

AMENDED IN ASSEMBLY JUNE 26, 2025

AMENDED IN SENATE APRIL 24, 2025

AMENDED IN SENATE APRIL 10, 2025

AMENDED IN SENATE MARCH 27, 2025

**SENATE BILL**

**No. 504**

**Introduced by Senator Laird**

**(Coauthors: Senators Cabaldon, Cervantes, Padilla, Pérez, and Wiener)**

(Coauthors: Assembly Members *Mark González*, Jackson, Solache, and Ward)

February 19, 2025

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An act to amend Sections ~~120962 and 121025~~ 120962, 121025, and 121026 of the Health and Safety Code, to amend Section 19548.2 of the Revenue and Taxation Code, and to amend Section 15912.1 of the Welfare and Institutions Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 504, as amended, Laird. Communicable diseases: HIV reporting.

Existing law requires all health care providers and laboratories to report cases of human immunodeficiency virus (HIV) infection to the local health officer and requires the local health officer to report unduplicated HIV cases to the State Department of Public Health. Existing law requires public health records related to HIV or acquired immunodeficiency syndrome (AIDS), containing personally identifying information, that were developed or acquired by a state or local public health agency, or an agent of that agency, to be confidential and not disclosed, except as otherwise provided by law for public health purposes or pursuant to a written authorization by the person who is

the subject of the record or by their guardian or conservator. Existing law authorizes certain state or local public health officials to disclose those records to other local, state, or federal public health agencies or to medical researchers when the confidential information is necessary to carry out specified duties of the agency or researcher, including in the investigation, control, or surveillance of disease.

This bill would additionally authorize a health care provider of a patient with an HIV infection that has already been reported to a local health officer as described above to communicate with a local health officer or the department to provide additional information required by law or public health guidelines in order to complete or supplement an HIV case report. ~~The bill would prohibit a provider from disclosing personally identifying confidential information about a patient to a local health jurisdiction or the department unless the disclosure is necessary for the jurisdiction or the department to carry out specified duties, report or if the disclosure is necessary for the local health jurisdiction or the department to carry out its duties in the investigation, control, or surveillance of disease, or the coordination of, linkage to, or reengagement in care for a person, as specified.~~ The bill would make conforming changes to related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 120962 of the Health and Safety Code
- 2 is amended to read:
- 3 120962. (a) (1) For the purpose of verifying financial
- 4 eligibility pursuant to Section 120960 and the federal Ryan White
- 5 HIV/AIDS Treatment Extension Act of 2009 (42 U.S.C. Sec. 201
- 6 et seq.), the department shall verify the accuracy of the modified
- 7 adjusted gross income reported on an AIDS Drug Assistance
- 8 Program application submitted by an applicant or recipient with
- 9 data, if available, from the Franchise Tax Board.
- 10 (2) Notwithstanding any other law, the department shall disclose
- 11 the name and individual taxpayer identification number (ITIN) or
- 12 social security number of an applicant for, or recipient of, services
- 13 under this chapter to the Franchise Tax Board for the purpose of
- 14 verifying the modified adjusted gross income of, any tax-exempt
- 15 interest received by, any tax-exempt social security benefits

1 received by, and any foreign earned income of an applicant or  
2 recipient pursuant to subdivision (b) of Section 120960.

3 (b) (1) The Franchise Tax Board, upon receipt of this  
4 information, shall inform the department of all of the following:

5 (A) The amount of the federal adjusted gross income received  
6 by the taxpayer household as reported by the taxpayer to the  
7 Franchise Tax Board.

8 (B) The amount of the California adjusted gross income received  
9 by the taxpayer household as reported by the taxpayer to the  
10 Franchise Tax Board or as adjusted by the Franchise Tax Board.

11 (C) The amount of any tax-exempt interest received by the  
12 taxpayer household, as reported to the Franchise Tax Board.

13 (D) The amount of any tax-exempt social security benefits  
14 received by the taxpayer household, as reported to the Franchise  
15 Tax Board.

16 (E) The amount of any foreign earned income of the taxpayer  
17 household, as reported to the Franchise Tax Board.

18 (F) The family size of the taxpayer household, as reported to  
19 the Franchise Tax Board.

20 (2) The Franchise Tax Board shall provide the information to  
21 the department for the most recent taxable year that the Franchise  
22 Tax Board has information available, and shall include the first  
23 and last name, date of birth, and the ITIN or social security number  
24 of the taxpayer.

25 (c) (1) Information provided by the department pursuant to this  
26 section shall constitute confidential public health records as defined  
27 in Section 121035, and shall remain subject to the confidentiality  
28 protections and restrictions on further disclosure by the recipient  
29 under subdivisions ~~(e) and (f)~~ (f) and (g) of Section 121025.

30 (2) To the extent possible, verification of financial eligibility  
31 shall be done in a way to eliminate or minimize, by use of computer  
32 programs or other electronic means, Franchise Tax Board staff  
33 and contractors' access to confidential public health records.

34 (3) Prior to accessing confidential HIV-related public health  
35 records, Franchise Tax Board staff and contractors shall be required  
36 to annually sign a confidentiality agreement developed by the  
37 department that includes information related to the penalties under  
38 Section 121025 for a breach of confidentiality and the procedures  
39 for reporting a breach of confidentiality under subdivision (h) of

1 Section 121022. Those agreements shall be reviewed annually by  
2 the department.

3 (4) The Franchise Tax Board shall return or destroy all  
4 information received from the department after completing the  
5 exchange of information.

6 (d) For purposes of this section, “foreign earned income” also  
7 includes any deduction taken for the housing expenses of an  
8 individual while living abroad pursuant to Section 911 of Title 26  
9 of the Internal Revenue Code.

10 (e) For purposes of this section, “household” means the applicant  
11 or recipient, and, in addition, the applicant’s or recipient’s spouse  
12 or registered domestic partner, and all other individuals for whom  
13 the applicant or recipient, or the applicant’s or recipient’s spouse  
14 or registered domestic partner, is allowed a federal income tax  
15 deduction for the taxable year.

16 (f) For purposes of this section, “family size” has the meaning  
17 given to that term in Section 36B(d)(1) of Title 26 of the Internal  
18 Revenue Code, and includes same or opposite sex married couples,  
19 registered domestic partners, and any dependent, as defined by  
20 Section 152 of Title 26 of the Internal Revenue Code, of either  
21 spouse or registered domestic partner.

22 SEC. 2. Section 121025 of the Health and Safety Code is  
23 amended to read:

24 121025. (a) Public health records relating to human  
25 immunodeficiency virus (HIV) or acquired immunodeficiency  
26 syndrome (AIDS) that contain personally identifying information  
27 and were developed or acquired by a state or local public health  
28 agency, or an agent of that agency, are confidential and shall not  
29 be disclosed, except as otherwise provided by law for public health  
30 purposes or pursuant to a written authorization by the person who  
31 is the subject of the record or by the person’s guardian or  
32 conservator.

33 (b) A state or local public health agency, or an agent of that  
34 agency, may disclose personally identifying information in public  
35 health records, as described in subdivision (a), to other local, state,  
36 or federal public health agencies including, but not limited to, the  
37 federal Centers for Disease Control and Prevention (CDC), or to  
38 collaborating researchers, when the confidential information is  
39 necessary to carry out the duties of the agency or researcher in the  
40 investigation, control, or surveillance of disease, or the coordination

1 of, linkage to, or reengagement in care for a person or persons, as  
2 determined by the state or local public health agency.

3 (c) ~~(1) A~~ *Notwithstanding Section 120980, a* health care  
4 provider of a patient diagnosed with an HIV infection that has  
5 already been reported pursuant to Section 121022 may disclose  
6 personally identifying confidential information to a local health  
7 officer or the department to provide additional information required  
8 by law or public health guidelines in order to complete or  
9 supplement the HIV case report described in Section 121022.

10 ~~(2)~~

11 (d) A health care provider ~~shall not~~ *may* disclose personally  
12 identifying confidential information about a patient to a local health  
13 jurisdiction or the department ~~unless if~~ the disclosure is necessary  
14 for the local health jurisdiction or the department to carry out its  
15 duties in the investigation, control, or surveillance of disease, or  
16 the coordination of, linkage to, or reengagement in care for a  
17 person, as determined by the health care provider, the local health  
18 jurisdiction, or the department.

19 ~~(d)~~

20 (e) (1) Any disclosures authorized by subdivision (a), (b), (c),  
21 (d), or this subdivision shall include only the information necessary  
22 for the purpose of that disclosure and shall be made only upon the  
23 agreement that the information will be kept confidential as  
24 described in subdivision (a). Any unauthorized further disclosure  
25 shall be subject to the penalties described in subdivision ~~(f)~~ (g).

26 ~~(1)~~

27 (2) Notwithstanding any other law, the state or local public  
28 health agency staff may further disclose the information to a health  
29 care provider who provides care to the HIV-positive person who  
30 is the subject of the record for the purpose of assisting in  
31 compliance with subdivision (a) of Section 121022.

32 ~~(2)~~

33 (3) Notwithstanding any other law, the following disclosures  
34 are authorized for the purpose of facilitating appropriate HIV/AIDS  
35 medical care and treatment:

36 (A) State public health agency HIV surveillance staff, HIV  
37 prevention staff, AIDS Drug Assistance Program staff, and care  
38 services staff may further disclose the information to local public  
39 health agency staff, who may further disclose the information to  
40 the HIV-positive person who is the subject of the record, or a health

1 care provider who provides the person's care, for the purpose of  
2 proactively offering and coordinating care and treatment services  
3 to the HIV-positive person.

4 (B) HIV surveillance staff, HIV prevention staff, AIDS Drug  
5 Assistance Program staff, and care services staff in the State  
6 Department of Public Health may further disclose the information  
7 directly to the HIV-positive person who is the subject of the record  
8 or the health care provider who provides their HIV care, for the  
9 purpose of proactively offering and coordinating care and treatment  
10 services to them.

11 (C) Local public health agency staff may further disclose  
12 acquired or developed information to the HIV-positive person who  
13 is the subject of the record or the health care provider who provides  
14 their HIV care for the purpose of proactively offering and  
15 coordinating care and treatment services to them.

16 ~~(3)~~

17 (4) Notwithstanding any other law, for the purpose of facilitating  
18 appropriate case management or care coordination or delivery of  
19 medical care and treatment of persons coinfectd with HIV and  
20 tuberculosis, syphilis, gonorrhea, chlamydia, hepatitis B, hepatitis  
21 C, meningococcal infection, or other reportable diseases under  
22 Section 2500 or Section 2505 of Title 17 of the California Code  
23 of Regulations, state or local public health agency staff may further  
24 disclose the information to other state or local public health agency  
25 staff, the HIV-positive person who is the subject of the record, or  
26 the HIV-positive person's health care provider.

27 ~~(4)~~

28 (5) For the purposes of paragraphs ~~(2) and (3)~~, (3) and (4),  
29 "staff" does not include nongovernmental entities, but shall include  
30 state and local contracted employees who work within state and  
31 local public health departments.

32 ~~(e)~~

33 (f) A confidential public health record, as defined in subdivision  
34 (c) of Section 121035, shall not be disclosed, discoverable, or  
35 compelled to be produced in any civil, criminal, administrative,  
36 or other proceeding.

37 ~~(f)~~

38 (g) (1) A person who negligently discloses the content of a  
39 confidential public health record, as defined in subdivision (c) of  
40 Section 121035, to a third party, except pursuant to a written

1 authorization, as described in subdivision (a), or as otherwise  
2 authorized by law, shall be subject to a civil penalty in an amount  
3 not to exceed five thousand dollars (\$5,000), plus court costs, as  
4 determined by the court. The penalty and costs shall be paid to the  
5 person whose record was disclosed.

6 (2) A person who willfully or maliciously discloses the content  
7 of any confidential public health record, as defined in subdivision  
8 (c) of Section 121035, to a third party, except pursuant to a written  
9 authorization, or as otherwise authorized by law, shall be subject  
10 to a civil penalty in an amount not less than five thousand dollars  
11 (\$5,000) and not more than twenty-five thousand dollars (\$25,000),  
12 plus court costs, as determined by the court. The penalty and costs  
13 shall be paid to the person whose confidential public health record  
14 was disclosed.

15 (3) A person who willfully, maliciously, or negligently discloses  
16 the content of a confidential public health record, as defined in  
17 subdivision (c) of Section 121035, to a third party, except pursuant  
18 to a written authorization, or as otherwise authorized by law, that  
19 results in economic, bodily, or psychological harm to the person  
20 whose confidential public health record was disclosed, is guilty  
21 of a misdemeanor, punishable by imprisonment in a county jail  
22 for a period not to exceed one year, or a fine not to exceed  
23 twenty-five thousand dollars (\$25,000), or both, plus court costs,  
24 as determined by the court. The penalty and costs shall be paid to  
25 the person whose confidential public health record was disclosed.

26 (4) A person who commits an act described in paragraph (1),  
27 (2), or (3) is liable to the person whose confidential public health  
28 record was disclosed for all actual damages for economic, bodily,  
29 or psychological harm that is a proximate result of the act.

30 (5) Each violation of this section is a separate and actionable  
31 offense.

32 (6) This section does not limit or expand the right of an injured  
33 person whose confidential public health record was disclosed to  
34 recover damages under any other applicable law.

35 ~~(g)~~

36 *(h)* If a confidential public health record, as defined in  
37 subdivision (c) of Section 121035, is disclosed, the information  
38 shall not be used to determine employability or insurability of a  
39 person.

1     *SEC. 3. Section 121026 of the Health and Safety Code is*  
2     *amended to read:*

3     121026. (a) Notwithstanding subdivision (f) of Section 120980,  
4     Section 121010, subdivision (g) of Section 121022, subdivision  
5     (¶) (h) of Section 121025, Section 121115, and Section 121280,  
6     the State Department of Public Health and qualified entities may  
7     share with each other health records involving the diagnosis, care,  
8     and treatment of human immunodeficiency virus (HIV) or acquired  
9     immunodeficiency syndrome (AIDS) related to a beneficiary  
10    enrolled in federal Ryan White Act funded programs who may be  
11    eligible for services under the federal Patient Protection and  
12    Affordable Care Act (Public Law 111-148), as amended by the  
13    federal Health Care and Education Reconciliation Act of 2010  
14    (Public Law 111-152). The qualified entities, who shall be covered  
15    entities under the federal Health Insurance Portability and  
16    Accountability Act (Public Law 104-191) and the final regulations  
17    issued pursuant to the act by the United States Department of  
18    Health and Human Services (45 C.F.R. Parts 160 and 164), may  
19    share records only for the purpose of enrolling the beneficiary in  
20    Medi-Cal, the bridge programs, Medicaid expansion programs,  
21    and any insurance plan certified by the California Health Benefit  
22    Exchange established pursuant to Title 22 (commencing with  
23    Section 100500) of the Government Code, or any other programs  
24    authorized under the federal Patient Protection and Affordable  
25    Care Act (Public Law 111-148), and for the purpose of continuing  
26    his or her access to those programs and plans without disruption.

27    (b) The information provided by the State Department of Public  
28    Health pursuant to this section shall be limited to only the  
29    information necessary for the purposes of this section and shall  
30    not include HIV or AIDS surveillance data. This information shall  
31    not be further disclosed by a qualified entity, except to any or all  
32    of the following as necessary for the purposes of this section:

33    (1) The person who is the subject of the record or to his or her  
34    guardian or conservator.

35    (2) The provider of health care for the person with HIV or AIDS  
36    to whom the information pertains.

37    (3) The Office of AIDS within the State Department of Public  
38    Health.

39    (c) For purposes of this section, the following definitions shall  
40    apply:



1 (1) “Contractor” means any person or entity that is a medical  
2 group, independent practice association, pharmaceutical benefits  
3 manager, or a medical service organization and is not a health care  
4 service plan or provider of health care.

5 (2) “Provider of health care” means any person licensed or  
6 certified pursuant to Division 2 (commencing with Section 500)  
7 of the Business and Professions Code; any person licensed pursuant  
8 to the Osteopathic Initiative Act or the Chiropractic Initiative Act;  
9 any person certified pursuant to Division 2.5 (commencing with  
10 Section 1797) of the Health and Safety Code; any clinic, health  
11 dispensary, or health facility licensed pursuant to Division 2  
12 (commencing with Section 1200) of the Health and Safety Code.

13 (3) “Qualified entity” means any of the following:

14 (A) The State Department of Health Care Services.

15 (B) The California Health Benefit Exchange established pursuant  
16 to Title 22 (commencing with Section 100500) of the Government  
17 Code.

18 (C) Medi-Cal managed care plans.

19 (D) Health plans participating in the Bridge Program.

20 (E) Health plans offered through the Exchange.

21 (F) County health departments delivering HIV or AIDS health  
22 care services.

23 (d) Notwithstanding any other law, information shared pursuant  
24 to this section shall not be disclosed, discoverable, or compelled  
25 to be produced in any civil, criminal, administrative, or other  
26 proceeding.

27 (e) This section shall be implemented only to the extent  
28 permitted by federal law. All employees and contractors of a  
29 qualified entity who have access to confidential HIV-related  
30 medical records pursuant to this section shall be subject to, and all  
31 information shared pursuant to this section shall be protected in  
32 accordance with, the federal Health Insurance Portability and  
33 Accountability Act (Public Law 104-191) and the final regulations  
34 issued pursuant to that act by the United States Department of  
35 Health and Human Services (45 C.F.R. Parts 160 and 164), the  
36 Confidentiality of Medical Information Act (Part 2.6 (commencing  
37 with Section 56) of Division 1 of the Civil Code), and the Insurance  
38 Information and Privacy Protection Act (Article 6.6 (commencing  
39 with Section 791) of Part 2 of Division 1 of the Insurance Code).

1     *SEC. 4. Section 19548.2 of the Revenue and Taxation Code is*  
2     *amended to read:*

3     19548.2. (a) Notwithstanding any other law and in accordance  
4     with Section 120962 of the Health and Safety Code, the State  
5     Department of Public Health shall disclose the name and individual  
6     taxpayer identification number (ITIN) or social security number  
7     of an applicant for, or recipient of services pursuant to Chapter 6  
8     (commencing with Section 120950) of Part 4 of Division 105 of  
9     the Health and Safety Code to the Franchise Tax Board for the  
10    purpose of verifying the modified adjusted gross income of, any  
11    tax-exempt interest received by, any tax-exempt social security  
12    benefits received by, and any foreign earned income of an applicant  
13    or recipient.

14    (b) (1) The Franchise Tax Board, upon receipt of this  
15    information, shall inform the State Department of Public Health  
16    of all of the following:

17    (A) The amounts of the federal adjusted gross income received  
18    by the taxpayer household as reported by the taxpayer to the  
19    Franchise Tax Board.

20    (B) The amounts of the California adjusted gross income  
21    received by the taxpayer household as reported by the taxpayer to  
22    the Franchise Tax Board or as adjusted by the Franchise Tax Board.

23    (C) The amount of any tax-exempt interest received by the  
24    taxpayer household, as reported to the Franchise Tax Board.

25    (D) The amount of any tax-exempt social security benefits  
26    received by the taxpayer household, as reported to the Franchise  
27    Tax Board.

28    (E) The amount of any foreign earned income of the taxpayer  
29    household, as reported to the Franchise Tax Board.

30    (F) The family size of the taxpayer household, as reported to  
31    the Franchise Tax Board.

32    (2) The Franchise Tax Board shall provide the information to  
33    the State Department of Public Health for the most recent taxable  
34    year that the Franchise Tax Board has information available, and  
35    shall include the first and last name, date of birth, and the ITIN or  
36    social security number of the taxpayer.

37    (c) (1) Information provided by the State Department of Public  
38    Health pursuant to this section shall constitute confidential public  
39    health records as defined in Section 121035 of the Health and  
40    Safety Code, and shall remain subject to the confidentiality

1 protections and restrictions on further disclosure by the recipient  
2 under subdivisions ~~(d) and (e)~~ of Section 121025: *(f) and (g) of*  
3 *Section 121025 of the Health and Safety Code.*

4 (2) Prior to accessing confidential HIV-related public health  
5 records, Franchise Tax Board staff and contractors shall be required  
6 to annually sign a confidentiality agreement developed by the State  
7 Department of Public Health that includes information related to  
8 the penalties under Section 121025 of the Health and Safety Code  
9 for a breach of confidentiality and the procedures for reporting a  
10 breach of confidentiality under subdivision (h) of Section 121022  
11 of the Health and Safety Code. Those agreements shall be reviewed  
12 annually by the State Department of Public Health.

13 (3) The Franchise Tax Board shall return or destroy all  
14 information received from the State Department of Public Health  
15 after completing the exchange of information.

16 (d) For purposes of this section, “foreign earned income” also  
17 includes any deduction taken for the housing expenses of an  
18 individual while living abroad pursuant to Section 911 of Title 26  
19 of the Internal Revenue Code.

20 (e) For purposes of this section, “household” means the applicant  
21 or recipient, and, in addition, the applicant’s or recipient’s spouse  
22 or registered domestic partner, and all other individuals for whom  
23 the applicant or recipient, or the applicant’s or recipient’s spouse  
24 or registered domestic partner, is allowed a federal income tax  
25 deduction for the taxable year.

26 (f) For purposes of this section, “family size” has the meaning  
27 given to that term in Section 36B(d)(1) of Title 26 of the Internal  
28 Revenue Code, and includes same or opposite sex married couples,  
29 registered domestic partners, and any dependent, as defined by  
30 Section 152 of Title 26 of the Internal Revenue Code, of either  
31 spouse or registered domestic partner.

32 ~~SEC. 3.~~

33 *SEC. 5.* Section 15912.1 of the Welfare and Institutions Code  
34 is amended to read:

35 15912.1. (a) The department, in collaboration with the State  
36 Department of Public Health, shall develop policies and guidance  
37 on the transition of persons diagnosed with HIV/AIDS from federal  
38 Ryan White HIV/AIDS Treatment Extension Act of 2009 (Ryan  
39 White Act) funded programs, pursuant to Section 131019 of the  
40 Health and Safety Code, to the Low Income Health Program

(LIHP) pursuant to this part. These policies and guidance shall be provided to local LIHPs, federal Ryan White Act providers, and to persons receiving services pursuant to the federal Ryan White Act, as applicable. Guidance shall include, but not be limited to, operational processes and procedures supporting the transition of persons receiving services pursuant to the federal Ryan White Act in order to minimize disruption of access to and availability of care and services.

(b) The department, in collaboration with the State Department of Public Health, shall consult with stakeholders, including administrators, advocates, providers, and persons receiving services pursuant to the federal Ryan White Act, to obtain advice in forming the policy decisions regarding the transition of persons receiving services pursuant to the federal Ryan White Act to the local LIHPs.

(c) Notwithstanding any other law, for the purpose of implementing LIHP, pursuant to this part, the State Department of Public Health may share relevant data related to a beneficiary's enrollment in federal Ryan White Act funded programs who may be eligible for LIHP services with the participating entity, as defined in Section 15909.1, operating a LIHP, and the participating entity may share relevant data relating to persons diagnosed with HIV/AIDS with the State Department of Public Health.

(1) The information provided by the State Department of Public Health pursuant to this section shall not be further disclosed by a participating entity, as defined in Section 15909.1, operating a LIHP, except to any of the following:

(A) The person to whom the information pertains or the designated representative of the person.

(B) The health care provider that provides HIV/AIDS care to the person to whom the information pertains.

(C) The Office of AIDS within the State Department of Public Health.

(2) Information shared pursuant to this section is subject to the confidentiality protections of subdivisions ~~(e) and (f)~~ (f) and (g) of Section 121025 of the Health and Safety Code.