

Assembly Bill No. 543

Passed the Assembly September 3, 2009

Chief Clerk of the Assembly

Passed the Senate September 1, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 123492 and 123493 of the Health and Safety Code, and to repeal Section 7 of Chapter 878 of the Statutes of 2006, relating to perinatal care, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

AB 543, Ma. Perinatal care: The Nurse-Family Partnership.

Existing law establishes the Nurse-Family Partnership program to provide grants for voluntary nurse home visiting programs for expectant first-time mothers, their children, and their families, as specified. Existing law prohibits the use of grant moneys to match other grants administered by the State Department of Public Health.

This bill would allow the use of Nurse-Family Partnership program grant moneys as a match for other grants administered by the department.

Existing law establishes the California Families and Children Account in the State Treasury to accept private donations to pay for the program. The account is continuously appropriated to the department for this purpose. Existing law only allows grants to be distributed if the Director of Finance determines that there are sufficient funds from private donations available in the account. Additionally, under existing law, if there are not sufficient funds on deposit in the account by January 1, 2009, the account shall cease to exist.

This bill would delete the continuous appropriation and would, instead, make those funds available for the program upon appropriation by the Legislature, and would permit the department to accept federal grants for purposes of the program. This bill would revise existing law to require the program to be implemented if the Director of the Department of Finance determines that at least \$500,000 is available in the account. If this determination is not made by a specified date, it would require that the account cease to exist and funds in the account immediately be distributed to each contributor.

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

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

SECTION 1. Section 123492 of the Health and Safety Code is amended to read:

123492. The department shall develop a grant application and award grants on a competitive basis to counties for the startup, continuation, and expansion of the program established pursuant to Section 123491. To be eligible to receive a grant for purposes of that section, a county shall agree to do all of the following:

(a) Serve through the program only pregnant, low-income women who have had no previous live births. Notwithstanding subdivision (b) of Section 123485, women who are juvenile offenders or who are clients of the juvenile system shall be deemed eligible for services under the program.

(b) Enroll women in the program while they are still pregnant, before the 28th week of gestation, and preferably before the 16th week of gestation, and continue those women in the program through the first two years of the child's life.

(c) Use as home visitors only registered nurses who have been licensed in the state.

(d) Have nurse home visitors undergo training according to the program and follow the home visit guidelines developed by the Nurse-Family Partnership program.

(e) Have nurse home visitors specially trained in prenatal care and early child development.

(f) Have nurse home visitors follow a visit schedule keyed to the developmental stages of pregnancy and early childhood.

(g) Ensure that, to the extent possible, services shall be rendered in a culturally and linguistically competent manner.

(h) Limit a nurse home visitor's caseload to no more than 25 active families at any given time.

(i) Provide, for every eight nurse home visitors, a full-time nurse supervisor who holds at least a bachelor's degree in nursing and has substantial experience in community health nursing.

(j) Have nurse home visitors and nurse supervisors trained in effective home visitation techniques by qualified trainers.

(k) Have nurse home visitors and nurse supervisors trained in the method of assessing early infant development and parent-child interaction in a manner consistent with the program.

(l) Provide data on operations, results, and expenditures in the formats and with the frequencies specified by the department.

(m) Collaborate with other home visiting and family support programs in the community to avoid duplication of services and complement and integrate with existing services to the extent practicable.

(n) Demonstrate that adoption of the Nurse-Family Partnership program is supported by a local governmental or government-affiliated community planning board, decisionmaking board, or advisory body responsible for assuring the availability of effective, coordinated services for families and children in the community.

(o) Provide cash or in-kind matching funds in the amount of 100 percent of the grant award.

SEC. 2. Section 123493 of the Health and Safety Code is amended to read:

123493. (a) The department may accept voluntary contributions, in cash or in-kind, and federal funds to pay for the costs of the implementation of the program under Section 123492. These moneys shall be deposited into the California Families and Children Account, which is hereby created in the State Treasury, and which shall be available, upon appropriation by the Legislature, for purposes of implementing Section 123492 and this section. No moneys from the General Fund shall be used in implementing Section 123492.

(b) The department's administration costs shall not exceed 5 percent of the moneys in the account created under subdivision (a). Any costs to the department incurred prior to the account receiving funds shall be reimbursed to the department from funds in the account.

(c) The Director of the Department of Finance shall determine whether there is at least five hundred thousand dollars (\$500,000) available for implementation of Section 123492. Once the Director of the Department of Finance has determined that at least five hundred thousand dollars (\$500,000) is available to implement Section 123492, he or she shall distribute these funds. If the Director of the Department of Finance has not made a determination on or before January 1, 2014, that at least five hundred thousand dollars (\$500,000) is available to implement Section 123492, the amount in the account shall be immediately

distributed to each contributor and the account shall cease to exist thereafter.

SEC. 3. Section 7 of Chapter 878 of the Statutes of 2006 is repealed.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enhance the health and safety of pregnant mothers and their children by ensuring that the Nurse-Family Partnership program has sufficient funding to continue its operations, it is necessary for this act to go into effect immediately.

Approved _____, 2009

Governor