nutrition assistance benefits provided by the federal government to eligible households. In California, federal nutrition assistance benefits are administered through CalFresh. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish

a program of categorical eligibility for CalFresh in accordance with federal law.

~~Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds.~~

This bill would require the State Department of Health Care Services and the State Department of Social Services to annually inform the Employment Development Department of the names and social security numbers of all recipients of the above-described public assistance programs. The bill would require ~~these departments~~ *the State Department of Health Care Services and the State Department of Social Services* to determine the average per individual cost ~~to the state to provide the benefits of each of these public assistance programs of state and federally funded benefits across the above-described programs~~ and inform the Employment Development Department and the Department of Finance of these costs. The bill would require the ~~Department of Finance to collaborate with these departments and the Employment Development Department to collaborate with the State Department of Health Care Services and the State Department of Social Services~~ to determine the total cost to the state of the aggregated public assistance *total cost of state and federally funded benefits* provided to each identified employer's employees under each public assistance program and the total cost to the state of the aggregated benefits provided to each identified employer's employees: *employees, as specified*. The bill would define an employer as an individual or organization that employs 50 or more beneficiaries of the above-described public assistance programs.

The bill would also require the Department of Finance to, after obtaining specified information from the Employment Development Department, annually transmit to the Legislature and post on the department's Internet Web site a report no later than ~~April 15 of each year~~ *the 3rd week of January of each year beginning in 2016* that, among other things, identifies employers that employ 50 or more beneficiaries in the state.

Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However,

existing law permits the use of the information for specified purposes, and allows the director to require reimbursement for direct costs incurred. Existing law provides that a person who knowingly accesses, uses, or discloses this confidential information without authorization is guilty of a misdemeanor.

This bill would require the Director of Employment Development to permit the use of specified information in his or her possession by the Department of Finance to prepare and submit the above-described report. By requiring this information to be provided to the Department of Finance for these purposes, this bill would expand the crime of unauthorized access, use, or disclosure of this information, and would impose a state-mandated local program.

This bill would prohibit an employer from discharging or in any manner discriminating or retaliating against an employee who enrolls in a public assistance program and from refusing to hire a beneficiary for reason of being enrolled in a public assistance program.

This bill would prohibit an employer from disclosing to a nongovernmental entity that an employee receives or is applying for public benefits.

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 no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) Public benefit programs are essential to provide Californians
- 4 with access to fresh, healthy food, quality health coverage, basic
- 5 needs, cash assistance, child care, and income supports, among
- 6 other benefits.
- 7 (2) The state needs to preserve and expand public benefit
- 8 programs to ensure that no Californian has to go hungry or forego
- 9 medical care because he or she cannot afford these basic life
- 10 necessities.

- 1 (3) In 2013, California had the highest number of working poor  
2 families in the country. More than one-third of the state’s working  
3 families are low income, making less than 200 percent of the  
4 federal poverty line.
- 5 (4) When low wages and a lack of benefits leave workers unable  
6 to make ends meet, they turn to public assistance programs for  
7 health care, food, and other basic necessities.
- 8 (5) Employers that pay low wages and offer no benefits shift  
9 the costs of doing business onto taxpayers.
- 10 (6) Large, profitable employers should pay wages and benefits  
11 that do not impoverish workers or shift costs onto taxpayers.
- 12 (7) Employers that shift the costs of their business expenses  
13 onto taxpayers put responsible employers at a competitive  
14 disadvantage, creating an unfair playing field for business in the  
15 state.
- 16 (8) To promote a deeper understanding of the causes and sources  
17 of underemployment, poverty wages, and the economic impacts  
18 on Californians, business, and the state budget, it is appropriate  
19 for policymakers to possess a broader set of empirical data with  
20 which to make informed decisions.
- 21 (b) Therefore, it is the intent of the Legislature to do all of the  
22 following:
- 23 (1) Produce a report on employers that have employees enrolled  
24 in public assistance programs and on the cost to the state of  
25 providing those benefits.
- 26 (2) Use the report described in paragraph (1), along with other  
27 studies related to labor trends, to analyze practices within industry  
28 sectors detrimental to economic competitiveness in the  
29 marketplace.
- 30 (3) Ensure that all Californians have access to public benefit  
31 programs that safeguard their identity and privacy and ensure that  
32 receipt of public benefits never is the cause of workplace  
33 discrimination.
- 34 (4) Develop policies to decrease the number of working poor  
35 in California by increasing the quality of jobs and employment  
36 opportunities and informed employment and training programs.
- 37 (5) Use the data contained within the report to promote sound  
38 and reasonable policies to ensure that employers do not shift the  
39 responsibility for providing health care and basic necessities for

1 their workers onto taxpayers through the use of the data contained  
2 within the report to develop reasonable and sound policies.

3 (6) Ensure that no worker is discriminated or retaliated against  
4 for the reason of being enrolled in a public benefit program.

5 SEC. 2. Section 13084 is added to the Government Code, to  
6 read:

7 13084. (a) For purposes of this section, the following  
8 definitions shall apply:

9 (1) “Beneficiary” means an individual who is both of the  
10 following:

11 (A) ~~Enrolled~~ *Has been enrolled* in a public assistance program,  
12 *program for six consecutive months within the preceding budget*  
13 *year*, unless the individual is enrolled by reason of disability or  
14 being over 65 years of age or is employed in a CalWORKs  
15 subsidized private or public employment (Chapter 2 (commencing  
16 with Section 11200) of Part 3 of Division 9 of the Welfare and  
17 Institutions Code); *age*.

18 (B) Employed by an employer for at least one quarter or three  
19 months.

20 (2) (A) “Employer” means an individual or type of organization  
21 that employs for wages and salary 50 or more beneficiaries to work  
22 in this state and includes all of the members of a controlled group  
23 of corporations as defined in Section 1563(a) of the Internal  
24 Revenue Code, except that “more than 50 percent” shall be  
25 substituted for “at least 80 percent” each place it appears in Section  
26 1563(a)(1) of the Internal Revenue Code, and the determination  
27 shall be made without regard to Sections 1563(a)(4) and  
28 1563(e)(3)(C) of the Internal Revenue Code.

29 (B) “Employer” shall include the state, a city, county, city and  
30 county, district, or any other governmental employer.

31 (3) “Public assistance program” means the Medi-Cal program  
32 (Chapter 7 (commencing with Section 14000) of Part 3 of Division  
33 9 of the Welfare and Institutions Code), *Code) and CalFresh*  
34 *program* (Chapter 10 (commencing with Section 18900) of Part  
35 6 of Division 9 of the Welfare and Institutions Code), ~~and~~  
36 ~~CalWORKs program (Chapter 2 (commencing with Section 11200)~~  
37 ~~of Part 3 of Division 9 of the Welfare and Institutions Code).~~

38 (b) The department shall, after obtaining the information from  
39 the Employment Development Department described in paragraphs  
40 (1) to (4), (6), inclusive, and determining the total costs to the state

1 ~~pursuant to subdivision (e)~~, annually transmit to the Legislature  
2 and post on the department's Internet Web site no later than ~~April~~  
3 ~~15 the third week of January~~ of each ~~year~~, *year beginning in 2016*,  
4 a report that ~~identifies each employer~~. *includes the information*  
5 *described in paragraphs (1) to (7), inclusive. The report shall list*  
6 *employers in descending order of total cost of benefits.* The report  
7 shall be submitted to the Legislature pursuant to Section 9795.  
8 The report shall include all of the following:  
9 (1) The employer's name.  
10 (2) The employer's address, as filed with the Employment  
11 Development Department.  
12 (3) ~~The total number of beneficiaries each employer employs.~~  
13 *employs for each public assistance program and the total number*  
14 *of beneficiaries each employer employs, not double-counting*  
15 *beneficiaries who are enrolled in each program.*  
16 (4) The percentage of the employer's total workforce in the state  
17 that are beneficiaries.  
18 (5) ~~The total average cost to the state of the aggregated benefits~~  
19 *of state and federally funded benefits* provided to an identified  
20 employer's employees who are beneficiaries under each public  
21 assistance ~~program~~. *program calculated using the average per*  
22 *individual cost of state and federally funded benefits excluding*  
23 *administrative costs.*  
24 (6) ~~The total average cost to the state of the aggregated benefits~~  
25 *of state and federally funded benefits* provided to each identified  
26 employer's employees who are ~~beneficiaries~~. *beneficiaries*  
27 *calculated using the average per individual cost of state and*  
28 *federally funded benefits excluding administrative costs.*  
29 (7) *The methodology used by the department, the Employment*  
30 *Development Department, the State Department of Social Services,*  
31 *and the State Department of Health Care Services to calculate the*  
32 *total average cost of state and federally funded benefits provided*  
33 *to an identified employer's employees who are beneficiaries.*  
34 (c) ~~The department, in collaboration with the~~ Employment  
35 Development Department, *in collaboration with the* State  
36 Department of Health Care ~~Services~~, *Services* and the State  
37 Department of Social Services, shall determine the total costs to  
38 the state described in paragraphs (5) and (6) of subdivision ~~(b)~~.  
39 *(b) using the average per individual cost of state and federally*  
40 *funded benefits provided by the State Department of Social Services*

1 *and the State Department of Health Care Services to the*  
2 *Employment Development Department.*

3 (d) (1) The report, and any list provided to the department, shall  
4 not include the name or identifying information of an individual  
5 beneficiary.

6 (2) The report shall remain available to the public on the  
7 department's Internet Web site for at least five years.

8 (e) Nothing in this section shall be construed to authorize an  
9 employer to discourage or prevent an employee from enrolling or  
10 continuing enrollment in a public benefit program while employed  
11 nor to discriminate against an applicant for employment or  
12 employee for applying to be or being enrolled in a public assistance  
13 program.

14 (f) The department *and the Employment Development*  
15 *Department* shall be permitted access to, and be provided data and  
16 information from, other state agencies as required to implement  
17 this section, to the extent not prohibited by state and federal  
18 confidentiality statutes and regulations. The department may enter  
19 into interagency agreements or adopt regulations as are reasonably  
20 necessary to implement this section.

21 (g) (1) An employer shall not discharge or in any manner  
22 discriminate or retaliate against an employee who enrolls in a  
23 public assistance program and shall not refuse to hire a beneficiary  
24 for reason of being enrolled in a public assistance program.

25 (2) An employer shall not disclose to a nongovernmental entity  
26 that an employee receives or is applying for public benefits.

27 SEC. 3. Section 1095 of the Unemployment Insurance Code  
28 is amended to read:

29 1095. The director shall permit the use of any information in  
30 his or her possession to the extent necessary for any of the  
31 following purposes and may require reimbursement for all direct  
32 costs incurred in providing any and all information specified in  
33 this section, except information specified in subdivisions (a) to  
34 (e), inclusive:

35 (a) To enable the director or his or her representative to carry  
36 out his or her responsibilities under this code.

37 (b) To properly present a claim for benefits.

38 (c) To acquaint a worker or his or her authorized agent with his  
39 or her existing or prospective right to benefits.

1 (d) To furnish an employer or his or her authorized agent with  
2 information to enable him or her to fully discharge his or her  
3 obligations or safeguard his or her rights under this division or  
4 Division 3 (commencing with Section 9000).

5 (e) To enable an employer to receive a reduction in contribution  
6 rate.

7 (f) To enable federal, state, or local ~~government~~ *governmental*  
8 departments or agencies, subject to federal law, to verify or  
9 determine the eligibility or entitlement of an applicant for, or a  
10 recipient of, public social services provided pursuant to Division  
11 9 (commencing with Section 10000) of the Welfare and Institutions  
12 Code, or Part A of Title IV of the Social Security Act, where the  
13 verification or determination is directly connected with, and limited  
14 to, the administration of public social services.

15 (g) To enable county administrators of general relief or  
16 assistance, or their representatives, to determine entitlement to  
17 locally provided general relief or assistance, where the  
18 determination is directly connected with, and limited to, the  
19 administration of general relief or assistance.

20 (h) To enable state or local governmental departments or  
21 agencies to seek criminal, civil, or administrative remedies in  
22 connection with the unlawful application for, or receipt of, relief  
23 provided under Division 9 (commencing with Section 10000) of  
24 the Welfare and Institutions Code or to enable the collection of  
25 expenditures for medical assistance services pursuant to Part 5  
26 (commencing with Section 17000) of Division 9 of the Welfare  
27 and Institutions Code.

28 (i) To provide any law enforcement agency with the name,  
29 address, telephone number, birth date, social security number,  
30 physical description, and names and addresses of present and past  
31 employers, of any victim, suspect, missing person, potential  
32 witness, or person for whom a felony arrest warrant has been  
33 issued, when a request for this information is made by any  
34 investigator or peace officer as defined by Sections 830.1 and  
35 830.2 of the Penal Code, or by any federal law enforcement officer  
36 to whom the Attorney General has delegated authority to enforce  
37 federal search warrants, as defined under Sections 60.2 and 60.3  
38 of Title 28 of the Code of Federal Regulations, as amended, and  
39 when the requesting officer has been designated by the head of  
40 the law enforcement agency and requests this information in the

1 course of and as a part of an investigation into the commission of  
2 a crime when there is a reasonable suspicion that the crime is a  
3 felony and that the information would lead to relevant evidence.  
4 The information provided pursuant to this subdivision shall be  
5 provided to the extent permitted by federal law and regulations,  
6 and to the extent the information is available and accessible within  
7 the constraints and configurations of existing department records.  
8 Any person who receives any information under this subdivision  
9 shall make a written report of the information to the law  
10 enforcement agency that employs him or her, for filing under the  
11 normal procedures of that agency.

12 (1) This subdivision shall not be construed to authorize the  
13 release to any law enforcement agency of a general list identifying  
14 individuals applying for or receiving benefits.

15 (2) The department shall maintain records pursuant to this  
16 subdivision only for periods required under regulations or statutes  
17 enacted for the administration of its programs.

18 (3) This subdivision shall not be construed as limiting the  
19 information provided to law enforcement agencies to that pertaining  
20 only to applicants for, or recipients of, benefits.

21 (4) The department shall notify all applicants for benefits that  
22 release of confidential information from their records will not be  
23 protected should there be a felony arrest warrant issued against  
24 the applicant or in the event of an investigation by a law  
25 enforcement agency into the commission of a felony.

26 (j) To provide public employee retirement systems in California  
27 with information relating to the earnings of any person who has  
28 applied for or is receiving a disability income, disability allowance,  
29 or disability retirement allowance, from a public employee  
30 retirement system. The earnings information shall be released only  
31 upon written request from the governing board specifying that the  
32 person has applied for or is receiving a disability allowance or  
33 disability retirement allowance from its retirement system. The  
34 request may be made by the chief executive officer of the system  
35 or by an employee of the system so authorized and identified by  
36 name and title by the chief executive officer in writing.

37 (k) To enable the Division of Labor Standards Enforcement in  
38 the Department of Industrial Relations to seek criminal, civil, or  
39 administrative remedies in connection with the failure to pay, or  
40 the unlawful payment of, wages pursuant to Chapter 1

1 (commencing with Section 200) of Part 1 of Division 2 of, and  
2 Chapter 1 (commencing with Section 1720) of Part 7 of Division  
3 2 of, the Labor Code.

4 (l) To enable federal, state, or local governmental departments  
5 or agencies to administer child support enforcement programs  
6 under Title IV of the federal Social Security Act (42 U.S.C. Sec.  
7 651 et seq.).

8 (m) To provide federal, state, or local governmental departments  
9 or agencies with wage and claim information in its possession that  
10 will assist those departments and agencies in the administration  
11 of the Victims of Crime Program or in the location of victims of  
12 crime who, by state mandate or court order, are entitled to  
13 restitution that has been or can be recovered.

14 (n) To provide federal, state, or local governmental departments  
15 or agencies with information concerning any individuals who are  
16 or have been:

17 (1) Directed by state mandate or court order to pay restitution,  
18 fines, penalties, assessments, or fees as a result of a violation of  
19 law.

20 (2) Delinquent or in default on guaranteed student loans or who  
21 owe repayment of funds received through other financial assistance  
22 programs administered by those agencies. The information released  
23 by the director for the purposes of this paragraph shall not include  
24 unemployment insurance benefit information.

25 (o) To provide an authorized governmental agency with any or  
26 all relevant information that relates to any specific workers'  
27 compensation insurance fraud investigation. The information shall  
28 be provided to the extent permitted by federal law and regulations.  
29 For the purposes of this subdivision, "authorized governmental  
30 agency" means the district attorney of any county, the office of  
31 the Attorney General, the Contractors' State License Board, the  
32 Department of Industrial Relations, and the Department of  
33 Insurance. An authorized governmental agency may disclose this  
34 information to the State Bar, the Medical Board of California, or  
35 any other licensing board or department whose licensee is the  
36 subject of a workers' compensation insurance fraud investigation.  
37 This subdivision shall not prevent any authorized governmental  
38 agency from reporting to any board or department the suspected  
39 misconduct of any licensee of that body.

1 (p) To enable the Director of the Bureau for Private  
2 Postsecondary Education, or his or her representatives, to access  
3 unemployment insurance quarterly wage data on a case-by-case  
4 basis to verify information on school administrators, school staff,  
5 and students provided by those schools who are being investigated  
6 for possible violations of Chapter 8 (commencing with Section  
7 94800) of Part 59 of Division 10 of Title 3 of the Education Code.

8 (q) To provide employment tax information to the tax officials  
9 of Mexico, if a reciprocal agreement exists. For purposes of this  
10 subdivision, “reciprocal agreement” means a formal agreement to  
11 exchange information between national taxing officials of Mexico  
12 and taxing authorities of the State Board of Equalization, the  
13 Franchise Tax Board, and the Employment Development  
14 Department. Furthermore, the reciprocal agreement shall be limited  
15 to the exchange of information that is essential for tax  
16 administration purposes only. Taxing authorities of the State of  
17 California shall be granted tax information only on California  
18 residents. Taxing authorities of Mexico shall be granted tax  
19 information only on Mexican nationals.

20 (r) To enable city and county planning agencies to develop  
21 economic forecasts for planning purposes. The information shall  
22 be limited to businesses within the jurisdiction of the city or county  
23 whose planning agency is requesting the information, and shall  
24 not include information regarding individual employees.

25 (s) To provide the State Department of Developmental Services  
26 with wage and employer information that will assist in the  
27 collection of moneys owed by the recipient, parent, or any other  
28 legally liable individual for services and supports provided pursuant  
29 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,  
30 and Chapter 2 (commencing with Section 7200) and Chapter 3  
31 (commencing with Section 7500) of Division 7 of, the Welfare  
32 and Institutions Code.

33 (t) To provide the State Board of Equalization with employment  
34 tax information that will assist in the administration of tax  
35 programs. The information shall be limited to the exchange of  
36 employment tax information essential for tax administration  
37 purposes to the extent permitted by federal law and regulations.

38 (u) Nothing in this section shall be construed to authorize or  
39 permit the use of information obtained in the administration of this  
40 code by any private collection agency.

1 (v) The disclosure of the name and address of an individual or  
2 business entity that was issued an assessment that included  
3 penalties under Section 1128 or 1128.1 shall not be in violation  
4 of Section 1094 if the assessment is final. The disclosure may also  
5 include any of the following:

6 (1) The total amount of the assessment.

7 (2) The amount of the penalty imposed under Section 1128 or  
8 1128.1 that is included in the assessment.

9 (3) The facts that resulted in the charging of the penalty under  
10 Section 1128 or 1128.1.

11 (w) To enable the Contractors' State License Board to verify  
12 the employment history of an individual applying for licensure  
13 pursuant to Section 7068 of the Business and Professions Code.

14 (x) To provide any peace officer with the Division of  
15 Investigation in the Department of Consumer Affairs information  
16 pursuant to subdivision (i) when the requesting peace officer has  
17 been designated by the Chief of the Division of Investigation and  
18 requests this information in the course of and as part of an  
19 investigation into the commission of a crime or other unlawful act  
20 when there is reasonable suspicion to believe that the crime or act  
21 may be connected to the information requested and would lead to  
22 relevant information regarding the crime or unlawful act.

23 (y) To enable the Labor Commissioner of the Division of Labor  
24 Standards Enforcement in the Department of Industrial Relations  
25 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully  
26 uninsured employers. The information shall be provided to the  
27 extent permitted by federal law and regulations.

28 (z) To enable the Chancellor of the California Community  
29 Colleges, in accordance with the requirements of Section 84754.5  
30 of the Education Code, to obtain quarterly wage data, commencing  
31 January 1, 1993, on students who have attended one or more  
32 community colleges, to assess the impact of education on the  
33 employment and earnings of students, to conduct the annual  
34 evaluation of district-level and individual college performance in  
35 achieving priority educational outcomes, and to submit the required  
36 reports to the Legislature and the Governor. The information shall  
37 be provided to the extent permitted by federal statutes and  
38 regulations.

39 (aa) To enable the Public Employees' Retirement System to  
40 seek criminal, civil, or administrative remedies in connection with

1 the unlawful application for, or receipt of, benefits provided under  
2 Part 3 (commencing with Section 20000) of Division 5 of Title 2  
3 of the Government Code.

4 (ab) To enable the State Department of Education, the University  
5 of California, the California State University, and the Chancellor  
6 of the California Community Colleges, pursuant to the  
7 requirements prescribed by the federal American Recovery and  
8 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly  
9 wage data, commencing July 1, 2010, on students who have  
10 attended their respective systems to assess the impact of education  
11 on the employment and earnings of those students, to conduct the  
12 annual analysis of district-level and individual district or  
13 postsecondary education system performance in achieving priority  
14 educational outcomes, and to submit the required reports to the  
15 Legislature and the Governor. The information shall be provided  
16 to the extent permitted by federal statutes and regulations.

17 (ac) To provide the Agricultural Labor Relations Board with  
18 employee, wage, and employer information, for use in the  
19 investigation or enforcement of the  
20 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations  
21 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division  
22 2 of the Labor Code). The information shall be provided to the  
23 extent permitted by federal statutes and regulations.

24 (ad) (1) To enable the State Department of Health Care  
25 Services, the California Health Benefit Exchange, the Managed  
26 Risk Medical Insurance Board, and county departments and  
27 agencies to obtain information regarding employee wages,  
28 California employer names and account numbers, employer reports  
29 of wages and number of employees, and disability insurance and  
30 unemployment insurance claim information, for the purpose of:

31 (A) Verifying or determining the eligibility of an applicant for,  
32 or a recipient of, state health subsidy programs, limited to the  
33 Medi-Cal Program, provided pursuant to Chapter 7 (commencing  
34 with Section 14000) of Part 3 of Division 9 of the Welfare and  
35 Institutions Code; the Healthy Families Program, provided pursuant  
36 to Part 6.2 (commencing with Section 12693) of Division 2 of the  
37 Insurance Code; and the Access for Infants and Mothers Program,  
38 provided pursuant to Part 6.3 (commencing with Section 12695)  
39 of Division 2 of the Insurance Code; where the verification or  
40 determination is directly connected with, and limited to, the

1 administration of the state health subsidy programs referenced in  
2 this subparagraph.

3 (B) Verifying or determining the eligibility of an applicant for,  
4 or a recipient of, federal subsidies offered through the California  
5 Health Benefit Exchange, provided pursuant to Title 22  
6 (commencing with Section 100500) of the Government Code,  
7 including federal tax credits and cost-sharing assistance pursuant  
8 to the federal Patient Protection and Affordable Care Act (Public  
9 Law 111-148), as amended by the federal Health Care and  
10 Education Reconciliation Act of 2010 (Public Law 111-152), where  
11 the verification or determination is directly connected with, and  
12 limited to, the administration of the California Health Benefit  
13 Exchange.

14 (C) Verifying or determining the eligibility of employees and  
15 employers for health coverage through the Small Business Health  
16 Options Program, provided pursuant to Section 100502 of the  
17 Government Code, where the verification or determination is  
18 directly connected with, and limited to, the administration of the  
19 Small Business Health Options Program.

20 (2) The information provided under this subdivision shall be  
21 subject to the requirements of, and provided to the extent permitted  
22 by, federal law and regulations, including Part 603 of Title 20 of  
23 the Code of Federal Regulations.

24 (ae) To provide any peace officer with the Investigations  
25 Division of the Department of Motor Vehicles with information  
26 pursuant to subdivision (i), when the requesting peace officer has  
27 been designated by the Chief of the Investigations Division and  
28 requests this information in the course of, and as part of, an  
29 investigation into identity theft, counterfeiting, document fraud,  
30 or consumer fraud, and there is reasonable suspicion that the crime  
31 is a felony and that the information would lead to relevant evidence  
32 regarding the identity theft, counterfeiting, document fraud, or  
33 consumer fraud. The information provided pursuant to this  
34 subdivision shall be provided to the extent permitted by federal  
35 law and regulations, and to the extent the information is available  
36 and accessible within the constraints and configurations of existing  
37 department records. Any person who receives any information  
38 under this subdivision shall make a written report of the  
39 information to the Investigations Division of the Department of

1 Motor Vehicles, for filing under the normal procedures of that  
2 division.

3 (af) To enable the Department of Finance to prepare and submit  
4 the report required by Section 13084 of the Government Code that  
5 identifies all employers in California that employ 50 or more  
6 employees who receive benefits from any of the following  
7 programs: the Medi-Cal program (Chapter 7 (commencing with  
8 Section 14000) of Part 3 of Division 9 of the Welfare and  
9 Institutions ~~Code~~); *Code*) and CalFresh program (Chapter 10  
10 (commencing with Section 18900) of Part 6 of Division 9 of the  
11 Welfare and Institutions ~~Code~~), and CalWORKs program (Chapter  
12 ~~2 (commencing with Section 11200) of Part 3 of Division 9 of the~~  
13 ~~Welfare and Institutions Code~~). The information used for this  
14 purpose shall be limited to information obtained pursuant to Section  
15 11026.5 of the Welfare and Institutions Code and from the  
16 administration of personal income tax wage withholding pursuant  
17 to Division 6 (commencing with Section 13000) and the disability  
18 insurance program and may be disclosed to the Department of  
19 Finance only for the purpose of preparing and submitting the report  
20 and only to the extent not prohibited by federal law.

21 SEC. 4. Section 11026.5 is added to the Welfare and  
22 Institutions Code, to read:

23 11026.5. (a) To the extent not prohibited by federal law, the  
24 State Department of Health Care Services ~~and the State Department~~  
25 ~~of Social Services~~ shall annually inform the Employment  
26 Development Department of the names and social security numbers  
27 of all recipients of the benefits of the Medi-Cal program (Chapter  
28 7 (commencing with Section ~~14000~~); *14000*) and CalFresh  
29 *program* (Chapter 10 (commencing with Section 18900) of Part  
30 ~~6~~), and CalWORKs program (Chapter ~~2 (commencing with Section~~  
31 ~~11200) of Part 3~~): *6*.

32 (b) The State Department of Health Care Services and the State  
33 Department of Social Services shall determine the average per  
34 individual cost ~~to the state to provide the benefits of each program~~  
35 *of state and federally funded benefits across the program excluding*  
36 *administrative costs* described in subdivision (a). These  
37 departments shall then inform the Employment Development  
38 Department ~~and the Department of Finance~~ of these costs in order  
39 *for the Employment Development Department* to calculate the

1 information that is required to be reported pursuant to Section  
2 13084 of the Government Code.

3 SEC. 5. No reimbursement is required by this act pursuant to  
4 Section 6 of Article XIII B of the California Constitution because  
5 the only costs that may be incurred by a local agency or school  
6 district will be incurred because this act creates a new crime or  
7 infraction, eliminates a crime or infraction, or changes the penalty  
8 for a crime or infraction, within the meaning of Section 17556 of  
9 the Government Code, or changes the definition of a crime within  
10 the meaning of Section 6 of Article XIII B of the California  
11 Constitution.