

Date of Hearing: July 14, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 352 (Reyes) – As Amended March 26, 2025

SENATE VOTE: 38-0

SUBJECT: Disaster preparedness

SUMMARY: This bill requires state assistance during an emergency to be prioritized for area agencies on aging (AAA) and independent living centers (ILC), as specified, that provide transportation and evacuation services to access and functional needs (AFN) individuals and requires Aging and Disability Resource Connection (ADRC) programs to provide disaster and emergency preparedness training, as specified, for older adults and people with disabilities. Specifically, **this bill:**

- 1) Requires, during a state of emergency, AAAs and ILCs be prioritized for state assistance for distribution of supplies and other disaster or emergency assistance activities, as specified, if the AAA or ILC provides transportation and evacuation services to individuals with AFN needs during a state of emergency and is a private nonprofit organization eligible for disaster assistance under the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act.
- 2) Requires ADRC programs to provide disaster and emergency preparedness training specifically designed to help older adults and people with disabilities prepare for emergencies and ensure their safety before, during, and after natural disasters and other emergency events, as specified.
- 3) Requires the above training to use tools developed by the California Office of Emergency Services (Cal OES), the California Department of Aging (CDA), the Department of Rehabilitation (DOR), and relevant community partners.
- 4) Requires the training to raise awareness of existing available emergency resources and guidance, as specified.
- 5) Makes findings and declarations regarding the needs, vulnerabilities, and challenges for AFN individuals during an emergency and their disproportionate impact by disasters, as specified.

EXISTING LAW:

- 1) Establishes, in federal law, the Older Americans Act (OAA), which promotes the well-being of Americans 60 years old and above through services and programs designed to meet their needs. (42 United States Code (USC.) § 3001, et seq.)
- 2) Establishes the Mello-Granlund Older Californians Act (OCA), which establishes CDA, and sets forth its duties and powers, including, among other things, entering into a contract for the development of information and materials to educate Californians on the concept of “aging in place.” (WIC § 9100 et seq.)

- 3) Requires the Secretary of California Health and Human Services (CalHHS), in coordination with the Director of CDA, to lead the development and implementation of the Master Plan for Aging established pursuant to Executive Order N-14-19. (WIC § 9850).
- 4) Establishes the Aging and Disability Resource Connection (ADRC) program to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level through ADRC programs operated jointly by area agencies on aging (AAAs) and independent living centers (ILCs). (WIC § 9120)
- 5) Requires AAAs and ILCs to be the core local partners in developing ADRC programs, outlines the requirements for an ADRC program, as specified, and requires the ADRC program to be administered by CDA, in collaboration with California Department of Rehabilitation (DOR) and Department of Health Care Services (DHCS), upon appropriations (WIC § 9120)
- 6) Vests in DOR the responsibility and authority to encourage the planning, development, and funding of ILCs, which are private, nonprofit organizations that provide specified services to individuals with disabilities, in order to assist those individuals in their attempts to live fuller and freer lives outside institutions. (WIC § 19000 et seq.)
- 7) Defines “residential care facility for the elderly” (RCFE) to mean a housing arrangement chosen voluntarily by individuals ages 60 and older, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, personal care, or health-related services are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. (HSC § 1569.2)
- 8) Mandates RCFEs have an emergency and disaster plans, as specified (HSC § 1569.695)
- 9) Establishes the California Office of Emergency Services (Cal OES) within the office of the Governor and makes Cal OES responsible for the state’s emergency and disaster response services for natural, technological, or manmade disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. (Government Code § 8550)
- 10) Authorizes the Governor to proclaim a state of emergency, when specified disaster conditions are met (Government Code § 8625 and § 8558)
- 11) Under the California Emergency Services Act, defines a state of emergency to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions such as, among others, air pollution, fire, flood, and storm. (Government Code § 8558)
- 12) Authorizes the Governor to make, amend, and rescind orders and regulations necessary to carry out the provisions of the California Emergency Services Act, requires the orders and regulations to have the force and effect of law, and requires orders and regulations, or

amendments or rescissions to orders and regulations, issued during a state of war emergency or state of emergency to be in writing and to take effect immediately upon their issuance. (Government Code § 8567)

- 13) Requires the Governor to coordinate the State Emergency Plan (SEP) and integrate plans and programs that mitigate against emergencies into the SEP, as specified (Government Code § 8569).
- 14) Requires Cal OES to coordinate with representatives, as specified, from the access and functional needs (AFN) population to integrate the AFN population into the SEP (Government Code § 8570.4).
- 15) Requires a county, upon the next update to its emergency plan, to integrate access and functional needs into its emergency plan, as specified (Government Code 8593.3)

FISCAL EFFECT:

The Senate Committee on Appropriations states, “The Office of Emergency Services (Cal OES) indicates that should Cal OES be requested to support implementation, potential contract and personnel resource needs for the Office of Access and Functional Needs and California Specialized Training Institute (CSTI) could be up to \$400,000 annually (General Fund).

The California Department of Aging (CDA) indicates no immediate fiscal impact to the department, but notes that providing information on existing emergency preparedness and response tools and resources could result in minor and absorbable costs and the potential creation of new tools could result in additional cost pressures on the department (General Fund). The CDA also indicates unknown likely costs to Aging and Disability Resource Connection programs to provide the disaster and emergency preparedness training (General Fund).

The Department of Rehabilitation (DOR) anticipates minor and absorbable costs, but notes that any changes needed to DOR’s existing emergency preparedness and response tools could result in potential cost pressures to the department (General Fund and federal funds).”

COMMENTS:

Purpose of the bill: According to the author, “The state has long been aware that individuals with disabilities and older adults face a disproportionate risk of death during natural disasters. A 2019 audit by the California State Auditor highlighted the critical gap in emergency management agencies' ability to support these vulnerable populations, revealing a lack of guidelines for assisting these individual in cases of emergency. Recently, wildfires in Southern California claimed the lives of several individuals with disabilities, many of whom were over the age of 70. Despite the longstanding dangers faced by this community, the state has repeatedly failed to take meaningful action.”

The author continues, “SB 352 (Reyes) aims to address this urgent issue and ensure that we prevent further tragedies. This bill will require Aging and Disability Resource Connection programs to provide disaster and emergency preparedness training tailored to the needs of older adults and people with disabilities, equipping them with the knowledge and resources necessary to stay safe before, during, and after an emergency. Additionally, it will prioritize funding for

area agencies on aging and independent living centers that provide critical transportation and evacuation services during emergencies under the California Disaster Assistance Act.”

Equity Impact: According to the findings and declarations in Section 1 of the bill, “When a natural disaster occurs, certain individuals may have needs that cannot be effectively addressed through traditional emergency response and recovery methods... While all individuals are vulnerable during a natural disaster, those with access and functional needs face heightened vulnerabilities due to their unique circumstances.”

The text continues, “According to a 2019 report conducted by the California State Auditor, people with certain access and functional needs are two to four times more likely to perish in a natural disaster compared to the general population. These individuals can constitute a significant portion of the affected population, underscoring the importance of incorporating strategies into emergency plans that specifically address the protection and assistance of these vulnerable groups.”

Area Agencies on Aging: The California Department of Aging contracts with and provides leadership and direction to 33 Area Agencies on Aging (AAA) that coordinate a wide array of services to seniors and adults with disabilities at the community level and serve as the focal point for local aging concerns.

Independent Living Centers: Independent Living Centers (ILCs) are nonresidential nonprofit entities created and ran by individuals with disabilities with the purpose of helping individuals with disabilities lead independent lives within a local community. ILCs in California are required to offer seven services: cross-disability peer support, independent living skill development, advocacy and systems advocacy, information and referrals, assistive technology services, transition services, personal assistance services, and housing. Many ILCs provide additional services in order to provide the tools and resources that allow people with disabilities to fully integrate into their communities.

Aging and Disability Resource Connection: The Aging and Disability Resource Connection’s (ADRC) purpose is to provide a single more coordinated system for people seeking reliable information and access to Long-Term Services and Supports. ADRCs are intended to act as a “No Wrong Door” system which enables people of all ages, incomes, and disabilities to connect with any one ADRC partner organization for accessing a wide array of Long-Term Services and Support options in the community. California’s ADRCs are led by a core partnership between Independent Living Centers and Area Agencies on Aging (AAA), and includes extended partner organizations. However, not all AAAs offer ADRC services.

State Emergency Plan: The SEP describes how response to natural or human- caused emergencies occurs in California. The plan is a requirement of the California Emergency Services Act (ESA), and describes methods for conducting emergency operations, the process for rendering mutual aid, emergency services of government agencies, how resources are mobilized, how the public is informed, and how continuity of government is maintained during emergency. The SEP defines Emergency Support Functions (ESF) which are discipline-specific groups that develop functional annexes to set goals, objectives, operational concepts, capabilities, organization structures, and related policies and procedures.

Under the SEP, there are 18 ESFs led by a state agency and represent an alliance of state government and other stakeholders with similar functional responsibilities.

Transportation CA-ESF 1: The CA-ESF 1 Transportation annex dictates the coordination at the state level related to ensuring the safety and security of the state's transportation system by supporting the availability of multiple transportation options during an emergency. The California State Transportation Agency acts as the lead agency for this ESF. This function is responsible for roads, maritime, railroad, transit, and aviation modes of transportation. Local transportation polices and plans are used during an emergency with the state coordinating with local entities in need of state or federal resources.

Mass Care and Shelter CA-ESF 6: The CA-ESF 6 Mass Care and Shelter (MCS) is one of the annexes in the SEP. The lead agency for CA-ESF 6 is the California Department of Social Services (CDSS). The stakeholders participating in CA-ESF 6 provide coordination, collaboration, and resource identification for MCS activities. This function supports the local and state emergency management capabilities and minimizes the humanitarian impact of disasters and other emergencies through all phases of emergency management: mitigation, preparedness, response, and recovery.

MCS coordination includes, but is not limited to:

1. Mass feeding services.
2. Human services at congregate and non-congregate shelters
3. Support for distribution of humanitarian supplies.
4. Reunification services.
5. Support for individuals with disabilities, older adults, and others with access and functional needs (AFN).
6. Sheltering support.

Law Enforcement CA-ESF 13: The Evacuation CA-ESF 16 was absorbed into the CA-ESF 13 annex, thus placing evacuations during disasters under the jurisdiction of law enforcement. Cal OES acts as the lead agency of this function. CA-ESF 13 stakeholders coordinate state law enforcement personnel and equipment to support law enforcement agencies, coroner activities and public safety in accordance with Law Enforcement, Search & Rescue, and Coroners' Mutual Aid Plans when disasters strike.

Whole Community Preparedness: FEMA, in both their 2022-2026 *Strategic Plan* and their emergency planning guidelines (*Comprehensive Preparedness Guide 101, Version 2.0*) articulate the need to build a culture of preparedness by ensuring representation, equity, and services for under-represented diverse populations that may be more impacted by disasters including children, seniors, individuals with disabilities or access and functional needs, individuals with diverse culture and language use, individuals with lower economic capacity, LGBTQ+ communities, and other underserved populations.

Cal OES's Office of Diversity, Equity, and Inclusion: In response to Governor Newsom's 2022 Executive Order, N-15-22, Cal OES created the Office of Diversity, Equity, and Inclusion. The goals of this Office is to make emergency management equity-centered, elevate and expand current equity and access programs, and integrate equity and engagement principles throughout Cal OES's actions, policies, programs, and procedures, both internally and externally. According to Cal OES, the Office of Diversity, Equity, and Inclusion works to ensure that principles of

equity, justice, inclusion, transparency, and accountability govern all aspects of emergency services.

Cal OES's Office of Access and Functional Needs: In 2008, Cal OES established the Office of Access and Functional Needs (AFN). The office identifies the needs of persons with AFN, defined as those with developmental, intellectual, or physical disabilities; chronic conditions or injuries; limited English proficiency or non-English speaking; older adults; children, or pregnant women; those living in institutional settings; who are low-income; homeless; and from diverse cultures. Cal OES offers AFN-related training, guidance, and technical assistance to emergency managers, disability advocates, and other service providers.

If requested, Cal OES will review each county's emergency plans, in consultation with individuals with various AFNs, to determine whether the plans are consistent with best practices and guidance issued by FEMA.

Cal OES's current role in assisting with local EOPs: Cal OES, per statute, was required to develop best practices for counties developing and updating a county emergency plan, by January 1, 2022. They have since issued a draft document of these best practices that includes a compilation of methods and techniques successfully employed by a diverse group of public and private emergency management practitioners. The best practices were selected from reviews of After Action Reports, Listos California community discussions, federal planning guidance such as Comprehensive Planning Guidance 101 (CPG 101), and Whole Community Planning Specialist Committee meetings.

Each county is required to submit their local emergency plan, and any subsequent updates, to Cal OES. Cal OES, on or before January 1, 2023, must review the plans of at least 10 counties at high risk for natural disasters. Each year after, Cal OES must review at least 10 counties emergency plans. By January 1, 2028, Cal OES must have completed a review of the plans from all counties.

California State Auditor Report: On December 5, 2019, the California State Auditor released an audit entitled "*California Is Not Adequately Prepared to Protect Its Most Vulnerable Residents from Natural Disasters*" (Report No. 2019-134). The report highlighted deficiencies in state and local emergency preparations for addressing the needs of people with access and functional needs. The report states, "Cal OES is uniquely positioned to observe, collect, and disseminate information about lessons learned during natural disasters across the State. As the agency tasked with coordinating state resources and mutual aid in response to those jurisdictions requesting assistance during an emergency, Cal OES has the opportunity to observe those jurisdictions' successes and struggles during natural disasters. It can identify problems caused by gaps in the jurisdictions' emergency preparedness and determine how frequently similar issues arise across jurisdictions."

Double Referred: This bill was first referred to the Assembly Committee on Aging and Long-Term Care and passed with a 7-0-0 vote on June 24, 2025.

Arguments in Support: According to the California Commission on Aging, "When a natural disaster occurs, individuals with "access and functional needs" may have needs that cannot be effectively addressed through traditional emergency response and recovery methods. "Access and functional needs" include: developmental or intellectual disabilities, physical disabilities, chronic health conditions, injuries, limited or no English proficiency, age (including older adults

and children), institutional living, low income, homelessness, transportation challenges (including reliance on public transportation), and pregnancy.”

They continue, “SB 352 is a necessary step toward closing this gap and ensuring that every Californian has a fighting chance in the face of natural disasters. This bill will equip older adults and people with disabilities with the tools they need to navigate emergencies.”

Related Legislation:

AB 1068 (Bains) of this session. Requires the Secretary of the California Health and Human Services Agency to develop a working group to make recommendations, and submit a report, regarding the evacuation and sheltering needs of older adults and persons with disabilities living in long-term care facilities during emergencies, including, but not limited to, mutual aid evacuations. (Pending in the Senate Governmental Organization Committee)

AB 1069 (Bains) of this session. Requires local jurisdictions, as specified, to coordinate with Area Agencies on Aging (AAAs) or Aging and Disability Resource Connection (ADRC) programs through a memorandum of understanding (MOU) to ensure these organizations have access to emergency shelters during disasters. (Pending in the Senate Governmental Organization Committee)

AB 719 (Calderon) of this session. Requires each county to review and update its emergency plan at least every 2 years. (Pending in the Assembly Emergency Management Committee)

AB 3267 (Smith), Chapter 260, Statutes of 2020, required OES to coordinate with representatives from the access and functional needs population when updating the SEP; and, provides OES with additional time to complete an after-action report following each declared disaster.

REGISTERED SUPPORT / OPPOSITION:

Support

AARP
California Commission on Aging
California Foundation for Independent Living Centers
Center for Environmental Health
Disability Rights California
LeadingAge California

Opposition

None on file.

Analysis Prepared by: Ryan Fleming / E.M. / (916) 319-3802