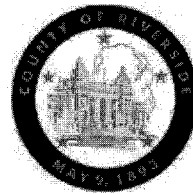


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
2.5  
(ID # 4181)

MEETING DATE:  
Tuesday, May 9, 2017

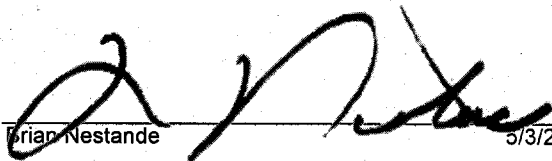
FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Legislative Update - May 9, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and File the Legislative Update for May 9, 2017.

ACTION: Consent

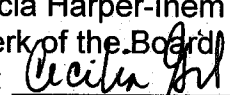
  
Brian Nestande 5/3/2017

---

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: None  
Date: May 9, 2017  
xc: EO

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: N/A</b>	
			<b>For Fiscal Year: N/A</b>	

**C.E.O. RECOMMENDATION:** APPROVE

**BACKGROUND:**

**Summary**

As per Board Policy A-27, the purpose of Riverside County's Legislative Program is to secure legislation that benefits the county and its residents, and to oppose/amend legislation that might adversely affect the county. Recognizing the need for consistency in conveying official positions on legislative matters, the county has instituted a coordinated process involving interaction between the Board of Supervisors, the County Executive Office, county agencies/departments, and the county's legislative advocates in Sacramento and Washington, D.C.

**Letters of Support/Opposition**

Since the last meeting of the Riverside County Board of Supervisors, the following letters were delivered to our legislative delegation and all pertinent parties in order to voice Riverside County's Support/Opposition.

**Legislation/Policy:** AB 1200 (Cervantes): Aging and Disabilities Resource Connection Program

**Position:** SUPPORT – Per Board Action

**Recipient:** Assembly Member Cervantes

**Summary:** AB 1200 would establish the Aging and Disability Resource Connection (ADRC) program, to be administered by the California Department of Aging, to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level. The bill would require the department to establish the Aging and Disability Resource Connection Advisory Committee as the primary adviser in the ongoing development and implementation of the ADRC program.

**Legislation/Policy:** AB 1401 (Maienschein): Juveniles: Protective Custody Warrant

**Position:** SUPPORT – Per Board Action

**Recipient:** Assembly Member Maienschein

**Summary:** AB 1401 would authorize the court to issue a protective custody warrant, without filing a petition in the juvenile court alleging that the minor comes within the jurisdiction of the juvenile court as a dependent, if there is probable cause to believe the minor comes within the jurisdiction of the juvenile court as a dependent, there is a substantial danger to the safety or

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

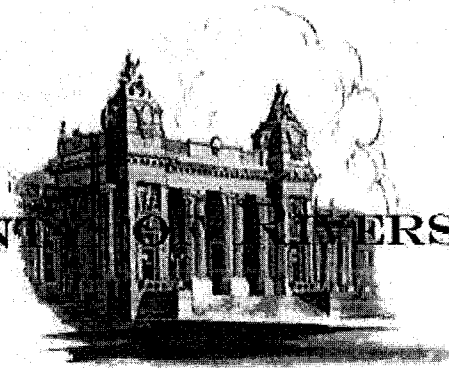
physical health of the child, and there are no reasonable means to protect the child's safety or physical health without removal.

**Impact on Residents and Businesses**

The action presented should not affect residents or businesses within Riverside County.

**ATTACHMENT A.** Legislative Update – May 9

# COUNTY OF RIVERSIDE



## Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2 Chairman	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

May 3, 2017

The Honorable Sabrina Cervantes  
California State Assembly  
State Capitol, Room 5164  
Sacramento, CA 95814

**Re: AB 1200 (Cervantes): Aging and Disabilities Resource Connection Program  
As introduced February 17, 2017  
County of Riverside: SUPPORT – Per Board Action**

Dear Assembly Member Cervantes:

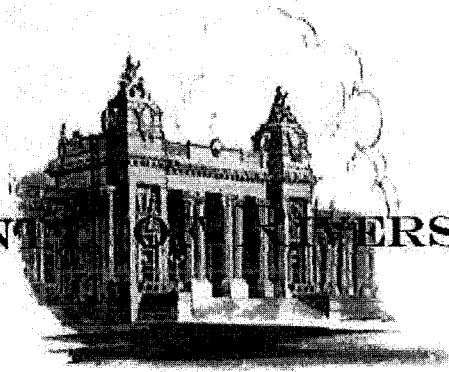
On behalf of the Riverside County Board of Supervisors, I write to express our support for your AB 1200, which defines the Aging and Disabilities Resource Connection (ARDC) Program, outlines its purpose, establishes standards of operations, and requires the Department of Aging and the State Department of Health Care Services to explore reimbursement options.

The ADRC initiative focuses on delivering person-centered planning by improving access to long-term services and support (LTSS) so that an individual can receive the right services at the right time and in the right place. These programs provide objective information, advice, counseling and assistance, and ensure that individuals can make informed decisions about their services. ADRCs build on the strength of existing community agencies, such as Area Agencies on Aging (AAA) and Independent Living Centers (ILC), to provide a single coordinated system of information and access for all persons seeking long-term services and support.

In 2003, the federal Administration on Aging (AoA) and the Centers for Medicare & Medicaid Services (CMS) started promoting the ADRC initiative to streamline access to long-term services and supports (LTSS) to assist older adults, persons with disabilities, families, and caregivers. Although federal and state agencies encourage local networks to collaborate on developing ADRCs, there is no statutory authority, thereby limiting the program to only seven sites throughout California, of which Riverside County is one.

The ADRC program needs and deserves the support of the Legislature to ensure that the program becomes an integral component of the long-term support and services delivery system.

# COUNTY OF RIVERSIDE



## Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2 Chairman	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

For these reasons, we strongly support AB 1200. Should you have any questions about our position, please do not hesitate to contact Deputy County Executive Officer Brian Nestande at (951) 955-1110 or [bnestande@rceo.org](mailto:bnestande@rceo.org).

Sincerely,

John F. Tavaglione  
Chairman, Riverside County Board of Supervisors

Cc: The Honorable Ash Kalra, Chair, Assembly Aging and Long-Term Care Committee  
Members and Consultants, Assembly Aging and Long-Term Care Committee  
County of Riverside Delegation

**ASSEMBLY BILL**

**No. 1200**

---

**Introduced by Assembly Member Cervantes**

February 17, 2017

---

An act to add Article 4 (commencing with Section 9120) to Chapter 2 of Division 8.5 of the Welfare and Institutions Code, relating to aging.

LEGISLATIVE COUNSEL'S DIGEST

AB 1200, as introduced, Cervantes. Aging and Disabilities Resource Connection program.

Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging, and states that the mission of the department is to provide leadership to the area agencies on aging in developing systems of home- and community-based services that maintain individuals in their own homes or least restrictive homelike environments.

Existing law vests in the Department of Rehabilitation the responsibility and authority for the encouragement of the planning, development, and funding of independent living centers, which are private, nonprofit organizations that provide specified services to individuals with disabilities, in order to assist those individuals in their attempts to live fuller and freer lives outside institutions.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides that Medi-Cal long-term services and supports, including In-Home Supportive Services (IHSS), Community-Based Adult Services (CBAS), Multipurpose Senior

Services Program (MSSP) services, and certain skilled nursing facility and subacute care services, shall be covered services by a specified date under managed care health plan contracts for beneficiaries residing in counties participating in the Coordinated Care Initiative.

This bill would establish the Aging and Disability Resource Connection (ADRC) program, to be administered by the California Department of Aging, to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level. The bill would require the department to establish the Aging and Disability Resource Connection Advisory Committee as the primary adviser in the ongoing development and implementation of the ADRC program. The bill would require the department, in consultation with the advisory committee, to formulate criteria for designation and approval of local ADRC program sites, and would specify the services offered by, and responsibilities of, a program site. The bill would require the department and the State Department of Health Care Services to enter into a memorandum of understanding with the federal Centers for Medicare and Medicaid Services to authorize local government agencies to claim federal Medicaid reimbursement for qualified administrative activities performed pursuant to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California's long-term services and supports (LTSS) system
- 4 is plagued by fragmentation of programs at the state, regional, and
- 5 local levels. In many communities, multiple agencies administer
- 6 LTSS and have complex, fragmented, and often duplicative intake,
- 7 assessment, and eligibility functions. This fragmentation results
- 8 in a lack of access to coordinated services. As a result, consumers
- 9 and their families struggle to identify and access necessary home-
- 10 and community-based services, resulting in increased likelihood
- 11 of hospitalization and institutional placements.
- 12 (b) In 2003, the federal Administration for Community Living
- 13 and the federal Centers for Medicare and Medicaid Services

1 established a joint funding opportunity through the Aging and  
2 Disability Resource Center (ADRC) initiative, which was designed  
3 to provide visible and trusted sources of information, one-on-one  
4 counseling, and streamlined access to LTSS.

5 (c) ADRCs build on the strength of existing community  
6 agencies, including area agencies on aging and independent living  
7 centers, to provide a more coordinated system of information and  
8 access for all persons seeking LTSS to minimize confusion,  
9 enhance individual choice, and support informed decisionmaking.

10 (d) In California, ADRC partnerships exist in eight areas of the  
11 state that facilitate access to LTSS based on individuals' needs,  
12 preferences, and goals.

13 (e) California's ADRC Advisory Committee engages  
14 stakeholders in identifying and implementing strategies to  
15 strengthen, sustain, and expand ADRC services throughout the  
16 state.

17 SEC. 2. Article 4 (commencing with Section 9120) is added  
18 to Chapter 2 of Division 8.5 of the Welfare and Institutions Code,  
19 to read:

20

21 Article 4. Aging and Disability Resource Connection Program

22

23 9120. (a) There is hereby established an Aging and Disability  
24 Resource Connection (ADRC) program to provide information to  
25 consumers and their families on available long-term services and  
26 supports (LTSS) programs and to assist older adults, caregivers,  
27 and persons with disabilities in accessing LTSS programs at the  
28 local level.

29 (b) This article shall be administered by the California  
30 Department of Aging. The department shall enter into interagency  
31 agreements with the Department of Rehabilitation and the State  
32 Department of Health Care Services for purposes of implementing  
33 this article.

34 9121. (a) The department shall establish the Aging and  
35 Disability Resource Connection Advisory Committee as the  
36 primary adviser to the department, the Department of  
37 Rehabilitation, and the State Department of Health Care Services  
38 in the ongoing development and implementation of the ADRC  
39 program.

40 (b) The advisory committee shall do all of the following:



1 (1) Consider high-level aspects of the ADRC program operations  
2 and related systemwide issues.

3 (2) Provide input and recommendations to the departments in  
4 developing ADRC program policies and procedures.

5 (3) Serve as the forum for ADRC stakeholders to discuss  
6 evolving federal guidance, funding opportunities, and best  
7 practices.

8 9122. (a) The department, in consultation with the advisory  
9 committee, shall formulate criteria for designation and approval  
10 of local ADRC program sites.

11 (b) Area agencies on aging and independent living centers shall  
12 be the core local partners in developing ADRC program sites, but  
13 the department may work with other local partners in developing  
14 ADRC program sites.

15 (c) An ADRC program site shall provide all of the following:

16 (1) Enhanced information and referral services and other  
17 assistance at hours that are convenient for the public.

18 (2) Options counseling concerning available LTSS programs  
19 and public and private benefits programs.

20 (3) Short-term service coordination.

21 (4) Transition services from hospitals to home and from skilled  
22 nursing facilities to the community.

23 (d) An ADRC program site shall do all of the following:

24 (1) Provide services within the geographic area served.

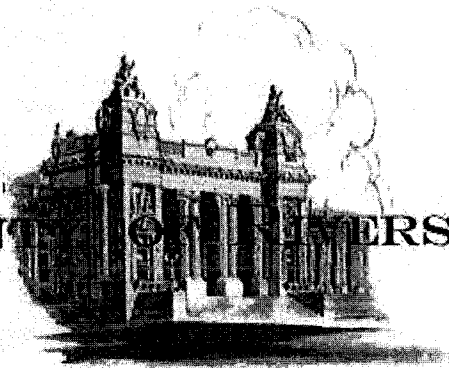
25 (2) Provide information to the public about the services provided  
26 by the site.

27 (3) Submit to the department all reports and data required or  
28 requested by the department.

29 (e) The department, in consultation with the advisory committee,  
30 shall consider establishing ADRC program sites to cover all  
31 geographic regions of the state in order to provide services to the  
32 maximum number of consumers and families in the state.

33 9123. The department and the State Department of Health Care  
34 Services shall enter into a memorandum of understanding with the  
35 federal Centers for Medicare and Medicaid Services to authorize  
36 local government agencies to claim federal Medicaid  
37 reimbursement for qualified administrative activities performed  
38 pursuant to this article, consistent with Section 14132.47.

# COUNTY OF RIVERSIDE



## Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2 Chairman	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

May 3, 2017

The Honorable Brian Maienschein  
California State Assembly  
State Capitol, Room 4139  
Sacramento, CA 95814

RE: **AB 1401 (Maienschein): Juveniles: Protective Custody Warrant  
As Amended April 19, 2017  
County of Riverside: SUPPORT – Per Board Action**

Dear Assembly Member Maienschein:

On behalf of the Riverside County Board of Supervisors, I write to express our support for your legislation, AB 1401. The measure would clarify that a court may issue a protective custody warrant for the protection of a child under specified circumstances when the child is not already the subject of a dependency petition.

Under existing law, the juvenile court is allowed to order removal of a child from his or her home when a petition is filed simultaneously or if social workers investigating child abuse and neglect find that there is imminent danger or bodily harm. There is some ambiguity in existing law regarding the issue of obtaining warrants without the filing of a petition. Some courts will issue warrants without a petition, because they believe that authority is inherent in their judicial powers to protect the interests of a minor. However, in some counties, judges will not do so without a warrant.

AB 1401 would clarify this ambiguity by allowing social workers, under certain circumstances, to seek a court order to remove a child without filing a petition while still retaining the judge's discretion as to whether a warrant is appropriate or needed as a precondition. This bill would provide an additional tool for social workers and help to protect vulnerable children.

For this reason, the County of Riverside supports AB 1401. If you have any questions about the County's position, please do not hesitate to contact our Deputy County Executive Officer, Brian Nestande at (951) 955-1110, [bnestande@rceo.org](mailto:bnestande@rceo.org).

Sincerely,

  
John Tavaglione  
Chairman, Riverside County Board of Supervisors

cc: County of Riverside Delegation

AMENDED IN ASSEMBLY APRIL 19, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1401**

---

**Introduced by Assembly Member Maienschein**

February 17, 2017

---

An act to amend Section 340 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1401, as amended, Maienschein. Juveniles: protective custody warrant.

Existing law establishes the jurisdiction of the juvenile court, which is permitted to adjudge certain children to be dependents of the court under certain circumstances, including when the child is abused, a parent or guardian fails to adequately supervise or protect the child, as specified, or a parent or guardian fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law requires a proceeding in the juvenile court to declare a child to be a dependent child of the court to be commenced by the filing with the court, by the social worker, of a petition in conformity with specified requirements. Existing law authorizes the court to issue a protective custody warrant for a minor under certain circumstances, including when a petition has been filed in the juvenile court alleging that the minor comes within the jurisdiction of the juvenile court as a dependent or when a dependent minor has run away from his or her court-ordered placement.

This bill would authorize the court to issue a protective custody warrant, without filing a petition in the juvenile court alleging that the minor comes within the jurisdiction of the juvenile court as a dependent, if there is probable cause to believe the minor comes within the

jurisdiction of the juvenile court as a dependent, there is a substantial danger to the ~~physical or emotional health, or both,~~ *safety or physical health* of the child, and there are no reasonable means to protect the ~~child~~ *child's safety or physical health* without removal. *The bill would require any child taken into protective custody under these provisions to immediately be delivered to the social worker who shall investigate the facts and circumstances of the child and the facts surrounding the child being taken into custody and attempt to maintain the child with the child's family through the provision of services. By imposing additional duties on county social workers, this bill would impose a state-mandated local program.*

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

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

- 1 SECTION 1. Section 340 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 340. (a) Whenever a petition has been filed in the juvenile
- 4 court alleging that a minor comes within Section 300 and praying
- 5 for a hearing on that petition, or whenever any subsequent petition
- 6 has been filed praying for a hearing in the matter of the minor and
- 7 it appears to the court that the circumstances of his or her home
- 8 environment may endanger the health, person, or welfare of the
- 9 minor, or whenever a dependent minor has run away from his or
- 10 her court-ordered placement, a protective custody warrant may be
- 11 issued immediately for the minor.
- 12 (b) A protective custody warrant may be issued without filing
- 13 a petition under Section 300 if the court finds probable cause to
- 14 support all of the following:
- 15 (1) The child is a person described in Section 300.
- 16 (2) There is a substantial danger to the ~~physical or emotional~~
- 17 ~~health, or both,~~ *safety or physical health* of the child.

1 (3) There are no reasonable means to protect the ~~child~~ child's  
2 safety or physical health without removal.

3 (c) Any child taken into protective custody pursuant to this  
4 section shall immediately be delivered to the social worker who  
5 shall investigate, pursuant to Section 309, the facts and  
6 circumstances of the child and the facts surrounding the child  
7 being taken into custody and attempt to maintain the child with  
8 the child's family through the provision of services.

9 (d) Nothing in this section is intended to limit any other  
10 circumstance permitting a magistrate to issue a warrant for a  
11 person.

12 SEC. 2. To the extent that this act has an overall effect of  
13 increasing the costs already borne by a local agency for programs  
14 or levels of service mandated by the 2011 Realignment Legislation  
15 within the meaning of Section 36 of Article XIII of the California  
16 Constitution, it shall apply to local agencies only to the extent that  
17 the state provides annual funding for the cost increase. Any new  
18 program or higher level of service provided by a local agency  
19 pursuant to this act above the level for which funding has been  
20 provided shall not require a subvention of funds by the state or  
21 otherwise be subject to Section 6 of Article XIII B of the California  
22 Constitution.