

AMENDED IN SENATE JUNE 28, 2016

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 26, 2016

AMENDED IN ASSEMBLY APRIL 13, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2308**

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**Introduced by Assembly Member Roger Hernández**  
*(Coauthor: Assembly Member Dodd)*

February 18, 2016

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An act to amend and repeal Section 49452.9 of, and to add and repeal Chapter 11.2 (commencing with Section 66920) of Part 40 of Division 5 of Title 3 of, the Education Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2308, as amended, Roger Hernández. Health care coverage: information to students.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to provide instruction to students at community college campuses.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she,

and any dependent of that individual, has minimum essential health care coverage.

This bill would establish the California Health Care Coverage Act of 2016, which would require the California State University and the California Community Colleges to provide their students information about ~~health care coverage options~~ *insurance affordability programs* commencing with the 2017–18 academic year. The act would authorize each campus of the California State University and the California Community Colleges to meet this requirement by developing an informational item or amending an existing enrollment form or Internet Web site to provide students information about ~~health care coverage options~~, *insurance affordability programs*, as specified. The act would authorize each campus to also meet this requirement by including a factsheet with its enrollment forms explaining basic information about ~~affordable health care coverage options~~ *insurance affordability programs* for students. The bill would repeal these new provisions on January 1, 2021.

By requiring community colleges to perform additional duties, this bill would impose a state-mandated local program.

Existing law requires a public school, for purposes of the 2015–16, 2016–17, and 2017–18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance, as specified. Existing law authorizes a school to also include a factsheet with its enrollment forms. Existing law requires the State Department of Education to, among other things, develop a standardized template for the factsheet and the informational item or amendment and make those templates available on its Internet Web site on or before August 1, 2015. Existing law repeals these provisions on January 1, 2019.

This bill would make the repeal date for these provisions January 1, 2021, and thereby extend these requirements until that date. By extending these duties on local school districts, the bill would impose a state-mandated local program.

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 49452.9 of the Education Code is  
2 amended to read:

3 49452.9. (a) Commencing with the 2015–16 school year, and  
4 each school year thereafter, a public school, including a charter  
5 school, shall add an informational item to its enrollment forms, or  
6 amend an existing enrollment form, in order to provide the parent  
7 or legal guardian information about health care coverage options  
8 and enrollment assistance.

9 (b) To satisfy the requirements of subdivision (a), a school may  
10 do either of the following:

11 (1) Use a template developed pursuant to subdivision (d).

12 (2) Develop an informational item or amend an existing  
13 enrollment form to provide information about health care coverage  
14 options and enrollment assistance.

15 (c) A school may include a factsheet with its enrollment forms  
16 explaining basic information about affordable health care coverage  
17 options for children and families.

18 (d) (1) The department shall develop a standardized template  
19 for both of the following:

20 (A) The informational item or amendment required by  
21 subdivision (a).

22 (B) The factsheet described in subdivision (c).

23 (2) The department shall make any templates developed pursuant  
24 to this subdivision available on its Internet Web site on or before  
25 August 1, 2015, and shall, upon request, provide written copies of  
26 the template to a school district.

27 (e) A school district shall not discriminate against a pupil who  
28 does not have health care coverage or use any information relating  
29 to a pupil's health care coverage or interest in learning about health  
30 care coverage in any manner that would bring harm to the pupil  
31 or the pupil's family.

1 (f) This section shall remain in effect only until January 1, 2021,  
2 and as of that date is repealed, unless a later enacted statute, that  
3 is enacted before January 1, 2021, deletes or extends that date.

4 SEC. 2. Chapter 11.2 (commencing with Section 66920) is  
5 added to Part 40 of Division 5 of Title 3 of the Education Code,  
6 to read:

7  
8 CHAPTER 11.2. CALIFORNIA HEALTH CARE COVERAGE ACT OF  
9 2016

10  
11 66920. This chapter shall be known, and may be cited, as the  
12 California Health Care Coverage Act of 2016.

13 66921. (a) Commencing with the 2017–18 academic year,  
14 each campus of the California State University and the California  
15 Community Colleges shall offer every student information about  
16 ~~health care coverage options: insurance affordability programs,~~  
17 *including how to apply for Medi-Cal and Covered California.*

18 (b) To satisfy the requirements of subdivision (a), the campus  
19 may do either or both of the following:

20 (1) Develop an informational item or amend an existing  
21 enrollment form or Internet Web site to provide students  
22 information about ~~health care coverage options: insurance~~  
23 *affordability programs, including how to apply for Medi-Cal and*  
24 *Covered California.* A campus may use information provided in  
25 the standard template developed by the State Department of  
26 Education pursuant to Section 49452.9.

27 (2) Include a factsheet with its enrollment forms explaining  
28 basic information about ~~affordable health care coverage options~~  
29 ~~for students: insurance affordability programs, including how to~~  
30 *apply for Medi-Cal and Covered California.*

31 (c) A campus of the California State University or the California  
32 Community Colleges shall not discriminate against a student who  
33 does not have health coverage or use any information relating to  
34 a student’s health care coverage or interest in learning about health  
35 care coverage in any manner that would bring harm to the student.

36 66922. This chapter shall remain in effect only until January  
37 1, 2021, and as of that date is repealed, unless a later enacted  
38 statute, that is enacted before January 1, 2021, deletes or extends  
39 that date.

1     SEC. 3. If the Commission on State Mandates determines that  
2 this act contains costs mandated by the state, reimbursement to  
3 local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

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