



Lori Droste
Berkeley City Councilmember, District 8

Consent Calendar
January 29, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmember Lori Droste, Councilmember Susan Wengraf,
Councilmember Kesarwani, and Councilmember Hahn
Subject: Support for SB 24 (Public University Student Health Centers)

Recommendation:

That the Berkeley City Council send a letter supporting SB 24, which will require student health care centers on California State University and University of California campuses to offer abortion by medication techniques by 2023.

Financial Implications:

None.

Background:

Currently, none of the student health centers at California's public universities provide medication abortion services. The College Student Right to Access Act would require all on-campus student health centers at public universities to offer medication abortion for students by January 1, 2023.

This bill will create a special fund, administered by the California Commission on the Status of Women and Girls, to provide grants of \$200,000 to each on-campus student health center for the training and equipment to prepare them to provide abortion by medication techniques.

This bill will require public university student health centers to participate in an extensive evaluation and participate in efforts to ensure their centers receive the third-party reimbursements already available for medication abortion.

All students, particularly those at campuses located in rural areas, should be able to access abortion by medication and care if they so wish. Abortion by medication techniques are extremely safe, highly effective, and cost effective. They are an essential part of comprehensive

sexual and reproductive health care, and should be accessible at on-campus student health centers.

Environmental Sustainability:

No impact.

Contact Person:

Councilmember Lori Droste Council District 8 510-981-7180

Attachment 1: Draft letter of support

The Honorable Connie Leyva
State Capitol, Room 4061
Sacramento, CA 95814

Re: SB 24 (Leyva) - Public University Student Health Centers

Dear Senator Leyva,

Berkeley City Council writes in full support for SB 24. SB 24 would enable students at a California State University and a University of California to access abortion by medication at campus health clinics, including at UC Berkeley.

The cost and travel time associated with seeking abortion by medication can be a challenge for students, especially those on rural campuses. This bill would ensure greater access to those services and care. Abortion by medication is an essential part of reproductive care, and should be made available to students at these public institutions.

Respectfully,
Berkeley City Council

CC: Senator Nancy Skinner
Assemblymember Buffy Wicks

SENATE BILL

No. 24

Introduced by Senator Leyva

(Principal coauthor: Assembly Member Carrillo)

**(Coauthors: Senators Atkins, Beall, Dodd, Hill, Jackson, Skinner,
Stern, Umberg, and Wiener)**

December 3, 2018

An act to add Chapter 5.5 (commencing with Section 99250) to Part 65 of Division 14 of Title 3 of the Education Code, relating to public health, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 24, as introduced, Leyva. Public health: public university student health centers: abortion by medication techniques.

Existing law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, as 2 of the segments of public postsecondary education in this state.

This bill would express findings and declarations of the Legislature relating to the availability of abortion by medication techniques at on-campus student health centers at public postsecondary educational institutions in the state.

The bill would require, on and after January 1, 2023, each student health care services clinic on a California State University or University of California campus to offer abortion by medication techniques, as specified. The bill would require the Commission on the Status of Women and Girls to administer the College Student Health Center Sexual and Reproductive Health Preparation Fund, which the bill would establish. The bill would continuously appropriate the moneys in that fund to the commission for grants to these student health care clinics

for specified activities in preparation for providing abortion by medication techniques, thereby making an appropriation. The bill would provide that its requirements would be implemented only if, and to the extent that, a total of at least \$10,290,000 in private moneys is made available to the fund in a timely manner on or after January 1, 2020.

The bill would require the commission to submit a report to the Legislature, on or before December 31, 2021, and on or before December 31 of every year thereafter, until December 31, 2026, that includes, but is not necessarily limited to, specified information relating to abortion by medication techniques at these student health clinics.

Vote: majority. Appropriation: yes. Fiscal committee: 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) Abortion care is a constitutional right and an integral part
4 of comprehensive sexual and reproductive health care.
- 5 (b) More than 400,000 students classified as female are educated
6 at California’s public university campuses, and it is central to the
7 mission of California’s public university student health centers to
8 minimize the negative impact of health concerns on students’
9 studies and to facilitate retention and graduation.
- 10 (c) The state has an interest in ensuring that every pregnant
11 person in California who wants to have an abortion can obtain
12 access to that care as easily and as early in pregnancy as possible.
13 When pregnant young people decide that abortion is the best option
14 for them, having early, accessible care can help them stay on track
15 to achieve their educational and other aspirational life plans.
- 16 (d) All California public university campuses have on-campus
17 student health centers, but none of these health centers currently
18 provide abortion by medication techniques. Abortion by medication
19 techniques is extremely safe, highly effective, and cost effective.
20 Abortion by medication techniques is an essential part of
21 comprehensive sexual and reproductive health care, and should
22 be accessible at on-campus student health centers.
- 23 (e) Staff at on-campus student health centers include health
24 professionals who are licensed to provide abortion by medication
25 techniques. Under current California law, all residency programs

1 in obstetrics and gynecology include training in abortion.
 2 Physicians, nurse practitioners, physician assistants, and certified
 3 nurse-midwives are legally authorized to perform abortions by
 4 medication techniques. Any clinician legally authorized to provide
 5 abortion, but not currently trained to provide abortion by
 6 medication techniques, can be trained inexpensively to do so, and
 7 such training falls within the requirements of continuing education
 8 for medical providers.

9 (f) The National Academies of Sciences, Engineering, and
 10 Medicine have found that prescribing abortion by medication
 11 techniques is no different from prescribing other medications, and
 12 have also found that the risks of providing abortion by medication
 13 techniques, including via telehealth, are low and similar to the
 14 risks of serious adverse effects of taking commonly used
 15 prescription and over-the-counter medications.

16 (g) Students seeking early pregnancy termination, especially
 17 those enrolled at institutions outside of major urban centers, face
 18 prohibitively expensive travel, often without reliable means of
 19 transportation, to a clinic that may require hours of travel from
 20 their campus, out of their city, county, or even geographic region.
 21 These financial and time burdens negatively impact academic
 22 performance and mental health.

23 (h) California law recognizes abortion as a basic health service
 24 that must be covered by Medi-Cal and by private, managed care
 25 insurance plans regulated by the state.

26 (i) It is the intent of the Legislature that public university student
 27 health centers make abortion by medication techniques as
 28 accessible and cost-effective for students as possible, and thus
 29 public university student health centers should treat abortion by
 30 medication techniques as a basic health service.

31 SEC. 2. Chapter 5.5 (commencing with Section 99250) is added
 32 to Part 65 of Division 14 of Title 3 of the Education Code, to read:

33
 34 CHAPTER 5.5. STUDENT HEALTH CARE SERVICES

35
 36 99250. For the purposes of this chapter, the following
 37 definitions apply:

38 (a) "Commission" means the Commission on the Status of
 39 Women and Girls established by Section 8241 of the Government
 40 Code.

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1 (b) “Fund” means the College Student Health Center Sexual
2 and Reproductive Health Preparation Fund established by Section
3 99251.

4 (c) “Grantee” means any qualifying student health center at a
5 public college or university.

6 (d) “Medication abortion readiness” includes, but is not limited
7 to, assessment of each individual clinic to determine facility and
8 training needs before beginning to provide abortion by medication
9 techniques, purchasing equipment, making facility improvements,
10 establishing clinical protocols, creating patient educational
11 materials, and training staff. “Medication abortion readiness” does
12 not include the provision of abortion by medication techniques.

13 (e) “Public university student health center” means a clinic
14 providing primary health care services to students that is located
15 on the campus of a university within the University of California
16 or California State University systems.

17 99251. (a) On and after January 1, 2023, each public university
18 student health center shall offer abortion by medication techniques
19 onsite. This service may be performed by providers on staff at the
20 student health center or by providers associated with a contracted
21 external agency.

22 (b) (1) The commission shall administer the College Student
23 Health Center Sexual and Reproductive Health Preparation Fund,
24 which is established by this chapter for the purposes of providing
25 private moneys in the form of grants to public university student
26 health centers for medication abortion readiness. Notwithstanding
27 any other law, the commission is authorized to receive moneys
28 from nonstate entities, including, but not necessarily limited to,
29 private sector entities and local and federal government agencies,
30 and deposit these moneys in the fund.

31 (2) Notwithstanding Section 13340 of the Government Code,
32 the moneys in the fund are continuously appropriated to the
33 commission for allocation for purposes of this subdivision.

34 (3) The commission shall utilize fund moneys to do all of the
35 following:

36 (A) Provide a grant of two hundred thousand dollars (\$200,000)
37 to each public university student health center to pay for the cost,
38 both direct and indirect, of medication abortion readiness.
39 Allowable expenses under these grants include, but are not limited
40 to, all of the following:

- 1 (i) Purchase of equipment used in the provision of abortion by
2 medication techniques.
- 3 (ii) Facility and security upgrades.
- 4 (iii) Costs associated with enabling the campus health center to
5 deliver telehealth services.
- 6 (iv) Costs associated with training staff in the provision of
7 abortion by medication techniques.
- 8 (v) Staff cost reimbursement and clinical revenue offset while
9 staff are in trainings.
- 10 (B) Provide a grant of two hundred thousand dollars (\$200,000)
11 to both the University of California and the California State
12 University, to pay for the cost, both direct and indirect, of the
13 following, for each university system:
- 14 (i) Providing 24-hour, backup medical support by telephone to
15 patients who have obtained abortion by medication techniques at
16 a public university student health center.
- 17 (ii) One-time fees associated with establishing a corporate
18 account to provide telehealth services.
- 19 (iii) Billing specialist consultation.
- 20 (C) Paying itself for the costs, both direct and indirect, associated
21 with administration of the fund, including the costs of hiring staff
22 and the costs of reporting to the Legislature, not to exceed three
23 million ninety thousand dollars (\$3,090,000).
- 24 (D) Maintaining a system of financial reporting on all aspects
25 of the fund.
- 26 (4) Each public university student health center grantee shall,
27 as a condition of receiving a grant award from the fund, participate
28 in an evaluation of its medication abortion readiness and its
29 provision of abortion by medication techniques.
- 30 (5) The requirements of this chapter shall be implemented only
31 if, and to the extent that, a total of at least ten million two hundred
32 ninety thousand dollars (\$10,290,000) in private funds is made
33 available to the fund in a timely manner on or after January 1,
34 2020.
- 35 (6) Nothing in this chapter shall be interpreted as requiring a
36 public university to utilize General Fund moneys or student fees
37 for medication abortion readiness before January 1, 2023.
- 38 (c) The commission, working with the public university student
39 health centers, shall assist and advise on potential pathways for
40 their student health centers to access public and private payers to

1 provide funding for ongoing costs of providing abortion by
2 medication techniques.

3 (d) (1) On or before December 31, 2021, and on or before
4 December 31 of each year thereafter until December 31, 2026, the
5 commission shall submit a report to the Legislature that includes,
6 but is not necessarily limited to, all of the following information
7 for each reporting period, separately for the University of California
8 and the California State University:

9 (A) The number of student health centers that provide abortion
10 by medication techniques.

11 (B) The number of abortions by medication techniques
12 performed at student health centers, disaggregated, to the extent
13 possible, by student health center.

14 (C) The total amount of funds granted by the commission to the
15 university and the university's student health centers that is
16 expended on medication abortion readiness, and, separately, the
17 total amount of any other funds expended on medication abortion
18 readiness and the source of those funds, disaggregated by function
19 and, to the extent possible, disaggregated by student health center.

20 (D) The total amount of funds expended on the provision of
21 abortion by medication techniques and the source of those funds,
22 disaggregated by function and, to the extent possible, disaggregated
23 by student health center.

24 (2) The report required in paragraph (1), and any associated
25 data collection, shall be conducted in accordance with state and
26 federal privacy law, including, but not necessarily limited to, the
27 state Confidentiality of Medical Information Act (Part 2.6
28 commencing with Section 56) of Division 1 of the Civil Code),
29 the federal Family Educational Rights and Privacy Act of 1974
30 (20 U.S.C. Sec. 1232g), and the federal Health Insurance Portability
31 and Accountability Act of 1996 (Public Law 104-191).

32 (3) The requirement for submitting reports under paragraph (1)
33 shall become inoperative on January 1, 2027, pursuant to Section
34 10231.5 of the Government Code.