

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1057 (Becker) – As Amended June 25, 2026

Policy Committee: Health

Vote: 12 - 3

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill updates the circumstances in which the California Department of Public Health (CDPH) may deny, suspend, or revoke an initial or renewed certified nurse assistant (CNA) and home health aide (HHA) certificate.

More specifically, this bill:

- 1) Revises and recasts a portion of existing law governing the training and certification of CNAs and HHAs, including provisions related to the denial of an application for certification or training, and suspension or revocation of certification, licensure, or renewal, and aligns the training and certification statutes for CNAs and HHAs.
- 2) Allows CDPH to deny an application for, or deny a training and examination application for, a CNA or HHA if the applicant was convicted of a crime that is directly and adversely related to the qualifications, functions, or duties of a CNA or HHA within the seven years preceding the date of the application, regardless of whether the applicant was incarcerated for that crime, or the applicant was convicted of a crime that is directly or adversely related to the qualifications, functions, or duties of a CNA or HHA and for which the applicant is presently incarcerated or for which the applicant was released from incarceration in the seven years preceding the date of application.
- 3) Specifies crimes for which the conviction in item 2, above, may be considered regardless of when the conviction occurred.
- 4) Allows CDPH to deny an application for, or deny a training and examination application for, a CNA or HHA if the applicant was subjected to formal discipline by CDPH or a licensing board in or outside California within the preceding seven years based on professional misconduct that would have been cause for discipline, and that is directly and adversely related to the qualifications, functions, or duties of a certified nurse assistant, unless the basis for that disciplinary action was a conviction that has been dismissed, as specified.
- 5) Allows CDPH to deny an application for a certificate based on formal discipline that occurred earlier than seven years preceding the date of the application if the formal discipline was for conduct involving financial abuse of a patient or conduct that would have constituted an act of sexual abuse, misconduct, or relations with a patient, or sexual exploitation, as defined.

- 6) Prohibits a person from being denied a CNA/HHA certificate or training and examination application on the basis that the person has been convicted of a crime, or on the basis of acts underlying a conviction for a crime, if either of the following is true:
 - a) The applicant has obtained a certificate of rehabilitation, has been granted clemency or a pardon by a state or federal executive, or has made a showing of good character and rehabilitation, as determined by CDPH.
 - b) The conviction has been dismissed or expunged.
- 7) Prohibits CDPH from denying a CNA/HHA certificate or training and examination application on the basis of an arrest that resulted in a disposition other than a conviction, including an arrest that resulted in an infraction, a citation, diversion, deferred entry of judgment, or a juvenile adjudication.
- 8) Prohibits CDPH from requiring an applicant to disclose any information or documentation regarding the applicant's criminal history prior to obtaining the person's criminal offender record information search response information from the Department of Justice (DOJ).
- 9) Permits CDPH, after it has received the criminal offender record information, to request mitigating information from an applicant regarding their criminal history that is grounds for denial, for purposes of determining direct and adverse relation or demonstrating evidence of rehabilitation, provided that the applicant is informed that disclosure is voluntary and that the applicant's decision not to disclose any information will not be a factor in any decision to grant or deny a certificate for, or a training and examination application.
- 10) Requires CDPH, if it decides to deny a training and examination application or a certificate, or to revoke or suspend a certificate, to notify the applicant in writing, in addition to the reason for the determination and the right to appeal the determination (a) the procedure for the applicant to challenge the determination or to request reconsideration and (b) the processes for the applicant to request a copy of their complete conviction history and question the accuracy or completeness of the record.

FISCAL EFFECT:

CDPH estimates annual costs of \$251,000 in fiscal years 2027-28 through 2029-30 for one full-time equivalent position to develop regulations and for Office of Regulations services costs (Licensing and Certification Program Fund).

No costs to DOJ.

COMMENTS:

- 1) **Purpose.** This bill is sponsored by Californians for Safety and Justice. According to the author:

This bill is a crucial step toward ensuring a fair opportunity for people with past records to pursue meaningful caregiving careers while also addressing California's direct care workforce shortage...AB 2138

(2018) vastly improved the ability of people with a conviction history to navigate the occupational licensing process for...boards and bureaus regulated by the Department of Consumer Affairs (DCA), [including] registered and vocational nursing, physicians and surgeons, clinical social workers and counselors and many more...[However, people] seeking certifications regulated by the Department of Public Health for similar roles, such as [CNAs] and [HHAs], are not afforded the same protections. This bill would close this gap and ensure that people with records seeking these certifications, including entry into training programs, are afforded the same opportunity as those seeking similar DCA-regulated patient care professions, and consideration of their past convictions be subject to the same standards already approved by the legislature.

- 2) **Background.** The state recently developed a master plan to address the needs of its aging population. Successful implementation will involve meeting growing demand for care services, which in turn relies on the workers and businesses who provide essential, hands-on services to older adults, and people with disabilities. According to a California Healthcare Foundation Issue Brief, over the next decade, demand for direct care workers will outpace supply in California. Growing demand is driven by an aging and increasingly diverse population, fewer working-aged adults and family caregivers to support this aging population, a growing desire to remain in home and community-based settings, and an increased need for complex care provided in facility-based long-term care settings.

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