

ASSEMBLY BILL

No. 1149

Introduced by Assembly Member Wood

February 27, 2015

An act to amend Section 101315 of the Health and Safety Code, relating to public health emergencies, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1149, as introduced, Wood. Public health emergencies: funding.

Existing law establishes procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions, hospitals, long-term health care facilities, clinics, emergency medical systems, and poison control centers of federal funding received for the prevention of, and response to, public health emergencies. Existing law provides that these procedures apply only when the specified entities are designated by a federal or state agency to manage the funds for public health preparedness and response to public health emergencies, pursuant to a specified federally approved plan.

This bill would expand these provisions to apply to public health emergency preparedness and response by trade associations of those entities or facilities.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 101315 of the Health and Safety Code
2 is amended to read:

3 101315. (a) Federal funding received by the State Department
4 of Public Health for bioterrorism preparedness and emergency
5 response is subject to appropriation in the annual Budget Act or
6 other statute, commencing with the 2003–04 fiscal year.

7 (b) This article ~~shall govern~~ *governs* those instances when
8 federal funding is allocated and expended for public health
9 preparedness and response by local health jurisdictions, hospitals,
10 long-term health care facilities, clinics, emergency medical
11 systems, and poison control ~~centers~~ *centers, or their trade*
12 *associations*, for the prevention of, and response to, bioterrorist
13 attacks and other public health emergencies pursuant to the
14 federally approved collaborative state-local plan.

15 (c) A local health jurisdiction shall be ineligible to receive
16 funding from appropriations made for purposes of this article when
17 that local health jurisdiction receives directly or through another
18 local jurisdiction federal funding for the same purposes. Moneys
19 appropriated for purposes of this article that would have been
20 allocated to a local health jurisdiction that is ineligible, pursuant
21 to this subdivision, to receive funding shall be allocated, as
22 provided in Section 101317, among the remaining local health
23 jurisdictions that are eligible.

24 (d) Funds appropriated for the purposes of this article shall not
25 be used to supplant funding for existing levels of service and shall
26 only be used for purposes specified in Section 101317.

27 (e) This article shall apply only when local health jurisdictions,
28 hospitals, long-term health care facilities, clinics, emergency
29 medical systems, and poison control ~~centers~~ *centers, or their trade*
30 *associations* are designated by a federal or state agency to manage
31 the funds for public health preparedness and response to bioterrorist
32 attacks and other public health emergencies, pursuant to the
33 federally approved collaborative state-local plan.

34 SEC. 2. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the Constitution and shall go into
37 immediate effect. The facts constituting the necessity are:

1 In order to ensure an adequate and timely response to public
2 health threats by preventing the lapse of provisions relating to the
3 allocation and expenditure of federal funds for public health
4 emergency preparedness programs, it is necessary for this act to
5 take effect immediately.

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