



**CALIFORNIA
HOSPITAL
ASSOCIATION**

*Providing Leadership in
Health Policy and Advocacy*

August 16, 2019

TO: CHA Members
FROM: Carmela Coyle, President & CEO
SUBJECT: Weekly Advocacy Review

Member Advocacy Call

August 20, 8:30 a.m.

Dial-In: (800) 882-3610 Passcode: 5010912#

*Please **mute** your phone once you
have been connected to the call by entering 61#.
Enter 60# to un-mute your phone for comments/questions.*

FEDERAL

Federal Update (O'Rourke)

Congress is in recess until September 9. CHA members are urged to respond to the federal [Advocacy Alert](#) issued July 31 regarding surprise medical bills.

For additional information, contact Anne O'Rourke at (202) 488-4494 or aorourke@calhospital.org.

STATE

Legislative Update (Scott)

The focus of activity this week continues to be in the fiscal committees of both houses, as the deadline for legislation to be heard in a fiscal committee is August 30. All activity for the year must be concluded by the final recess, which is September 13.

Key bills for next week:

CHA-opposed **Senate Bill (SB) 227** (Leyva, D-Chino) would create punitive fines for hospitals that don't meet nurse staffing ratios. CHA was able to secure an amendment to provide a structure for the department to consider certain factors when a hospital is reported as out of compliance. CHA remains opposed as we evaluate the political pressures surrounding this legislation. SB 227 will be voted on by the full Assembly.

CHA-support, if amended **Assembly Bill (AB) 5** (Gonzalez, D-San Diego) would codify the *Dynamex* decision, which adopted an “ABC” test for determining independent contractor status. It would also provide exceptions for many professions important to hospital operations (including medicine), using a standard established in a previous court decision (*Borello v. Department of Industrial Relations*). CHA is part of a coalition — which includes the California Chamber of Commerce — to support these important provisions. However, recent amendments singled out other health care professionals, effectively ending a hospital’s ability to employ them as independent contractors. CHA is facilitating a separate coalition with health care professional associations to urge the Legislature to allow these professionals to retain their ability to choose between direct employment and independent contractor status. AB 5 will be heard in the Senate Appropriations Committee.

Information on priority health care-related bills is available at www.calhospital.org/legislative-update.