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SB-160 Emergency services: cultural competence. (2019-2020)

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Senate Bill No. 160

CHAPTER 402

An act to add Section 8593.3.5 to the Government Code, relating to emergencies.

[Approved by Governor October 02, 2019. Filed with Secretary of State October 02, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 160, Jackson. Emergency services: cultural competence.

Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or human-made disasters and emergencies. Existing law defines the terms "political subdivision" and "emergency plans" for purposes of emergency services provided by local governments. Existing law requires a county, upon the next update to its emergency plan, to integrate access and functional needs into its emergency plan, as specified.

This bill would require a county to integrate cultural competence, as defined, into its emergency plan upon the next update to its emergency plan, as specified. The bill would also require a county to provide a forum for community engagement in geographically diverse locations in order to engage with culturally diverse communities, as defined, within its jurisdiction. The bill would authorize a county to establish a community advisory board for the purpose of cohosting, coordinating, and conducting outreach for the community engagement forums. By increasing the duties of local officials, 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(b) It is the inherent responsibility of government to protect life and property during an emergency, and for local governments that responsibility includes readying emergency plans to prepare their communities for natural and human-caused disasters.

(c) The devastating nature of California's wildfires continues to increase in intensity and destruction every year, making it paramount that local emergency plans acclimate to the nature of fire seasons in this "new normal."

(d) In order for these emergency plans to be more effective in addressing future disasters, they must reflect and integrate the needs of all of California's diverse population to avoid disproportionate impacts to some of our most vulnerable communities, similar to those impacts experienced by the elderly and non-English speaking communities during the 2017 and 2018 California wildfire seasons.

(e) It is the intent of the Legislature in enacting this act that emergency disaster planning incorporate mechanisms and processes that account for the state population's diversity in a meaningful and inclusive manner to ensure all communities are disaster resilient for the safety and well-being of all residents in future disasters.

SEC. 2. Section 8593.3.5 is added to the Government Code, to read:

8593.3.5. (a) A county, including a city and county, shall, upon the next update to its emergency plan, integrate cultural competence into its emergency plan by addressing, at a minimum, how culturally diverse communities within its jurisdiction are served by the following:

(1) Emergency communications, including the integration of interpreters and translators.

(2) Emergency evacuation and sheltering.

(3) Emergency mitigation and prevention.

(4) Emergency planning, including drawing on community-based values and customs, and incorporating qualified representatives from diverse population groups in the community, during the planning process.

(5) Emergency preparedness, including the use of culturally appropriate resources and outreach techniques to educate and prepare community members for emergencies or disasters.

(b) In relation to subdivision (a), a county, including a city and county, shall provide a forum for community engagement in geographically diverse locations in order to engage with culturally diverse communities within its jurisdiction.

(1) A county, including a city and county, may establish a separate community advisory board for the purpose of cohosting, coordinating, and conducting outreach for the community engagement forums. The advisory board may assist the county in prioritizing which culturally diverse communities to outreach to and in implementing strategies related to elements in subdivision (a) for integration into the county emergency plan. Representatives of the following parties shall be considered for the composition of the advisory board:

(A) Interagency county government departments including, but not limited to, emergency services, public health, social services, and transportation.

(B) Culturally diverse community advocacy groups and community members as identified in paragraph (2) of subdivision (c).

(2) A county, including a city and county, through the advisory board may coordinate community outreach forums to solicit input from and share information with culturally diverse community organizations and community members as identified in paragraph (2) of subdivision (c) on related topics of the emergency plan as identified under subdivision (a).

(3) The community engagement forums may include translation and interpretation in languages other than English.

(c) For purposes of this section:

(1) "Cultural competence" means the ability to understand, value, communicate with, and effectively interact with people across cultures in order to ensure that the needs of all community members are addressed, with priority given to "culturally diverse communities." "Cultural competence" includes, but is not limited to, being respectful and responsive to the cultural and linguistic needs of diverse population groups.

(2) "Culturally diverse communities" includes, but is not limited to, race and ethnicity, including indigenous peoples, communities of color, and immigrant and refugee communities; gender, including women; age, including the elderly and youth; sexual and gender minorities; people with disabilities; occupation and income level including low-income individuals and the unhoused; education level; people with no or limited English language proficiency; as well as geographic location.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.