

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 08/02/2022
POSITION: Oppose

BILL NUMBER: SB 1479
AUTHOR: Pan, Richard

BILL SUMMARY: COVID-19 testing in schools: COVID-19 testing plans.

This bill, contingent upon an appropriation, requires the California Department of Public Health (CDPH) to coordinate local educational agency (LEA) COVID-19 testing programs that are funded by federal resources or organized under the California COVID-19 Testing Task Force. The bill also requires CDPH to provide specified supportive services to LEAs related to their testing plan and testing programs for teachers, staff, students, and surrounding communities to support the safe reopening and operation for in-person learning. Additionally, the bill requires CDPH to expand its contagious, infectious, or communicable disease testing and other public health mitigation efforts to include prekindergarten, onsite after school programs, and childcare centers. Finally, the bill requires LEAs to create a COVID-19 testing plan consistent with CDPH guidance after consulting with their local health departments on local guidance or best practices from the Safe Schools for All Hub.

FISCAL SUMMARY

While the provisions of this bill are contingent upon an appropriation, this bill could create Proposition 98 General Fund cost pressures in the tens of millions to hundreds of millions of dollars for LEAs to create COVID-19 testing plans as specified. Costs could vary widely depending on whether an LEA has an existing COVID-19 testing plan and how LEAs choose to implement the requirements of the bill. The bill could also create indeterminate local costs for county health departments to support the development of a testing plan for LEAs in their jurisdiction as required in the bill.

At the time of this analysis, CDPH has not provided a fiscal estimate for implementation costs related to this bill. However, Finance estimates costs for CDPH to coordinate testing programs, provide supportive services, and expand its COVID-19 related testing and mitigation efforts to be minor and absorbable within existing resources. CDPH is already providing guidance, technical assistance, and other supports and resources to LEAs and child care programs in order to operate safely during the COVID-19 pandemic, as detailed on the Safe Schools for All Hub website.

COMMENTS

The Department of Finance is opposed to this bill for the following reasons:

- This bill creates Proposition 98 General Fund cost pressures in the tens of millions to hundreds of millions of dollars for LEAs to create COVID-19 testing plans consistent with CDPH guidance, and to consult with their local health department regarding any local guidance or best practices from the Safe Schools for All Hub as it relates to this plan.
CDPH currently provides comprehensive support services, technical assistance, guidance, education, tests, and other services related to COVID-19 testing, mitigation, and response in

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COMMENTS (continued)

schools. More than 4,800 schools are currently implementing state-testing programs and more than 2,800 community-based entities are offering COVID-19 testing. LEAs can, and should, utilize the many existing CDPH resources already available to implement COVID-19 testing programs if it is a priority and meets the needs of their community.

CDPH recently released COVID-19 Public Health Guidance and a Preliminary Testing Framework for K-12 Schools in California for the 2022-23 school year. This framework is intended to support current and ongoing planning regarding COVID-19 testing processes at LEAs based on scientific knowledge and anticipated trends, and is subject to change to incorporate new research. Additionally, California's Safe Schools for All Hub website is a comprehensive resource that consolidates key information regarding COVID-19 response and mitigation in schools and childcare programs.

Existing law requires a local educational entity offering in-person instruction to post a completed COVID-19 safety plan on its internet website and requires certain LEAs to submit their COVID-19 safety plan to their local public health department and CDPH. LEAs can utilize resources and support services offered by CDPH and their local health departments to incorporate current guidance on COVID-19 testing and update its safety plan including testing strategies.

The 2022 Budget Act included \$1.1 billion to implement the Shots, Masks, Awareness, Readiness, Testing, Education, and Rx (SMARTER) plan to support statewide COVID-19 mitigation and adaptation measures through effective and timely strategies. This initiative included \$530 million for purchasing additional antigen test kits, supporting school testing activities with end to end vendors, continuing rapid testing and treatment sites, and supporting laboratory network costs. The State is currently offering 15 million COVID-19 over-the-counter (OTC) tests to all county offices of education, with plans for more distributions starting August 1, and pairing these efforts with ongoing statewide school-focused educational materials to facilitate proper OTC use.

LEAs have also received over \$21 billion in federal Emergency and Secondary School Emergency Relief and Governor's Emergency Education Relief Funds authorized through the Coronavirus Aid Relief and Economic Security Act, Coronavirus Response and Relief Supplemental Appropriations Act, and American Rescue Plan Act. These funds may be used for a wide range of activities to help schools safely reopen, sustain safe operations, and address the impact of the COVID-19 pandemic on students. Allowable uses include supporting physical health and safety including testing, PPE, upgrading ventilation systems, addressing learning disruptions caused by the COVID-19 pandemic, and maintaining operational continuity among other uses related to preventing, preparing for, and responding to COVID-19.

The bill requires CDPH to provide supportive services to LEAs that include, but are not limited to, technical assistance, vendor support, guidance, monitoring, and testing education. Additionally the bill requires federal funds to be expended before allocating state funds to implement the bill if California secures additional federal funds through the US Centers for Disease Control and Prevention Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases Program for the purposes of COVID-19 testing in LEAs. The bill also permits LEAs to designate one staff member to report information on its COVID-19 testing program to CDPH, and requires COVID-19 testing data to be in a format that facilitates a simple process by which parents and LEAs may report data to CDPH or to a local health department. Finally, the bill requires CDPH to determine which COVID-19 tests are appropriate for use for the testing programs.

BILL ANALYSIS--(CONTINUED)

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code
	LA	(Dollars in Thousands)					
	CO	PROP					
	RV	98	FC	2022-2023 FC	2023-2024 FC	2024-2025	
6100/Dep of Educ	SO	No		----- No/Minor Fiscal Impact -----			0001
6100/Dep of Educ	LA	Yes	C	40,000-125,000 C	0 C		0 0001
4265/PublicHealth	SO	No		----- No/Minor Fiscal Impact -----			0001