

AMENDED IN SENATE SEPTEMBER 10, 1999

AMENDED IN SENATE AUGUST 23, 1999

AMENDED IN SENATE JUNE 28, 1999

AMENDED IN ASSEMBLY APRIL 14, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1496**

**Introduced by Assembly Member ~~O~~berg *Granlund***

February 26, 1999

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~~An act to amend Sections 4034, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4312, 4331, 4400, 19051, 19055, and 19059.5 of, and to add Section 4034.1 to, the Business and Professions Code, relating to home medical equipment services providers, and making an appropriation therefor. An act to add Section 43024 to the Health and Safety Code, relating to motor vehicle fuel.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1496, as amended, ~~O~~berg *Granlund*. ~~Home medical equipment services providers~~ *Motor vehicle fuel: MTBE.*

*The Governor's Executive Order D-5-99 requires the State Energy Resources Conservation and Development Commission, in consultation with the State Air Resources Board, to develop a timetable for the removal of methyl tertiary butyl ether (MTBE) from gasoline at the earliest possible date, but not later than December 31, 2002.*

*This bill would require the commission to submit quarterly reports to the Legislature summarizing the amount of MTBE used in gasoline by each refinery during the preceding quarter and comparing that amount to the amount of MTBE used in gasoline by each refinery during the previous quarter.*

~~Existing law, the Pharmacy Law, provides for the licensure and regulation of medical device retailers. A knowing violation of the provisions of the Pharmacy Law is a crime punishable as a misdemeanor or an infraction, as specified.~~

~~This bill would instead provide for similar licensure and regulation of home medical equipment services providers, as defined.~~

~~The bill would provide for exemption from licensure for enumerated entities.~~

~~Existing law requires certain written policies and procedures to include emergency services.~~

~~The bill would additionally require access to emergency services 24 hours per day, 365 days per year to be available for equipment maintenance or replacement if equipment malfunction may threaten the health of a patient.~~

~~The bill would also exempt a home medical equipment services provider from specified licensing provisions related to home furnishings.~~

~~By expanding the scope of an existing crime, the bill would impose a state-mandated local program.~~

~~By creating a new source of funds deposited into the Pharmacy Board Contingent Fund, a continuously appropriated fund, the bill would make an appropriation.~~

~~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: yes *no*. Fiscal committee: yes. State-mandated local program: yes *no*.

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

1 SECTION 1. Section 4034 of the Business and  
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1 SECTION 1. Section 43024 is added to the Health and  
2 Safety Code, to read:

3 43024. Notwithstanding Section 7550.5 of the  
4 Government Code, commencing April 1, 2000, the State  
5 Energy Resources Conservation and Development  
6 Commission shall submit quarterly reports to the  
7 Legislature summarizing the amount of methyl tertiary  
8 butyl ether (MTBE) used in gasoline in this state by each  
9 refinery during the preceding quarter and comparing  
10 that amount to the amount of MTBE used in gasoline by  
11 each refinery during the previous quarter.

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14 **All matter omitted in this version of the**  
15 **bill appears in the bill as amended in the**  
16 **Senate, August 23, 1999 (JR 11)**  
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