

AMENDED IN ASSEMBLY MARCH 11, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1348

Introduced by Assembly Member McCarty

February 19, 2021

An act to ~~amend Section 150900 of~~ *add and repeal Section 124244* of the Health and Safety Code, relating to ~~health services~~: *youth athletics*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1348, as amended, McCarty. ~~Transgender Wellness and Equity Fund~~. *Youth athletics: chronic traumatic encephalopathy.*

Under the California Youth Football Act, a youth sports organization, as defined, that conducts a tackle football program must comply with certain requirements, including, among other things, having a licensed medical professional, which may include a state-licensed emergency medical technician, paramedic, or higher-level licensed medical professional, present during games.

This bill would require the Surgeon General to convene a Commission on Chronic Traumatic Encephalopathy and Youth Football to investigate issues related to the risks of brain injury associated with participation in youth football, and to provide recommendations to the Governor and Legislature on strategies to reduce this risk, including the minimum appropriate age for participation in youth tackle football. The bill would require the Surgeon General to publish a report on their internet website on or before July 1, 2023, with the findings of the commission.

~~Existing law establishes the Transgender Wellness and Equity Fund, under the administration of the Office of Health Equity, for the purpose of funding grants, upon appropriation by the Legislature, to organizations serving people that identify as transgender, gender~~

~~nonconforming, or intersex (TGI), to create or fund TGI-specific housing programs and partnerships with hospitals, health care clinics, and other medical providers to provide TGI-focused health care, as defined, and related education programs for health care providers.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-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) *Chronic traumatic encephalopathy (CTE) is a degenerative*
- 4 *brain disease caused by repeated head traumas.*
- 5 (b) *CTE has been linked to participation in contact sports such*
- 6 *as boxing and football.*
- 7 (c) *Research shows that the risk of CTE increases with the*
- 8 *number of years of football played.*
- 9 (d) *CTE can cause mood and behavioral symptoms, including*
- 10 *impulse control problems, aggression, depression, and paranoia.*
- 11 (e) *CTE can result in impaired cognitive function, including*
- 12 *memory loss, impaired judgment, and progressive dementia.*
- 13 SEC. 2. *Section 124244 is added to the Health and Safety Code,*
- 14 *to read:*
- 15 124244. (a) *As used in this section, “commission” means the*
- 16 *Commission on Chronic Traumatic Encephalopathy and Youth*
- 17 *Football established pursuant to this section.*
- 18 (b) *The Surgeon General shall convene a Commission on*
- 19 *Chronic Traumatic Encephalopathy and Youth Football to*
- 20 *investigate issues related to the risks of brain injury associated*
- 21 *with participation in youth football, and to provide*
- 22 *recommendations to the Governor and Legislature on strategies*
- 23 *to reduce this risk, including the minimum appropriate age for*
- 24 *participation in youth tackle football.*
- 25 (c) *The commission shall be led by the Surgeon General and*
- 26 *consist of members selected by the Surgeon General, and shall*
- 27 *include, but not be limited to, members with expertise in public*
- 28 *health, neuroscience, neurology, or other relevant fields.*

1 (d) The commission shall review, investigate, and analyze issues
2 relating to the risk of brain injury associated with participation
3 in youth football, including:

4 (1) The risk of concussion, chronic traumatic encephalopathy
5 (CTE), or other brain injury from participation in youth tackle
6 football.

7 (2) The short and long-term health consequences of concussion,
8 CTE, or other brain injury in youth.

9 (3) How the risks and health consequences described in
10 paragraphs (1) and (2) vary with the age of the youth tackle
11 football participant.

12 (e) On or before July 1, 2023, the Surgeon General shall publish
13 a report on their internet website on the findings of the commission,
14 including recommendations on the following issues:

15 (1) The appropriate minimum age for participation in youth
16 tackle football.

17 (2) Best practices for minimizing the risk of concussion, CTE,
18 or other brain injury in youth football, including youth tackle
19 football.

20 (f) This section shall remain in effect only until January 1, 2024,
21 and as of that date is repealed.

22 SECTION 1. ~~Section 150900 of the Health and Safety Code~~
23 ~~is amended to read:~~

24 ~~150900. (a) The Transgender Wellness and Equity Fund is~~
25 ~~established in the State Treasury.~~

26 ~~(b) The State Department of Public Health's Office of Health~~
27 ~~Equity shall administer the Transgender Wellness and Equity Fund~~
28 ~~for purposes of funding grants to create programs, or funding~~
29 ~~existing programs, focused on coordinating trans-inclusive health~~
30 ~~care for individuals who identify as transgender, gender~~
31 ~~nonconforming, or intersex (TGI).~~

32 ~~(c) Upon appropriation by the Legislature, moneys in the~~
33 ~~Transgender Wellness and Equity Fund may be used to fund grants~~
34 ~~for the following purposes:~~

35 ~~(1) The grants shall be available to TGI-serving organizations~~
36 ~~for the purpose of increasing the capacity of health care~~
37 ~~professionals to effectively provide TGI health care and institute~~
38 ~~TGI-inclusive best practices. This includes the creation of~~
39 ~~educational materials or facilitation of capacity building trainings.~~

1 ~~(2) The grants shall be available to TGI-serving organizations~~
2 ~~for the purpose of facilitating therapeutic arts programs, such as~~
3 ~~dancing, painting, or writing.~~

4 ~~(3) The grants shall be available to TGI-serving organizations~~
5 ~~for purposes of assisting, identifying, and referring TGI people to~~
6 ~~access supportive housing. This includes case management~~
7 ~~opportunities, financial assistance, and assisting TGI people in~~
8 ~~receiving and utilizing housing vouchers. If a TGI-serving~~
9 ~~organization has already implemented a TGI-specific housing~~
10 ~~program, funding may be utilized to maintain or expand existing~~
11 ~~housing programs.~~

12 ~~(4) The grants shall be available to a hospital, health care clinic,~~
13 ~~or other medical provider that currently provides gender-affirming~~
14 ~~health care services, such as hormone therapy or gender~~
15 ~~reassignment surgery, to continue providing those services, or to~~
16 ~~a hospital, health care clinic, or other medical provider that will~~
17 ~~establish a program that offers gender-affirming health care~~
18 ~~services and has an established relationship with a TGI-serving~~
19 ~~organization that will lead in establishing the program.~~

20 ~~(d) A hospital, health care clinic, or other medical provider that~~
21 ~~applies for a grant must apply in partnership with a TGI-serving~~
22 ~~organization and consult with the TGI-serving organization~~
23 ~~throughout the process of creating and implementing its~~
24 ~~trans-inclusive health care program.~~

25 ~~(e) This section does not limit or impact payer coverage~~
26 ~~requirements of health care or other social services.~~

27 ~~(f) For purposes of this section, the following definitions apply:~~

28 ~~(1) “Health care” means all of the following:~~

29 ~~(A) Medical, behavioral, and spiritual care, including, but not~~
30 ~~limited to, guided meditation and nondenominational therapy.~~

31 ~~(B) Therapeutic arts programs, including, but not limited to,~~
32 ~~dancing, painting, and writing classes.~~

33 ~~(C) Services related to substance use disorder or substance~~
34 ~~abuse.~~

35 ~~(D) Supportive housing as a mechanism to support~~
36 ~~TGI-identified individuals in accessing other social services.~~

37 ~~(2) A “TGI-serving organization” is an organization with a~~
38 ~~mission statement that centers around serving transgender, gender~~

- 1 ~~nonconforming, and intersex people, and where at least 65 percent~~
- 2 ~~of the clients of the organization are TGI.~~

O