
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 82 (Ward) - Health care: legally protected health care activity

Version: July 10, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: PUB. S. 5 - 1, JUD. 11 - 0

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: AB 82 prohibits the reporting of testosterone and mifepristone to the Prescription Drug Monitoring Program.

Fiscal Impact: The Secretary of State (SOS) estimates \$332,657 in Budget Year and \$255,038 in on-going fiscal impacts if this bill is enacted (General Fund) including:

- Online portal licenses for EAs to submit applications to Safe at Home, for a total of \$5,701 in the first year and ongoing. This is based on the cost for the 24/25 fiscal year, which was \$57.01 per license for a total of 100 licenses. Typically, licenses are renewed annually;
- Postage costs for the increase in mail that will be forwarded, for a total of \$13,391 in the first year and ongoing. This cost is based on the total postage cost per participant in 2024, which was \$19.13, multiplied by the anticipated increase of 700 participants;
- Online payment processing to collect initial and annual fees required from Covered Health Care Services applicants and participants to participate in the program. This is estimated at \$5,664 for the initial budget year and \$4,197 for ongoing cost. This cost is based on the existing department contract the Secretary of State has in place with Elavon for credit card services;
- Translation services are estimated at \$2,450 to support the addition of a new applicant type. The application and other supporting documents will need to be translated into Spanish, Chinese, Korean, Tagalog, and Vietnamese, as required by California Government Code 6209.5(b). The translation rate per word is \$0.16, which is based on the most recent translation contract the Secretary of State acquired in the 24/25 fiscal year;
- General information brochures in English, Spanish, Chinese, Korea, Tagalog, and Vietnamese, for outreach efforts, for a total of \$8,702 for 10,000 brochures. This total is based on the most recent cost to print English and Spanish brochures in the 23/24 fiscal year, which was \$0.87 per brochure;
- It will be necessary to update regulations as a result of this bill. The estimated cost of \$55,000 will be for staff time that will go toward the rulemaking process to amend Title 2, Division 7, Chapter 11 of the California Code of Regulations to align with the new requirements established by AB 82;

- Additional staffing positions will be needed o One Associate Governmental Program Analyst; and,
- One Program Technician II.

Background: The current Trump administration has spearheaded a vicious anti-transgender crusade. Example's of the administration's push to exclude transgendered people from public life include executive orders that mandate federal departments define gender as an unchangeable male-female binary determined by sex assigned at conception; require the replacement of "gender" with "sex" in all materials; prohibit gender self-identification on federal documents and the use of federally funded facilities congruent with one's gender identity; and, to potentially remove Title VII protection based on gender identity in federal activities.¹ Executive orders also limit federal funding for K–12 schools that promote what the order defines as "gender ideology" and "discriminatory equity ideology";² prohibit transgender female athletes of all ages from participating in girls' and women's sports teams;³ ban transgender individuals from serving in the armed forces;⁴ and, prevent gender-affirming care for Americans under nineteen.⁵

Several states have introduced legislation targeting transgender individuals in an attempt to prohibit or limit their ability to obtain gender-affirming care.

This bill builds upon existing protections for healthcare providers for transgendered people under California law by expanding the "Safe at Home" address confidentiality program.

Proposed Law:

- Expands the Safe at Home program administered by the California Secretary of State that currently applies to providers, employees, volunteers, and patients of reproductive health care so it also applies to providers, employees, volunteers, and patients of gender-affirming health care services, who collectively are defined as "covered health care services provider, employee, volunteer, or patient."
- Defines the following terms:
 - "Covered health care services" means gender-affirming health care services or reproductive health care services.
 - "Covered health care services provider, employee, volunteer, or patient" means a gender-affirming health care or a gender-affirming mental health

¹ Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government"

² Executive Order 14190, "Ending Radical Indoctrination in K-12 Schooling"

³ Executive Order 14201, "Keeping Men Out of Women's Sports"

⁴ Executive Order 14183, "Prioritizing Military Excellence and Readiness"

⁵ Executive Order 14187, "Protecting Children from Chemical and Surgical Mutilation"

care provider, employee, volunteer, or patient, or a reproductive health care services provider, employee, volunteer, or patient.

- “Covered health care services facility” means a gender-affirming health care services facility or a reproductive health care services facility.
 - “Gender-affirming health care” and “gender-affirming mental health care” have the same meaning as provided in Section 16010.2 of the Welfare and Institutions Code.
 - “Gender-affirming health care and gender-affirming mental health care provider, employee, volunteer, or patient” means a person who obtains, provides, or assists, at the request of another person, in obtaining or providing gender-affirming health care services, or a person who owns or operates a gender-affirming health care services facility.
 - “Gender-affirming health care services facility” includes a hospital, an office operated by a licensed physician and surgeon, a licensed clinic, or other licensed health care facility that provides gender-affirming health care services.
- Expands the existing prohibition that a person, business, or association not publicly post or publicly display, disclose, or distribute, on websites or social media, the personal information or image of a reproductive health care services patient, provider, or assistant to apply to a gender-affirming health care and gender-affirming mental health care provider, employee, volunteer, or patient.
 - Provides that a prescription for or the dispensing of testosterone or mifepristone is not to be reported to CURES or a contracted prescription data processing vendor.
 - Authorizes the Department of Justice, in consultation with the California Health and Human Services Agency, health care providers, and clinicians, to add medications for legally protected health care activity, as defined, to the list of medications prohibited from being reported CURES or a contracted prescription data processing vendor.
 - Provides that a law of another state which authorizes the imposition of civil or criminal penalties related to an individual performing, supporting, or aiding in the performance of a legally protected health care activity in this state, or an individual obtaining a legally protected health care activity in this state, if lawful in this state, is against the public policy of this state.
 - Prohibits a state court, judicial officer, court employee or clerk, or authorized attorney from issuing a subpoena pursuant to any state law in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of a legally protected health care activity in this state, or an individual obtaining a legally protected health care activity in this state, if lawful under the laws of this state.
 - Provides that an investigation of any criminal activity in this state that may involve the performance of a legally protected health care activity is not prohibited, provided

that information relating to any medical procedure performed on a specific individual is not shared with an agency or individual from another state for the purpose of enforcing another state's law involving a legally protected health care activity.

- Expands the requirement that a countywide bail schedule set \$0 bail for any person arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of abortion specifically to reproductive health care services, gender-affirming health care services, and gender-affirming mental health care services.

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