GOVERNOR'S VETO
AB 546 (Caloza)
As Enrolled September 11, 2025
2/3 vote. Urgency.

SUMMARY

Requires a large group health plan or group health insurance policy to include coverage for one portable, high-efficiency particulate air (HEPA) purifiers of up to $500 for an enrollee or insured who is pregnant or diagnosed with asthma or chronic obstructive pulmonary disease (COPD), who is residing in or displaced from a county where a local or state emergency has been declared due to wildfires and the HEPA filter is prescribed by the enrollee's health care provider. Requires the provisions of this bill to apply to a health care benefit plan or contract entered into with the Board of Administration of the California Public Employees' Retirement System (CalPERS) under the Public Employees' Medical and Hospital Care Act and members of the State Teachers' Retirement System (CalSTRS). Contains an urgency clause to ensure that the provisions of this bill go into immediate effect upon enactment.

Senate Amendments

1) Require the inflation adjustment to apply to a HEPA purifier only when the lowest cost HEPA purifier exceeds $500.

2) Authorize the Department of Managed Health Care (DMHC) and the California Department of Insurance (CDI) to issue guidance until the declared emergency is terminated, and exempt the guidance from the rulemaking provisions of the Administrative Procedure Act.

Governor's Veto Message

This bill would require large group health plans to cover, with a prescription, one portable high-efficiency particulate air (HEPA) purifier for an enrollee or insured who is pregnant or diagnosed with asthma or chronic obstructive pulmonary disease (COPD) if they reside in or are displaced from a county where a local or state emergency has been declared due to wildfires.

I appreciate the author's intent to ensure victims of wildfires have continuous access to devices that enable cleaner air, such as purifiers. However, this bill's coverage mandate could have the unintended consequence of creating disparities and inequities for individuals who suffer from other health conditions. Further, a mandate to cover air purifiers sets a precedent that goes beyond coverage for basic health care services.

COMMENTS

Wildfire smoke contains a complex mixture of harmful air pollutants, including PM2.5, carbon monoxide, volatile organic compounds, and other toxic gases. Inhalation of these pollutants can irritate the respiratory system, leading to symptoms such as coughing, wheezing, chest tightness, and shortness of breath. Prolonged exposure can exacerbate pre-existing respiratory conditions such as asthma, bronchitis, and chronic obstructive pulmonary disease (COPD). Wildfire pollution has been linked to an increased risk of cardiovascular problems, including heart attacks, stroke, and arrhythmias. PM2.5 from wildfire smoke can penetrate deep into the lungs and enter the bloodstream, triggering inflammation and oxidative stress, which can contribute to cardiovascular disease development and exacerbation. Several studies have demonstrated a correlation between exposure to wildfire smoke and an increase in mortality rates, particularly among vulnerable populations such as the elderly, children, and individuals with pre-existing health conditions. The most severe health impacts often occur during periods of intense wildfires or prolonged exposure to heavy smoke.

Indoor air filtration equipment can be used to remove harmful particles from indoor air. This bill specifically addresses the following types of air filtration equipment:

1) *Portable air filtration devices and their associated HEPA filters.* HEPA filters capture at least 99.97% of particles 0.3 microns in diameter, including PM2.5. Portable devices typically clean the air in a single room and require regular filter replacements. Larger, more powerful devices can clean bigger spaces but tend to cost more; and,

2) *Household filters.* These filters are installed in heating, ventilation, and air conditioning (HVAC) systems. They use the MERV rating to show their particle-capturing ability. This bill specifically covers HVAC filters rated MERV 13, which trap at least 85% of particles between one and three microns in size, roughly the size of PM2.5. MERV 13 filters do not capture very small particles as efficiently as true HEPA filters. True HEPA filters are rarely used in HVAC systems because they significantly restrict airflow, requiring special equipment. Like portable filters, HVAC system filters must also be replaced regularly.

There is no current coverage for any enrollees in DMHC or CDI-regulated plans or policies for air filtration equipment. Existing law requires Department of Health Care Services (DHCS), subject to appropriation, to regularly analyze asthma morbidity and mortality data and periodically assess the burden of asthma on the state's medical and economic resources. DHCS must also offer public and professional education on the most current information on asthma, and administer available funds to organizations working on innovative asthma interventions and health care services, improving patient education and self-management skills, and developing local policies that support asthma prevention and control.

In 2022, California began implementation of the California Advancing and Innovating Medi-Cal (CalAIM) initiative as part of a larger effort to reform the Medi-Cal program. One of the foundational supports of CalAIM is Community Supports, which are services intended to address beneficiaries' health-related social needs and avoid higher, costlier levels of care. Medi-Cal Managed Care plans may opt in to providing Community Supports; not all services are offered by all plans in the counties they serve. Asthma remediation is a Community Support that provides a lifetime maximum of $7,500 in reimbursements for physical modifications to a home to reduce environmental asthma triggers, including HEPA-filtered vacuums, air filters, minor mold removal and remediation services, and integrated pest management services. Eligibility is limited to Medi-Cal beneficiaries with "poorly controlled asthma" for whom a licensed health care provider has determined that the service will likely avoid asthma-related hospitalizations, emergency department visits, or other high-cost services.

Six months after the launch of the asthma remediation Community Support, the Centers for Medicare & Medicaid approved a California state plan amendment allowing DHCS to launch the Asthma Preventive Services benefit under Medi-Cal. The benefit includes coverage for clinic- and home-based asthma self-management education, and in-home environment trigger assessments when medically necessary for eligible beneficiaries of any age.

According to the Author
The recent devastating wildfires in Los Angeles County and throughout our state have underscored the urgent need to address the long-term health impacts of wildfire-related air pollution. Smoke, soot, and debris from the recent wildfires have severely impacted air quality across the state, creating hazardous conditions due to increased levels of toxic particulate matter and carcinogens like lead, asbestos, and silica. Studies have consistently shown that exposure to wildfire smoke is linked to an elevated risk of serious lung damage and costly hospitalization. Air purifiers and filters are an important tool in reducing the harm to at-risk communities and cheaper alternatives to costly emergency hospitalizations and urgent care visits. This bill would address this issue and ensure we have clean air for our most vulnerable.

Arguments in Support
The Coalition for Clean Air supports this bill, stating that recent wildfires in Los Angeles County have further elevated concerns about air pollution and the serious health risk from toxic smoke, soot, and debris. The Coalition continues that fires released harmful pollutants like particulate matter, lead, asbestos, and silica, all of which can cause long-term respiratory damage. The Coalition notes that vulnerable groups, including pregnant individuals, children, seniors, and those with chronic respiratory issues, face increased risks of severe lung damage from wildfire smoke. The Coalition cites that the Centers for Disease Control and Prevention highlights that this smoke is particularly dangerous for those with pre-existing lung conditions, and research from University of California, Los Angeles indicates that its effects can persist for weeks or months. The Coalition continues that experts caution that standard air quality measurements may underestimate pollution levels, complicating protective measures for at-risk populations. The Coalition notes that despite the inclusion of asthma remediation under CalAIM, other health insurance plans do not cover these essential interventions. The Coalition concludes that this bill would address this by requiring health plans to cover a HEPA air purifier for enrollees that are highly susceptible to health impacts from air pollution.

Arguments in Opposition
The California Association of Health Plans (CAHP) and the Association of California Life and Health Insurance Companies (ACLHIC) have significant concerns regarding implementation and potential unintended consequences of this bill. The opposition writes covering household appliances like air purifiers sets a concerning precedent for health plans to cover non-medical equipment, potentially resulting in further mandates that extend beyond traditional health care services, and, as California continues to explore adopting a new benchmark plan, CAHP and ACLHIC strongly urge the Legislature to pause new mandate bills such as this bill.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

1) Unknown costs, likely minor, for DMHC and CDI for state administration.

2) Unknown potential General Fund costs to the extent there are increases in premiums for CalPERS plans.

VOTES

ASM HEALTH: 14-0-2
YES: Bonta, Chen, Addis, Aguiar-Curry, Arambula, Carrillo, Flora, Mark González, Krell, Patel, Celeste Rodriguez, Schiavo, Sharp-Collins, Stefani
ABS, ABST OR NV: Patterson, Sanchez

ASM APPROPRIATIONS: 11-0-4
YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache
ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 67-0-12
YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
ABS, ABST OR NV: Bennett, Castillo, DeMaio, Flora, Gallagher, Jeff Gonzalez, Hadwick, Nguyen, Patterson, Sanchez, Ta, Tangipa

SENATE FLOOR: 29-3-8
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Grove, Strickland
ABS, ABST OR NV: Choi, Dahle, Jones, Niello, Ochoa Bogh, Seyarto, Stern, Valladares

ASSEMBLY FLOOR: 67-0-13
YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Elhawary, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
ABS, ABST OR NV: Castillo, DeMaio, Dixon, Ellis, Flora, Hadwick, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

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CONSULTANT: Riana King and Scott Bain / HEALTH / (916) 319-2097 FN: 0002196