

# 2026 Legislative Overview



**DALEY  
BEHAVIORAL  
HEALTH  
ADVOCATES**

Empowering Recovery, Ending Stigma

January 20, 2026, Sherry Daley, Daley Behavioral Health Advocates



## Sherry Daley

President

Daley Behavioral  
Health Advocates

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2. Bills killed or amended in 2025
3. New Laws for 2026
4. Regulations



# ATAC Enters the Fray

ATAC Sponsors  
Industry-Backed  
Legislation for the First Time

# Assembly Bill 669 (Haney)- Concurrent Review Prohibition

- AB 669 stops insurance companies from cutting off addiction treatment early based on their own insurer-appointed reviewers' recommendations.
- AB 669 ensures 28 days of uninterrupted addiction treatment for addiction patients, guaranteeing access to medically necessary care.



Assembly Member Matt Haney  
D-San Francisco

# Assembly Bill 669 (Haney)- Concurrent Review Prohibition

## How it Works:

- Get pre-authorization for x number of days (must include discharge plan to another program if less than 28 days).
- Concurrent review is prohibited for 28 days.
- After 28 days, a health care service plan shall not initiate concurrent review more frequently than at two-week intervals.
- If a person leaves treatment, the remainder of the 28 days stays intact until end of the year.





## **AMAZING PROGRESS!**

- Got through first house with bi-partisan support (64-5 floor vote).
- Appropriations analysis: over-inflated costs.
- Urgent meetings with the administration were conducted.
- Amendments drafted to lower the cost and address policy.
- Still held in Senate Appropriations.



**FUTURE PLANS:**

**RE-INTRODUCE**

Christine Matlock Dougherty after giving testimony about her son's death.

# **Bills Killed or Amended in 2025**

# AB 1037 – Floor Fight over Harm Reduction

**ATAC fought and won the battle to have a session-eve amendment killed!**

**What the language said:** *The admission agreement shall not require a person to be abstinent, sober, or not be under the influence in order to be admitted, be considered for treatment, **or continue treatment.***



**Assemblymember Sade Ellhawary**

**How it reads now:** *The department **shall not require** an admission agreement to require a person to have been abstinent, to not be intoxicated, or to otherwise not be under the influence in order to be admitted into care, be considered for treatment, or continue treatment.*

# Other Bills ATAC Helped Kill in 2025

- **AB 3 (Dixon)** Would exempt an alcoholism or drug abuse recovery or treatment facility from being considered a residential use of property for the purposes of local regulation. **Never set for hearing.**
- **AB 423 (Davies)** This bill prescribed onerous discharge procedures for substance use disorder treatment. **Never set for hearing.**
- **AB 425 (Davies)** Would have created an entirely new set of standards for outpatient treatment (designed to rid Orange County of treatment programs). **Held in Appropriations.**



## Other Bills ATAC Helped Kill in 2025

- **AB 877 (Dixon)** Would have required departments to send one letter to each chief financial officer of a health care service plan, health insurer, or Medi-Cal managed care plan in California with a statement informing the plan or insurer that substance use disorder treatment in licensed and certified residential facilities is almost exclusively nonmedical, with rare exceptions. **Never set for hearing.**
- **SB 35 (Umberg)** This bill would have required that all programs certified or facilities licensed by the department submit to the department a report of all money transfers between the program or facility and a recovery residence during the previous fiscal year. **Died in Appropriations.**



# New Bills and Retreads So Far in 2026

- **SB 490 (Umberg)** requires that all programs certified or facilities licensed by the department submit to the department a report of all money transfers between the program or facility and a recovery residence. Requires timelines for investigation of unlicensed care, and allows county government to re-inspect to determine whether cited unlicensed care has ceased.

**Bill Introduction deadline is February 20th  
– Stay tuned to your ATAC notifications!**

# New Laws for 2026

# New Laws – AB 2473 Registrant Education

- An individual who registers as a counselor for the first time on or after **July 1, 2025**, must complete a minimum of eighty (80) hours of education, including education in core competency education topics as specified in Health and Safety Code section 11833(b), within six (6) months of registration.
- An individual who registers as a counselor and has a master's degree in psychology, social work, marriage and family therapy, or counseling is exempt from the core competency education.
- Counselors who register prior to July 1, 2025, are exempt from the requirement to obtain 80 hours of education within six (6) months of registration, however, these individuals must complete 315 hours of AOD education including core competency education topics prior to initial certification.

# New Laws – AB 2473 Registrant Education

- First-year registered counselors must apply for registration renewal a minimum of one hundred twenty (120) calendar days prior to the expiration date specified on the current written registration (**month 8**).
- If the application is incomplete, the written notice must specify the missing information. The first-year registered counselor shall have thirty (30) calendar days from the date of the written notice to respond.
- Registered counselors who have completed **fewer than 315 hours** of AOD education in total must provide written documentation to their certifying organization that they **completed fifty (50) hours** of AOD education to qualify for registration renewal. The AOD education must include topics set forth

# New Laws – AB 2473 Registrant Education

## Timeline charts available: Behavioral Health Information Notice No: 25-029

<b>First-Year Registered Counselor's Application for Registration Renewal Timeline: Section 2B and Section 2C.</b>	
First-Year Registered Counselor Requirement	Within the first six (6) months of registration, the first-year registered counselor must provide written documentation to the certifying organization that a minimum of eighty (80) hours of education including core competency education topics has been completed.
Certifying Organization Timeline	Within forty-five (45) calendar days, the certifying organization shall review and send written notice to the first-year registered counselor stating the 80 hours of education including core competency education topics are incomplete or complete.
First-Year Registered Counselor Requirement	If incomplete, the first-year registered counselor must complete the missing education hours before their first-year registration expires.
First-Year Registered Counselor Timeline	A minimum of 120 calendar days prior to their expiration date (4 months before expiration) the first-year registered counselor must submit their registration renewal application.
Certifying Organization Application Timeline	Within seven (7) calendar days the certifying organization shall confirm receipt of the application, specify the application review timeline, and include the certifying organization's contact information.
Certifying Organization Application Timeline	<p>Within forty-five (45) calendar days the certifying organization shall review the application and send written notice to the first-year registered counselor to indicate whether the application is approved, denied, or returned as incomplete.</p> <p>If the application is approved, the written notice of registration must include the first-year registered counselor's full legal name, registration number, registration issue date, and registration expiration date. The registration shall be valid for one (1) year unless revoked or suspended by DHCS and/or a certifying organization.</p> <p>If the application is incomplete, the written notice must specify the missing information.</p> <p>If the application is denied, the written notice of denial must include the reason(s) for denial and the first-year registered counselor's right to appeal, in accordance with California Code of Regulations, Title 9, section 13070.</p>

<b>Registered Counselor's Application for Annual Registration Renewal Timeline: Section 3, C.</b>	
Registered Counselor Application Timeline	A minimum of 120 calendar days prior to the registered counselor's expiration date (4 months before expiration) the registered counselor must submit a registration renewal application, with proof of completion of education as required by Section 3C.
Certifying Organization Application Timeline	Within seven (7) calendar days the certifying organization shall confirm receipt of the application, specify the application review timeline, and include the certifying organization's contact information.
Certifying Organization Application Timeline	<p>Within forty-five (45) calendar days the certifying organization shall review and send written notice to the registered counselor whether the application as required by Section 3C is approved, incomplete or denied.</p> <p>If the application is approved, the written notice of registration must include the first-year registered counselor's full legal name, registration number, registration issue date, and registration expiration date. The registration shall be valid for one (1) year unless revoked or suspended by DHCS and/or a certifying organization.</p> <p>If the application is incomplete, the written notice must specify the missing information.</p> <p>If the application is denied, the written notice of denial must include the reason(s) for denial and the first-year registered counselor's right to appeal, in accordance with California Code of Regulations, Title 9, section 13070.</p>
Registered Counselor Application Timeline	Within thirty (30) calendar days from the date of the written notice the registered counselor must respond if the application is incomplete.
Certifying Organization Application Timeline	<p>Within twenty-one (21) calendar days the certifying organization shall review resubmission and send written notice to the first-year registered counselor to indicate whether the application is approved, denied, or incomplete.</p> <p>If the application is approved, the written notice of registration must include the first-year registered counselor's full legal name, registration number, registration issue date, and registration</p>

# New Laws – AB 2473 Registrant Education

## Two Categories of Registrants:

- **“First-year registered counselor”** means an individual who has been registered to provide AOD counseling services for less than one (1) year. A first-year registered counselor must renew their registration one time to be a registered counselor. An individual remains a first-year registered counselor as long as they have not renewed their registration at least one time even if they transfer to a different certifying organization.
- **“Registered counselor”** means an individual who has been registered to provide AOD counseling services for one (1) year or more and has renewed their registration at least one time. An individual remains a registered counselor even upon transferring to a different certifying organization, as they have renewed their registration with a certifying organization at least one time prior to the transfer.

# New Laws – AB 2473 Registrant Education

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EXTENDED STUDIES

COURSES &  
CERTIFICATES

EDUCATIONAL  
PROGRAMS

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Home / Educational Programs / ASCEND | Advancing Substance Use Disorder Counselor Education and Development

## ADVANCING SUBSTANCE USE DISORDER COUNSELOR EDUCATION AND DEVELOPMENT

COMPLETE YOUR 80-HOURS OF CORE COMPETENCY TRAINING WITH THE ASCEND PROGRAM

APPLY NOW

CONTACT US



# New Laws – AB 2473 Registrant Education

## PROGRAM HIGHLIGHTS

Learn from expert instructors in a fully online, self-paced format designed to fit even the busiest schedules. Free to California residents, this 80-hour program equips you with the foundational skills and credentials to launch your counseling career. The ASCEND Program is approved by the California Association of DUI Treatment Programs to count toward a SUD Certified Counselor credential.



### FREE TO CALIFORNIANS

This program is free of charge to residents of California.



### EXPERT INSTRUCTION

Learn from expert instructors and receive guidance during monthly online office hours.



### ONLINE, SELF-PACED

Always on your time: self-paced, online learning for busy lives.



### DIGITAL CREDENTIALS

Earn a shareable digital badge after each course, and showcase your achievement with an Award of Completion and optional official transcript once you've completed all 12 courses.

## New Laws – AB 492 (Valencia) Notification of License

**AB 492:** This bill would require the department, whenever it issues a license to operate an alcohol or other drug recovery or treatment facility, to concurrently provide written notification of the issuance of the license to the city or county in which the facility is located. The bill would require the notice to include the name and mailing address of the licensee and the location of the facility.

## **SB 1061/2024: Medical Debt Reporting**

This bill would prohibit a consumer credit reporting agency or an investigative consumer reporting agency from making a consumer credit report or an investigative consumer report containing information about medical debt.

(j) (1) “Medical debt” means a debt owed by a consumer to a person whose primary business is providing medical services, products, or devices, or to the person’s agent or assignee, for the provision of medical services, products, or devices.

**Are we medical? It depends on whom you ask.**

# Ambiguous Laws – See Your Attorney

## **SB 525/2023: Healthcare Minimum Wage**

This law established 5 separate minimum wage schedules for covered health care employees, as defined, depending on the nature of the employer.

(2) (A) “Covered health care employee” means any of the following:

(i) An employee of a health care facility employer who provides patient care, health care services, or services supporting **the provision of health care**, which includes, but is not limited to, employees performing work in the occupation of a nurse, physician, caregiver, medical resident, intern or fellow, patient care technician, janitor, housekeeping staff person, groundskeeper, guard, clerical worker, nonmanagerial administrative worker, food service worker, gift shop worker, technical and ancillary services worker, medical coding and medical billing personnel, scheduler, call center and warehouse worker, and laundry worker, regardless of formal job title.

## **SB 525/2023: Healthcare Minimum Wage**

(3) (A) “Covered health care facility” means any of the following:

- (i) A facility or other work site that is part of an integrated health care delivery system.
- (ii) A licensed general acute care hospital, as defined in subdivision (a) of Section 1250 of the Health and Safety Code, including a distinct part of any such hospital.
- (iii) A licensed acute psychiatric hospital, as defined in subdivision (b) of Section 1250 of the Health and Safety Code, including a distinct part of any such hospital.
- (iv) A special hospital, as defined in subdivision (f) of Section 1250 of the Health and Safety Code.
- (v) A licensed skilled nursing facility, as defined in subdivision (c) of Section 1250 of the Health and Safety Code, if owned, operated, or controlled by a hospital or integrated health care delivery system or health care system.
- (vi) A patient’s home when health care services are delivered by an entity owned or operated by a general acute care hospital or acute psychiatric hospital.

# Ambiguous Laws – See Your Attorney

## **SB 525/2023: Healthcare Minimum Wage**

(vii) A licensed home health agency, as defined in subdivision (a) of Section 1727 of the Health and Safety Code.

(viii) A clinic, as defined in subdivision (b) of Section 1204 of the Health and Safety Code, including a specialty care clinic, or a dialysis clinic.

(ix) A psychology clinic, as defined in Section 1204.1 of the Health and Safety Code.

(x) A clinic as defined in subdivision (d), (g), or (l) of Section 1206 of the Health and Safety Code.

(xi) A licensed residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code, if affiliated with an acute care provider or owned, operated, or controlled by a general acute care hospital, acute psychiatric hospital, or the parent entity of a general acute care hospital or acute psychiatric hospital.

(xii) A psychiatric health facility, as defined in Section 1250.2 of the Health and Safety Code.

## **SB 525/2023: Healthcare Minimum Wage**

(xiii) A mental health rehabilitation center, as defined in Section 5675 of the Welfare and Institutions Code.

(xiv) A community clinic licensed under subdivision (a) of Section 1204 of the Health and Safety Code, an intermittent clinic exempt from licensure under subdivision (h) of Section 1206 of the Health and Safety Code, or a clinic operated by the state or any of its political subdivisions, including, but not limited to, the University of California or a city or county that is exempt from licensure under subdivision (b) of Section 1206 of the Health and Safety Code.

(xv) A rural health clinic, as defined in paragraph (1) of subdivision (l) of Section 1396d of Title 42 of the United States Code.

(xvi) An urgent care clinic.

## **SB 525/2023: Healthcare Minimum Wage**

(xvii) An ambulatory surgical center that is certified to participate in the Medicare Program under Title XVIII (42 U.S.C. Sec. 1395 et seq.) of the federal Social Security Act.

(xviii) A physician group.

(xix) A county correctional facility that provides health care services.

(xx) A county mental health facility.

Are we medical? **It depends on whom you ask.**

# Regulations

# Regulations – Programs & Counselors

## **Residential Facility and Outpatient Treatment Licensing/Certification:**

Status: Headed to Office of Administrative Law – estimate is early this year.

## **Counselor Certification Regulations:**

Status: Unknown timeline; sometime in 2026?

Still a myriad of issues with the package

Can we address the registrant's 80-hour requirement in this package?

## Regulations – Where to find BHINs:

[https://www.dhcs.ca.gov/formsandpubs/Pages/Behavioral\\_Health\\_Information\\_Notice.aspx](https://www.dhcs.ca.gov/formsandpubs/Pages/Behavioral_Health_Information_Notice.aspx)

Or, google BHIN DHCS

**Questions?**

**Possible future bills?**