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AB-2620 California Commission on Aging. (2023-2024)

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Assembly Bill No. 2620

CHAPTER 334

An act to amend Sections 9200, 9201, and 9202 of the Welfare and Institutions Code, relating to aging.

[Approved by Governor September 21, 2024. Filed with Secretary of State September 21, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2620, Bains. California Commission on Aging.

Existing law, the Mello-Granlund Older Californians Act, establishes the California Commission on Aging, comprised of 25 members, appointed as specified, including 19 members appointed by the Governor. Existing law requires the commission to be comprised of actual consumers of services provided under the federal Older Americans Act. Under existing law, the commission's mission is, among other things, to serve as the principal advocate body in the state on behalf of older individuals, to participate with and advise the California Department of Aging in various ways relating to the State Plan on Aging, and to develop a method for the selection of delegates to the statewide legislative meeting of senior advocates. Existing law sets forth the duties and powers of the commission, including participating with the department in training workshops for community, regional, and statewide senior advocates, to help older individuals to understand legislative, regulatory, and program implementation processes, and meeting at least 6 times annually in order to study problems of older individuals and present findings and make recommendations.

This bill would reduce the number of members of the commission to 18, and require 12 members to be appointed by the Governor, with at least 2 appointed from a list of nominees submitted by, among others, area agency on aging directors and the Area Agency on Aging Advisory Council of California. The bill would require the members of the commission be comprised of consumers and providers of services under the federal Older Americans Act, instead of just consumers, who have professional, lived, or academic expertise both within and outside of the field of aging, in specified areas, including health, behavioral health, and housing.

The bill would clarify that the commission is an "advisory commission" as described by the Bagley-Keene Open Meeting Act, and is therefore subject to applicable teleconferencing provisions. The bill would revise the existing duties and purpose of the commission by removing the requirement that the commission develop a method for the selection of delegates to the statewide legislative meeting of senior advocates. The bill would also revise the duties of the commission to require, among other things, the commission's advisory participation in consideration of initiatives for programs and services affecting older adults, adults with disabilities, and caregivers, as well as to monitor and, when deemed appropriate, engage in federal advocacy efforts on, among others, federal rulemaking packages affecting older adults, adults with disabilities, and caregivers. The bill would also reduce the annual meetings of the commission from 6 to 4.

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

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

SECTION 1. Section 9200 of the Welfare and Institutions Code is amended to read:

9200. (a) (1) There is in the state government the California Commission on Aging.

(2) The commission shall be composed of 18 persons, as follows:

(A) Twelve persons shall be appointed by the Governor. At least 2 of the 12 persons shall be appointed by the Governor from nominees submitted by, among others, area agency on aging directors and the Area Agency on Aging Advisory Council of California, also known as the Triple-A Council of California.

(B) Three persons appointed by the Speaker of the Assembly.

(C) Three persons appointed by the Senate Rules Committee.

(3) The commission shall be comprised of a majority of members 60 years of age or older.

(4) The commission shall be comprised of actual consumers and providers of services under the federal Older Americans Act (42 U.S.C. Sec. 3001, et seq.), as amended, with professional, lived, or academic expertise both within and outside of the field of aging, including, but not limited to, health, behavioral health, Alzheimer's and related dementias, long-term services and supports, long-term care, housing, transportation, independent living, workforce development, caregiving, elder justice, information technology, and economic security, among others.

(5) The commission shall be composed of representatives of the geographic, cultural, economic, and other social factors in the state.

(b) The commission composition requirements shall be complied with as vacancies occur.

(c) For the purposes of conducting meetings pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), the commission is an "advisory commission" within the meaning of subdivision (b) of Section 11123.5 of the Government Code and, therefore, subject to Section 11123.5 of the Government Code.

SEC. 2. Section 9201 of the Welfare and Institutions Code is amended to read:

9201. The term of office of members of the commission shall be three years. Members shall not serve more than two full terms and shall be appointed for staggered terms. The members shall select one of their members to serve as chairperson and one of their members to serve as vice chairperson on an annual basis.

A commissioner who fails to attend two consecutive monthly meetings or who fails to attend four meetings per year, without having given written excuse acceptable to the commission, shall cause the commission to notify the appointing authority, and the appointing authority may declare the position vacant.

SEC. 3. Section 9202 of the Welfare and Institutions Code is amended to read:

9202. The duties and functions of the commission shall include, but not be limited to, all of the following:

(a) Serve as the principal advocate body in the state on behalf of older individuals, including, but not limited to, advisory participation in the consideration of all legislation, regulations, and initiatives made by state and federal departments and agencies relating to programs and services that affect older adults, adults with disabilities, and caregivers.

(b) Participate with the department in training workshops for community, regional and statewide aging and disability advocates, to promote greater understanding of the legislative, regulatory, and program implementation processes.

(c) Prepare, publish, and disseminate information, findings, and recommendations regarding the health and well-being of older individuals.

(d) Actively participate and advise the department in the development and preparation of the State Plan on Aging, conduct public hearings on the State Plan on Aging, review and comment on the state plan, and monitor the progress of the plan's implementation.

(e) Meet at least four times annually in order to study problems of older individuals and present findings and make recommendations.

(f) Hold hearings throughout the state, that may include conducting an annual statewide hearing inviting all departments administering programs affecting older adults, adults with disabilities, and caregivers, in order to gather information and advise the Governor, Legislature, department, and agencies on all levels of government regarding solutions to problems confronting older individuals and the most effective use of existing resources and available services for individuals.

(g) Hire an executive director, who will, within budgetary limits, hire staff as may be necessary for the commission to fulfill its duties.

(h) Perform other duties as may be required by statute, regulation, resolution, or executive order.

(i) Meet and consult with the Area Agency on Aging Advisory Council of California in order to exchange information, and assist in training, planning, and development of advocacy skills.

(j) Monitor and, when deemed appropriate, engage in federal advocacy efforts that may include, but not be limited to, providing comments on federal Older Americans Act reauthorizations and federal rulemaking packages impacting older adults, adults with disabilities, and caregivers.