



State Bar Insurance Committee Meeting Legislative Report June 27, 2014

Auto

AB 1555 (Frazier) Vehicle Manslaughter Driving Using Wireless Device. Makes vehicular manslaughter without gross negligence committed while using a wireless telephone, electronic wireless communications device, or mobile service device, punishable by imprisonment in a county jail for 16 months, or 2 or 3 years, and would make vehicular manslaughter with gross negligence under these circumstances punishable by imprisonment in the state prison for 4, 6, or 10 years. *The bill failed passage in the Assembly Public Safety Committee.*

AB 1646 (Frazier) Vehicles Electronic Wireless Communication Devices. Requires the driver's license examination to include a test of the applicant's understanding of the distractions and dangers of handheld cellular phone use and text messaging while operating a motor vehicle. *The bill is in the Senate Appropriations Committee.* ACIC supports the bill.

AB 2293 (Bonilla) Motor Vehicle Insurance Coverage Personal Vehicle Sharing. Provides disclosure to transportation network company drivers that likely inapplicability of their personal auto coverage, clarifies that TNC coverage is primary, defines transportation network services as "app on," and clarifies that the TNC has the duty to defend and indemnify. *The bill is scheduled to be heard in the Senate Insurance Committee on June 25.*

SB 1273 (Lara) Insurance Low-Cost Automobile Insurance Program. Amends the Low Cost Auto Program by deleting provisions that limit the initial implementation of the program to specified counties, requiring the Insurance Commissioner to make a need-based assessment as to implementation in all other counties, deleting the repeal date of the program, deleting the limits on the value of an automobile that can be insured through the program, expanding the surcharge and eligibility requirements to include drivers with fewer than 3 years of driving history. (CDI sponsored) *The bill is scheduled to be heard in the Assembly Insurance Committee on June 25.*

Health

AB 1771 (M Perez) Telephonic and Electronic Patient Management Services. Would require a health care service plan or a health insurer, with respect to contracts and policies issued, amended, or renewed on or after January 1, 2015, to cover physician telephonic and electronic patient management services and to reimburse those services at the same level and amount as face-to-face patient encounters with similar complexity and time expenditure. Because a willful violation of the bill's requirements by a health care service plan or health insurer would be a crime, the bill would impose a state-mandated local program. *The bill is in the Senate Appropriations Committee.*

AB 1917 (Gordon) Outpatient Prescription Drug: Cost Share. PPACA requires each state to establish an American Health Benefits Exchange for the purpose of facilitating the enrollment of qualified individuals and qualified small employers in qualified health plans and provides reduced cost sharing for certain low-income individuals who enroll in a qualified health plan in the silver level of coverage through the Exchange. This bill would provide that no reimbursement is required by this act for a specified reason. *This bill contains other existing laws. The bill is in the Senate Appropriations Committee.*

AB 1962 (Skinner) MLR/Dental plans. Would require specialized dental health care service plan contracts and specialized dental health insurance policies to comply with parallel requirements. The bill would authorize the departments to adopt regulations implementing these provisions and would require that those regulations parallel the regulations adopted with respect to full-service plan contracts and policies. Because a willful violation of the bill's requirements by a health care service plan would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. *The bill is scheduled to be heard in the Senate Appropriations Committee on June 30.*

AB 2418 (Bonilla) Mail order / refills. Would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2015, that provides prescription drug benefits and imposes a mandatory mail order restriction for all or some covered prescription drugs to establish a process allowing enrollees and insureds to opt out of the restriction, as specified. This bill contains other related provisions and other existing laws. *The bill is scheduled to be heard in Senate Health Committee on June 25.*