



**CALIFORNIA  
HOSPITAL  
ASSOCIATION**

*Providing Leadership in  
Health Policy and Advocacy*

August 9, 2019

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

Member Advocacy Call  
August 13, 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](mailto:aorourke@calhospital.org).

### **Regulatory Update (Keefe)**

CHA will host a briefing August 16 to update members on the finalized area wage index proposal in the federal fiscal year 2020 inpatient prospective payment system final rule, as well as next steps. [Register online](#).

For additional information, contact Alyssa Keefe at (202) 488-4688 or [akeefe@calhospital.org](mailto:akeefe@calhospital.org).

## **STATE**

### **Legislative Update (Scott)**

The Legislature will return from summer recess August 12. The focus of activity will 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.

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On August 5, CHA issued an [Advocacy Alert](#) to oppose Senate Bill (SB) 227 (Leyva, D-Chino), which would create an unreasonable and duplicative penalty system — with fines of \$15,000/\$30,000 per infraction — for hospitals that do not meet nurse staffing ratios. **The introduction of redundant, punitive penalties is one important reason CHA opposes SB 227.** CHA asks hospital leaders to write to their assemblymember, urging opposition to SB 227; the deadline to submit letters is **today, August 9**. Please email your letter to Dawn Vicari, CHA legislative assistant, at [dvicari@calhospital.org](mailto:dvicari@calhospital.org).

*Key bills for next week:*

CHA-support, if amended **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 numerous professions important to hospital operations (including medicine), instead using the standard previously established in another court decision (*Borello v. Department of Industrial Relations*). CHA is part of a coalition that includes the California Chamber of Commerce to support these important provisions. However, recent amendments singled out 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 August 12.

CHA-oppose, unless amended **AB 1014** (O’Donnell, D-Long Beach) would require a hospital to provide at least 180 days’ notice before reducing or eliminating the level of emergency services or closing the facility, and 90 days’ notice prior to closing or relocating a supplemental service. AB 1014 will be heard in the Senate Appropriations Committee August 19.

Information on priority health care-related bills is available at [www.calhospital.org/legislative-update](http://www.calhospital.org/legislative-update).