

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 376

Introduced by Assembly Member Lopez

February 18, 2015

An act to amend Section 11265.8 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 376, as amended, Lopez. CalWORKs eligibility: immunizations.

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 block grant program, state, and county funds. Under existing law, all applicants for or recipients of CalWORKs are required to provide documentation that each child in the assistance unit who is not required to be enrolled in school has received all ~~age-appropriate~~ *age-appropriate* immunizations, unless it has been medically determined that an immunization for the child is not appropriate or the applicant or recipient has filed with the county welfare department an affidavit that the immunizations are contrary to the applicant's or recipient's beliefs.

This bill would instead require the applicant or recipient to provide immunization records only if the county obtains a report from the California Immunization Registry but is unable to verify *on behalf of the applicant or recipient* that the immunizations have been performed. By requiring counties to obtain these reports, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

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 these statutory provisions.

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. Section 11265.8 of the Welfare and Institutions
 2 Code is amended to read:
 3 11265.8. (a) (1) All applicants for, and recipients of, aid
 4 under this chapter shall ensure that all children in the assistance
 5 unit not required to be enrolled in school have received all-age
 6 ~~appropriate~~ *age-appropriate* immunizations, unless it has been
 7 medically determined that an immunization for a child is not
 8 appropriate or the applicant or recipient has filed with the county
 9 welfare department an affidavit that the immunizations are contrary
 10 to the applicant's or recipient's beliefs. ~~If~~
 11 (2) ~~If an applicant or recipient has not filed an affidavit has not~~
 12 ~~been filed~~ with the county welfare department, the county shall
 13 *verify on behalf of any applicant or recipient required to provide*
 14 *documentation that the immunizations have been performed each*
 15 *child in the assistance unit not required to be enrolled in school*
 16 *has received all age-appropriate immunizations* by obtaining a
 17 report from the California Immunization Registry established
 18 pursuant to Section 120440 of the Health and Safety Code. If the
 19 registry does not contain records of these immunizations, the
 20 county shall require the applicant or recipient to provide
 21 documentation that the immunizations have been performed, ~~or~~
 22 ~~are not medically appropriate; or that it has been medically~~
 23 *determined that an immunization is not appropriate* within 30 days
 24 of the determination of eligibility for Medi-Cal benefits under

1 Chapter 7 (commencing with Section 14000), or 45 days for
2 applicants already eligible for benefits under Chapter 7
3 (commencing with Section 14000), or within 45 days of a full or
4 financial redetermination of eligibility for aid under this chapter.
5 If the county determines that good cause exists for not providing
6 the required documentation due to lack of reasonable access to
7 immunization services, the period shall be extended by an
8 additional 30 days.††

9 (3) *If* the documentation is not provided within the required
10 time period, the needs of all parents or caretaker relatives in the
11 assistance unit shall not be considered in determining the grant to
12 the assistance unit under Section 11450 until the required
13 documentation is provided. The department shall track and
14 maintain information concerning the number of sanctions imposed
15 under this section.

16 (b) At the time of application and at the next redetermination
17 of eligibility for aid under this chapter, all applicants and recipients
18 shall be given notice advising them of their obligation to secure
19 the immunizations required in subdivision (a). The notice shall
20 also contain all of the following:

21 (1) The Recommended Childhood Immunization Schedule,
22 United States, and the Recommended Immunization Schedule for
23 Children Not Immunized on Schedule in the First Year of Life, as
24 appropriate, approved by the Advisory Committee on Immunization
25 Practices, the American Academy of Pediatrics, and the American
26 Academy of Family Physicians.

27 (2) A description of how to obtain the immunizations through
28 a fee-for-service provider that accepts Medi-Cal, a Medi-Cal
29 managed care plan, a county public health clinic, or any other
30 source that may be available in the county as appropriate.

31 (3) A statement that the applicant or recipient may file an
32 affidavit claiming that the immunizations are contrary to the
33 applicant's or recipient's beliefs.

34 SEC. 2. No appropriation pursuant to Section 15200 of the
35 Welfare and Institutions Code shall be made for purposes of
36 implementing this act.

37 SEC. 3. If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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