

1987

1987 Summary of New Laws Affecting Women

California Commission on the Status of Women

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1987

**Summary of
New Laws
Affecting Women**

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California Commission on the Status of Women

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CALIFORNIA COMMISSION ON THE STATUS OF WOMEN

SUMMARY OF NEW LAWS

AFFECTING WOMEN

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* * * *

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SUMMARY OF NEW LAWS

AFFECTING WOMEN

Laws included in this summary were enacted during 1987. Laws selected include those which have some impact on the status of women in California. During the legislative session, the Commission also periodically provides a summary of pending legislation which has significant impact on women. If you wish to be added to our mailing list, please write to the:

California Commission on the Status of Women
1303 J Street, Suite 400
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Should you wish copies of the chaptered bills, they may be ordered directly from the Legislative Bill Room, State Capitol, Sacramento, CA 95814. When ordering, please list chaptered bills in numerical order by chapter number.

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CHILD CARE

CHILD CARE - FACILITIES

AB 375 (Waters, M.) Child Care and Development Services.

Under existing law, extended day care providers are authorized to apply for funds for capital outlay for extended day care service facilities, and contracting agencies are authorized to apply for lease of state-owned relocatable facilities for extended day care services. This law requires that priority is to be given to applicants or contracting agencies providing, or seeking to provide, extended child care facilities in, or in close proximity to, public housing projects or in areas of high density of recipients of benefits under the Aid to Families with Dependent Children program, to serve participants under the Greater Avenues for Independence Act of 1985.

Chapter 919, Statutes of 1987.

AB 1040 (Bates) Community Care Facilities: child day care.

Existing law provides remedies if a licensee discriminates against an employee who takes specified actions in relation to complaints for violations of the law by the licensee. A claim by an employee is required to be submitted within 30 days after the action and presented to the Division of Labor Standards Enforcement not later than 60 days after that action. This law changes these time periods to 45 and 90 days, respectively, and requires that employees be notified in writing at the time of employment of their rights under the act. It also requires that these forms be kept on file at each day care facility for children.

Chapter 489, Statutes of 1987.

AB 2375 (Statham) Child Care: use of school facilities.

Existing law requires the governing board of any school district seeking to sell or lease surplus real property to do so in accordance with specified priorities. This law authorizes these boards complying with specified outdoor activity space requirements for child care facilities to instead sell or lease surplus real property to designated child care providers for child care development purposes. Also, this law prohibits the sale or lease of any surplus property until community input hearing are held on the acceptable uses of surplus property.

Chapter 655, Statutes of 1987.

AB 2462 (La Follette) Child Care Initiative Project.

Existing law provides for child care resource and referral programs. This law establishes a 3-year pilot project known as the California Child Care Initiative Project, the purpose of which is to increase the availability of quality child care programs in the state. Among other requirements the Superintendent of Public Instruction is required to allocate all state funds appropriated to the project for the purpose of making grants to those child care resource and referral agencies selected as pilot sites. A project evaluation will be submitted to the Legislature by March 1, 1990.

Chapter 462, Statutes of 1987.

AB 2628 (Vasconcellos) Day Care Services.

This law requires that a site supervisor for a child care and development program hold a regular children's center "instructional" permit, instead of a regular children's center "supervision" permit as required under existing law. Additionally, this law deletes the provision that transportation services for specified extended day care programs shall be provided only by school districts and county offices of education, and adds a new priority in the enrollment of children in extended day care programs .

This law also makes various other changes in the provisions of the State Child Care Facilities Fund, and directs the Legislative Analyst to contract for an independent study of school-age community child care programs, and report the results of that study to the Legislature no later than December 1, 1988.

Chapter 1120, Statutes of 1987.

SB 975 (Bergeson) Child Care.

Existing law establishes the State Child Care Facilities Fund, a continuously appropriated fund, from which funds may be appropriated to provide extended day care services, for lease to qualifying agencies.

This law permits the State Allocation Board to authorize the expenditure of these funds for the purpose of reimbursing any public, nonprofit joint powers agency that was formed during 1984 for costs incurred after January 1, 1986, for the initial installation of utility services in any relocatable child care and development facility acquired with other than state funds.

Chapter 697, Statutes of 1987.

SB 1443 (Doolittle) Child Day Care Facilities.

Existing law permits a person to be hired as a child care center teacher if the person meets certain educational requirements. In addition, these people are not exempt from satisfying the noneducational requirements imposed by law on teachers in day care centers and shall have on-site supervision by a fully qualified teacher. This law provides that any person who is otherwise authorized to be hired by a school district to teach children of a given age group may, without meeting any other educational requirements, be employed by a day care center to provide extended day care for children of that grade level.

Chapter 626, Statutes of 1987.

CHILD CARE: INSURANCE

SR 23 (Lockyer) Senate Task Force on Child Care.

This resolution creates the Senate Task Force on Child Care for the purpose of conducting a 12-month study on the feasibility of establishing a social insurance program, funded by employee and employer contributions, to provide affordable, available child care for working families. Among other requirements, the Task Force shall submit a report of its findings to the State Senate upon completion of its work.

Resolution Adopted July 16, 1987.

CHILD CARE: OTHER

AB 1379 (Bates) Child Care Services.

Existing law requires that, children referred by Private Industry Councils shall be provided the child care necessary to permit their parents to participate in program activities under the federal Job Training Partnership Act and that program expansion shall be limited by the extent funding is available from specified sources. This law would delete this limitation on program expansion by eliminating reference to the portion of funding and the statutory formula for distribution.

Among other provisions this law also requires the State Department of Education, in consultation with the Employment Development Department, to coordinate technical assistance and training for local Private Industry Council boards and staff, regarding how to effectively incorporate quality training and placement programs pursuant to the federal Job Training Partnership Act.

Chapter 752, Statutes of 1987.

SB 1618 (McCorquodale) Child Day Care.

Existing provisions of the Child Day Care Act do not apply to any "cooperative" arrangement between parents for the care of their children by one or more of the parents where no payment is involved.

This law provides that such "cooperative" arrangements shall meet certain specified conditions to be exempt under the Act. Among other provisions, this law also exempts extended day care programs operated by public and private schools from the Child Day Care Act, and requires the State Department of Social Services to allow these programs, whether exempted or not, to serve certain additional children at that school site.

Chapter 1487, Statutes of 1987.

COMMISSION - SPONSORED BILLS

AB 1128 (Wright) Boards and Commissions: per diem.

Under existing law, each member of the Commission on the Status of Women is entitled to receive only his or her "actual and necessary" expenses while on official business of the commission. This law entitles members of the Commission on the Status of Women to receive only actual and necessary "traveling" expenses, and in addition authorizes public members to receive \$100 per day while on official Commission business, not to exceed 12 days per year.

This law also provides that members of the Vocational Rehabilitation Appeals Board receive, in addition to actual and necessary traveling expenses, \$100 per diem for each day spent in the discharge of official duties.

Chapter 980, Statutes of 1987.

SB 793 (Davis) Education: prohibition of sex discrimination.

Existing law requires the State Board of Education, the Board of Governors of the California Community Colleges, and the Trustees of the California State University, and authorizes the Regents of the University of California, to issue "rules, regulations, or orders" to implement specified provisions relating to the prohibition of discrimination on the basis of sex.

This law requires the State Board of Education, the Board of Governors of the California Community Colleges, the Trustees of the California State University and authorizes the Regents of the University of California to issue "regulations" pursuant

to provisions of existing law, commonly known as the Administrative Procedure Act, to implement those provisions relating to the prohibition of discrimination on the basis of sex.

Chapter 118. Statutes of 1987.

ECONOMIC EQUITY

ECONOMIC EQUITY: BUSINESS

AB 239 (Moore) Taxation: disallowance of deductions.

Existing law allows, for tax purposes, a deduction from gross income for ordinary and necessary business expenses. This law disallows any deduction for expenses incurred in connection with a club that restricts membership, or use of its services or facilities, on the basis of age, sex, race, religion, color, ancestry, or national origin. In addition, this law requires clubs which discriminate to provide on each receipt furnished to a taxpayer a printed statement that expenditures covered by the receipt are nondeductible. Provisions of this law apply to computation of taxes for taxable income years commencing on or after January 1, 1990.

Chapter 1463, Statutes of 1987.

AB 864 (Quackenbush) California Small Business Advocate: referral system.

Existing law establishes within the Business, Transportation and Housing Agency, a California Small Business Advocate to advocate the causes of small business and to provide small businesses with the information they need to survive in the marketplace.

This law authorizes the California Small Business Advocate to establish a centralized telephone referral system and telephone number to assist small and minority businesses in their operations.

Chapter 882, Statutes of 1987.

ECONOMIC EQUITY: OTHER

ACR 89 (Bates) Joint Select Task Force on the Changing Family.

This Resolution creates a Joint Select Task Force on the Changing Family to report to the Legislature on specified issues, develop legislative recommendations, and make recommendations to the Legislature on methods for evaluating the impact of program and policy development on family stability using basic family functions, which should include, but not be limited to primary need fulfillment such as food, shelter, and safety; nurturing; values and ethics; motivation for education and employment preparation; and safety and rest for all family members.

Resolution Chapter 134, Statutes of 1987.

ECONOMIC EQUITY: SUPPORT

SB 319 (Watson) Family Law: health insurance: support.

Existing law requires that health insurance coverage shall be maintained for children for whom an order of support has been made pursuant to the Family Law Act, if it is available at nominal or no cost to a parent or parents.

This law requires that if health insurance for children is not available, the support order shall contain a provision requiring insurance to be obtained as soon as it becomes available. In addition, this law also provides that the district attorney will seek a wage assignment in a case as soon as an obligor is in arrears in child support payments in a sum equal to the amount of support payable for one month, and requires counties which operate an expedited process to establish a temporary support obligation in complex cases prior to referring those cases to the full judicial system.

Chapter 948, Statutes of 1987.

SB 906 (Lockyer) Child Support.

Existing law provides that a court may order either or both parents to pay child support in any amount necessary, subject to established minimum amounts for the support, maintenance, and education of the child. It also provides that where a parent is ordered to pay child support, the court may, and in certain instances is required to, order the parent ordered to pay support to assign his or her wages to make that payment.

Among other provisions, this law additionally provides a procedure which requires a court in any proceeding where a court has ordered either or both parents to pay child support, upon a petition, signed under penalty of perjury by the person or county officer to whom support has been ordered to be paid, and where the parent or parents so ordered is in arrears in payment in a sum equal to the amount of 60 days of payment, to require the parent or parents to deposit with the district attorney, other county officer or trustee designated by the court, assets to secure future support payments.

Chapter 1389, Statutes of 1987.

SB 907 (Lockyer) Family Law: support: mediation.

Existing law requires the mediation of any contested issues of custody or visitation of a minor child under the Family Law Act.

This law authorizes the filing of a petition for the mediation of a dispute relating to any existing order for custody or visitation upon the adoption of a resolution to that effect by the Board of Supervisors of a county. Among other provisions, this law also provides that the court retain jurisdiction indefinitely where the marriage has been one of long duration (10 years), except upon written agreement of the parties or a court order terminating spousal support, and delineates an alternative procedure for the request of a modification of an order awarding spousal support.

Additionally, this law requires superior court clerks to distribute a booklet prepared by the State Department of Social Services to applicants in all actions involving the support of minor children, and requires each moving party to serve a copy of the booklet on the responding party.

Chapter 1086. Statutes of 1987.

SB 1380 (Boatwright) Support.

Existing law provides that a judgment, order, or decree for the payment of child or spousal support may be enforced by a writ of execution without prior court approval for amounts that are not more than 10 years overdue on the date of the application for the writ. The enforceability of such a judgment, order, or writ may be renewed.

This law instead provides that a judgment, order, or decree for the payment of child support or family support may be enforced by a writ of execution without prior court approval until five years after the child reaches the age of majority and, thereafter, for amounts that are not more than 10 years overdue on the date of application.

Chapter 960. Statutes of 1987.

SB 1588 (Hart) Family Law: child support.

Existing law, the Agnos Child Support Act of 1984, establishes a mandatory minimum child support award, determined by a specified formula and based on the net disposable income of the parents. The Agnos Act allows certain deductions when establishing the amount of net disposable income. In order to be deductible, the child or spousal support paid by a parent to or for the benefit of a person who is not a subject of the award being established, must be paid pursuant to a court order.

This law provides that, in the absence of such a court order, certain child support payments may be deductible if the payments are for a natural or adopted child who is not residing in the parent's home; not the subject of the award to be

established; and for whom the parent has a duty of support. This law also revises hardship deductions allowed under the Agnos Act, by requiring that in order for basic living expenses of a parent's natural or adopted dependent minor children from other marriages to be considered part of a hardship deduction, the children must reside with the parent.

Chapter 964, Statutes of 1987.

EDUCATION

AB 226 (Felando) School Health Services.

Existing law requires the governing board of a school district to give diligent care to the health of pupils, and authorizes school district governing boards to employ properly certified persons, including school nurses, for that purpose.

This law expresses legislative intent regarding the maintenance of the level of school health services, and makes a legislative finding that those services may be in jeopardy due to current caseloads. It requires the State Department of Health Services to conduct a study to be made available to the Legislature, the Governor, the Superintendent of Public Instruction, and the public by July 30, 1988.

Chapter 1143, Statutes of 1987.

AB 2170 (Hughes) Superintendent of Public Instruction.

Existing law does not provide for the development of video tapes and supplementary materials that teach abstinence from sexual intercourse. Among other provisions, this law requires the Superintendent of Public Instruction to contract for the development of a video tape and supplementary materials that teach abstinence from sexual intercourse. It requires the production, review and duplication of the abstinence video to be completed by Dec. 15, 1988, and appropriates \$150,000 for the purposes of video development and purchase.

Chapter 1354, Statutes of 1987.

ACR 23 (Hansen) Women's History Month.

This law designates March 1987 as Women's History Month and urges Californians to celebrate International Women's Day on

March 8, 1987.

Resolution Chapter 22. Statutes of 1987.

SB 1290 (Watson) Aid to Families with Dependent Children Program.

Existing law provides for the Aid to Families with Dependent Children (AFDC) program, pursuant to which qualified families are provided with cash assistance. Administrative regulations promulgated for the administration of these provisions require that, in cases where an AFDC recipient receives more than one educational loan or grant, the recipient's educational expenses are to be first applied to the totally exempt loans or grants, and any remaining educational expenses are to be applied to loans or grants which do not contain conditions precluding their use for current living costs.

This law precludes the application of educational expenses against educational loans and grants which are exempt from consideration as income in determining AFDC benefits.

Chapter 957. Statutes of 1987.

EMPLOYMENT

ACR 6 (Agnos) Joint Oversight Committee on GAIN Implementation.

Under existing law, the Greater Avenues for Independence Act of 1985 (GAIN) provides an employment and training services program for Aid to Families with Dependent Children (AFDC) recipients to acquire unsubsidized employment. This Resolution establishes the Joint Oversight Committee on GAIN Implementation which is authorized to conduct hearings and develop recommendations to address concerns in the implementation of the GAIN program, develop policy recommendations on GAIN related issues, and develop recommendations on funding methods for achieving GAIN goals.

Resolution Chapter 24, Statutes of 1987.

HEALTH

HEALTH: ADULT CARE SERVICES

AB 519 (Frizzelle) Senior Citizens: health care.

Existing law provides for various publicly funded health programs, including Medi-Cal, under which the state reimburses health care providers for specified services to low-income and indigent recipients.

This law requires the Office of Statewide Health Planning and Development to conduct a needs assessment study of the availability of adequate and timely dental, eye, and hearing care to seniors age 60 and over with low incomes. The office is required to report the results of its study and determine if there is a need for a state loan or grant program to provide these services. \$225,000 is appropriated from the General Fund for the needs assessment study and report required by this law.

Chapter 809, Statutes of 1987.

SB 69 (Mello) Medical Assistance.

Under existing law, in determining the eligibility for Medi-Cal benefits of a married individual who is considered to be living separately from his or her spouse as a resident of a skilled nursing facility or intermediate care facility, the Medi-Cal applicant may transfer his or her interest in the home to the other spouse without subjecting the home to the "spend-down" requirement.

This law specifies that statements provided by the State Department of Health Services to Medi-Cal applicants on the effect of the transmutation of certain community property to separate property be clear and simple. With regard to

residents and applicants of a skilled nursing facility or intermediate care facility, this law instead requires the facility to provide any resident of the facility and any person applying for admission, and that person's spouse and responsible relative, with a written statement regarding Medi-Cal benefits and the use of separate and community property in determining eligibility for Medi-Cal.

Chapter 997. Statutes of 1987.

SB 412 (Greene, B.) In-home Supportive Services: funding.

Existing law provides for the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons receive services that permit them to avoid institutionalization. The state is required to reimburse counties for IHSS services not to exceed a specified limit, and counties are required to provide part of the costs in excess of the specified limit. To the extent counties are unable to keep expenditures within the limit, they are required to implement program reductions.

This law creates a state-mandated local program by deleting authority for county reductions of program services. In addition, it makes conforming changes and requires the state to fully reimburse counties for IHSS services to the extent federal and state matching funds are insufficient. However, counties must contribute an amount equal to their 1987-88 fiscal year contributions. This law becomes operative on July 1, 1988.

Chapter 1438. Statutes of 1987.

SB 461 (Greene, B.) In-Home Supportive Services.

Current law provides that in-home supportive services (IHSS) are to be provided by counties, pursuant to regulations adopted by the State Department of Social Services, to aged, blind, or disabled persons meeting specified eligibility criteria. This

law requires the Department of Social Services to report by July 1, 1989, on its implementation of a uniform client needs assessment tool, a uniform method for determining client functional abilities, and uniform statewide training on the method of determining client functional abilities. The report shall include an evaluation of the need for a uniform method of determining hours of services needed.

Chapter 781, Statutes of 1987.

SB 465 (Mello) Senior Companion Program.

Existing law requires the Department of Aging to enter into a memorandum of agreement with the federal ACTION agency on establishing and expanding the Senior Companion Program in accordance with federal standards. The program provides volunteer community service opportunities for low-income senior adults (age 60 or over) to provide care and support to adults with specified special needs, and requires each senior companion to participate 4 hours a day, 5 days a week in the program, but does not allow those persons already receiving in-home supportive services to be assigned senior companions.

This law makes the Senior Companion Program permanent by removing its January 1, 1988 repeal date, and makes it operative to the extent funds are appropriated for those purposes.

Chapter 1007, Statutes of 1987.

HEALTH: AIDS

AB 250 (Hughes) AIDS Diagnosis Disclosure.

Under existing law, physicians and surgeons are subject to specified penalties for disclosing test results for antibodies to the probable causative agent of acquired immune deficiency syndrome (AIDS) without the patient's consent.

This law specifies that physicians and surgeons who have ordered a test to detect antibodies to the probable causative agent of AIDS, shall not be held criminally or civilly liable for disclosing to a person believed to be the spouse of a tested patient that the patient has tested positive. Additionally, this law also specifies that disclosure is permissive on the part of the attending physician and provides that all requirements and other authorization for the disclosure of test results are limited to those contained in specified provisions of law.

Chapter 543, Statutes of 1987.

AB 1482 (Bane) Blood Research.

Under the Budget Act of 1987, the State Department of Health Services is required to redirect \$200,000 of the funds appropriated for lupus erythematosus research to fund studies of transfusion-related AIDS or hepatitis in patients who receive only platelet transfusions without other blood products, and to enter into contracts with up to 3 university medical schools or medical schools affiliated with university medical schools to conduct the studies.

Among other provisions, this law instead requires an advisory committee of 5 specified persons to oversee a study to evaluate the comparative safety from transfusion-acquired infectious diseases of specified platelet transfusion products. The Committee is required to submit an annual report of its findings to the State Department of Health Services and to the Legislature. Funding is limited to \$200,000 per year which

may be provided through, but not beyond, the 1989-90 fiscal year.

Chapter 1421, Statutes of 1987.

AB 2633 (Agnos) Hepatitis B.

Existing law requires the State Department of Education to provide information to school districts on acquired AIDS and AIDS-related conditions.

This law will, in addition, require the State Department of Education to provide, in conjunction with the information required on AIDS, information on Hepatitis B. This information shall include, but not be limited to, any appropriate methods school employees may use to prevent exposure to AIDS and Hepatitis B, including information on the availability of a vaccine to prevent contraction of Hepatitis B, and that the cost of vaccination may be covered by employee health care plans.

Chapter 916, Statutes of 1987.

SB 324 (Davis) Death Disclosure: Real Property.

Existing law protects a real property owner or his or her agent from legal action for failure to disclose to a new buyer that the prior occupant was afflicted with AIDS. This law extends that provision to include failure to disclose death from AIDS. This law further protects real property owners and their agents from legal action for failure to disclose death of an occupant upon the property, or the manner of death where the death occurred more than 3 years prior to the offer to purchase, lease or rent the property. This law does not protect against misrepresentation in response to direct inquiry.

Chapter 494, Statutes of 1987.

SB 935 (Rogers) AIDS.

Existing law requires health care providers, in certain instances, to report to the county health officer a diagnosed case of AIDS, and generally prohibits a health care provider from disclosing a positive test result on a test for the presence of human immunodeficiency virus antibodies (HIV) to the probable causative agent of AIDS.

Among other provisions, this law permits any person receiving a test for the presence of HIV to disclose the identity of sexual partners or persons with whom hypodermic needles have been shared, to the county health officer, after the person has signed a consent form provided by the physician or designee who administered the test, which acknowledges that the disclosure is voluntary. The county health officer is permitted to alert the sexual partners about their exposure or shared needles without disclosing any identifying information about the individual making the disclosure or the individuals contacted.

Chapter 663, Statutes of 1987.

SB 1001 (Doolittle) Marriage.

Existing law requires a physician's certificate indicating the results of a test for syphilis, and for women under 50, immunity to rubella (German measles), before a marriage license is issued. This law adds blood tests for AIDS to the list of required pre-marital tests.

Chapter 911, Statutes of 1987.

HEALTH: OTHER

AB 913 (Hughes) Education: student health.

This law changes existing law by specifically requiring the State Department of Education to encourage and assist school districts to monitor and improve the health of their pupils. Among other provisions, schools will be required to provide pupil health screening and appropriate medical referrals and establish "Health Days" as well as provide valuable health information to pupils and their parents.

Chapter 549. Statutes of 1987.

AB 1305 (Cortese) Health Insurance: mammography.

Existing law does not require mammography coverage under group health care service plans, policies of disability insurance, self-insured employee welfare benefit plans, non-profit hospital service contracts and Medi-Cal. This law, on and after January 1, 1988, requires that such plans include mammography coverage in addition to mastectomy, prosthetic, and reconstructive coverage.

Chapter 550. Statutes of 1987.

AB 1510 (Vasconcellos) Childbirth: midwifery.

Existing law provides for the licensing and regulation of certified nurse midwives assisting in the birthing process, but does not provide for the licensing and regulation of lay midwives.

Among other provisions, this law makes a statement of legislative findings and declarations relating to midwifery and childbirth, and requires the state Department of Health Services to develop a plan by July 1, 1988, in conjunction with specified organizations, to identify the causes of infant

mortality and morbidity, and to study recommendations for their reduction. This law also requires the Department to report their findings to the Legislature no later than July 1, 1989.

Chapter 1373, Statutes of 1987.

SB 247 (Torres) Restrooms in Facilities Where the Public Congregates.

Existing law requires that public agencies who manage establishments serving the public or open to the public which maintain restrooms are required to maintain free restrooms for both sexes. This law requires that publicly and privately owned facilities except hotels, restaurants, food facilities, public or private school facilities, and historic buildings be equipped with sufficient temporary or permanent restrooms to meet the needs of the public at peak hours. This law only applies to a facility which commences construction, or which undertakes structural alterations, repairs, or improvements exceeding 50% of the entire facility on or after January 1, 1989.

Chapter 691, Statutes of 1987.

HEALTH: REPRODUCTIVE RIGHTS

AB 1468 (Eaves) Unemployment Insurance: disability benefits.

Existing law provides for the payment of disability benefits to individuals when certain requirements are met. This law requires the Director of Employment Development to develop and maintain a program of education concerning disability insurance rights and benefits, including the need to inform women workers of their right to benefits for time lost from work due to childbirth. It also requires the Director to provide to each employer with a notice informing workers of their disability insurance rights and benefits due to sickness,

injury, or pregnancy; to be applicable to employees hired on or after July 1, 1988.

Chapter 609. Statutes of 1987.

AB 2274 (Frazee) Minors: abortion: dependent children.

Existing law allows procedures for unmarried minors to give consent to the furnishing of medical treatment or prevention services related to pregnancy without the consent of a parent, excepting sterilization. Among other provisions, this law requires an unemancipated minor to obtain the consent of one of her parents, or a court order, to obtain an abortion.

Chapter 1237. Statutes of 1987.

AB 2414 (Filante) Medi-Cal.

Under existing law, a person who is eligible for Medi-Cal benefits may receive certain services relating to pregnancy. This law specifies that a woman is eligible, as though she were pregnant, for all pregnancy-related and postpartum services, for a period of 60 days following pregnancy.

Chapter 570. Statutes of 1987.

ACR 52 (Mojonnier) Teenage Pregnancy Conference.

Existing law provides for various health, education and social service programs to assist minors who are pregnant or who have children. This law provides that the Legislature actively supports the holding of a statewide planning conference to facilitate California's identification of those policies, programs, and services that are most needed for both primary and secondary prevention of teenage pregnancy and to improve

teenagers' access to timely perinatal care, appropriate parenting education and support for the completion of high school.

Resolution Chapter 88, Statutes of 1987.

SB 156 (Maddy) Medi-Cal.

Existing law does not include daily ambulatory uterine monitoring within the scope of medical care services provided under the Medi-Cal program. This law requires the State Department of Health Services to implement, upon receipt of any federal waivers and federal financial participation, a pilot project to assess the effectiveness of daily ambulatory uterine monitoring devices and services in reducing pre-term births of Medi-Cal eligible women. Additionally, five counties will be selected to participate.

This law appropriates \$1,050,000 from the General Fund to the State Department of Health Services to be allocated for project evaluation and the Medi-Cal costs incurred in operating the pilot project.

Chapter 1350, Statutes of 1987.

SB 835 (Watson) Hysterectomies: informed consent.

Existing law does not provide specific consent requirements which must be satisfied before a hysterectomy may be performed or preclude the performance of any hysterectomy until the expiration of a prescribed waiting period.

Among other provisions, this law requires physicians and surgeons, to obtain verbal and written informed consent, as specified, prior to a hysterectomy. A woman is required to sign a prescribed statement prior to a hysterectomy, except in life-threatening emergency situations, or if the patient has previously been sterile or is postmenopausal. When a hysterectomy is to be performed, this law makes the failure of a physician and surgeon to inform the patient by means of a

written consent, in layman's language, of alternative effective methods of medical treatment, unprofessional conduct within the meaning of the Medical Practice Act.

Chapter 1387, Statutes of 1987.

SB 1559 (Rosenthal) Family Planning.

Existing law requires the Office of Family Planning in the State Department of Health Services to provide family planning services to all current and potential recipients of public social services who request those services. It also requires county welfare departments to submit a quarterly statistical report to the Health and Welfare Agency and to submit a report to the Legislature no later than 60 days after each quarter.

This law repeals the provisions requiring the quarterly statistical report and the report by the Department of Health Services to the Legislature. Instead, it requires the Office of Family Planning to annually update and analyze family planning data, as specified, and to annually report the results to the Legislature.

Chapter 1135, Statutes of 1987.

SCR 47 (Roberti) Infant Health.

This law sets forth various steps the state should take relative to improving prenatal health care for pregnant women, such as (1) make services available in every community, through new initiatives to attract providers and to reduce the cost of malpractice insurance; (2) make the price of maternity care affordable, by extending health coverage to uninsured pregnant women and removing fees that deter early care; and

(3) get more pregnant women into early health care, through changes in public health policies and expanded education and outreach.

Resolution Chapter 69, Statutes of 1987.

V I O L E N C E

AB 416 (Mojonnier) Domestic Violence: seizure of firearms.

Existing law provides that a sheriff, undersheriff, deputy sheriff, city police officer, a University of California or California State University police officer, who is at the scene of an incident of domestic violence involving a threat to human life or physical assault, may take temporary custody of any firearms found in plain sight or by consensual search. It also provides for the return of the firearms to their owners or for the sale and destruction of firearms in specified circumstances. This law, among other provisions, adds marshals and deputy marshals to the list.

Chapter 1362, Statutes of 1987.

AB 939 (Mojonnier) Rape: evidence of sexual conduct of child under age 14.

This law requires that the same specific detailed procedure required for the admissibility of evidence of the sexual conduct of an alleged victim, if offered to attack the credibility of the alleged victim, in the prosecution for rape be required for the admission of evidence in a prosecution for lewd and lascivious acts upon a child under the age of 14.

Chapter 177, Statutes of 1987.

AB 1002 (Wright) Restraining Orders.

Existing law authorizes the issuance of certain restraining orders for the prevention of domestic violence either pursuant to special procedures for issuance of these orders or in connection with a judgment entered pursuant to the Family

Law Act. These orders generally expire after one year, except where extended, by the court.

This law provides that these orders may have an initial duration of up to 3 years and may also be extended by the court after notice and hearing.

Chapter 391, Statutes of 1987.

AB 1599 (Speier) Restraining Orders: domestic violence.

This law requires the designation by the presiding judge of the superior court of at least one judge, commissioner, or referee in each county to be available to orally issue, by telephone or otherwise, emergency protective orders against the incidence of domestic violence, and which would be authorized to be issued at all times when the court is not in session.

Chapter 758, Statutes of 1987.

ACR 46 (Hayden) Rapes on College or University Campuses.

Among other provisions, this law requests all institutions of higher education to develop, publicize and enforce clear policies for taking appropriate actions against members of the campus community who participate directly or indirectly in a rape that occurs on the property of the institution, or at a campus-related function or activity.

Resolution Chapter 105, Statutes of 1987.

SB 1477 (Mello) Victims of Crime: rape crisis centers.

Existing law permits compensation to victims of crime for various types of medical and medical-related expenses incurred as a result of a crime. This law adds peer counseling services, as provided by a rape crisis center, as an allowable expense for remuneration. Payment shall not exceed \$15.00

for each hour of service provided. Those services shall be limited to individual, in-person counseling on a face-to-face basis, not to exceed 10 weeks plus one series of facilitated support group counseling.

Chapter 1357. Statutes of 1987.

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