

Date of Hearing: April 5, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2482 (Calderon) – As Amended March 28, 2022

**SUBJECT:** Public postsecondary education: student health: pilot program: wellness vending machines.

**SUMMARY:** Establishes the Wellness Vending Machine Pilot Program, until July 1, 2029, that requires the California State University (CSU) and the California Community Colleges (CCC), to establish at five campuses of their perspective segments at least one vending machine that dispenses wellness products. Additionally, this bill requests the University of California (UC) to establish at any number of its campuses, at least one vending machine that dispenses wellness products. Specifically, **this bill:**

- 1) Requires the CSU and CCC to administer the Wellness Vending Machine Pilot Program, until July 1, 2029.
- 2) Requires that the CSU select five campuses to participate in the pilot program.
- 3) Stipulates that each participating campus, as enumerated in (2) above, shall establish at the main campus, a satellite campus, or both, at least one wellness vending machine that dispenses wellness products, including, but not limited to, the following: (a) condoms; (b) dental dams; (c) menstrual cups; (d) lubrication; (e) tampons; (f) menstrual pads (g) pregnancy tests; and, (h) nonprescription drugs, including discounted emergency contraception.
- 4) Requires on or after July 1, 2025, and on or after each subsequent July 1, the CSU to submit a report to the Legislature, as specified, on the pilot project at its participating campuses.
- 5) Requires that the report, as enumerated in (4) above, contain data on the pilot disaggregated by campus.
- 6) Specifies that the CCC shall select five of its campuses to participate in the pilot program, but that participation is voluntary.
- 7) Clarifies that should the CCC participate, they shall adhere to the same requirements of the CSU, as enumerated above in (3) through (5) inclusive.
- 8) Requests the UC to select any number of its campuses to participate in the pilot program.
- 9) Specifies that should the UC participate, the UC is requested to adhere to the same requirements of the CSU, as enumerated above in (3) through (5) inclusive.
- 10) Repeals the Wellness Vending Machine Pilot Program on January 1, 2030.

**EXISTING LAW:**

- 1) Establishes the UC as a public trust to be administered by the Regents of the UC; and, grants the Regents full powers of organization and government, subject only to such legislative

control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services (Article IX, Section (9)(a) of the California Constitution).

- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the UC, CSU, and CCC (Education Code (EC) Section 66010, et seq.).
- 3) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees (EC Sections 66606 and 89500, et seq.).
- 4) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (EC Section 70900).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Purpose of the measure.* According to the author, this bill aims to address accessibility gaps for college students attending the UC, CSU, or CCC, who seek wellness products on campus outside of pharmacy hours and who lack personal or even public transportation.

The author states, “AB 2482 will establish a wellness vending machine pilot program to ensure Californians attending institutions of higher education have sufficient access to health and wellness products. Students face many barriers accessing healthcare products on campus, such as student health centers not being available 24/7, lack of same-day appointments, being closed on weekends, and some campuses not having a center at all. This bill will allow students to access discounted over-the-counter health and wellness products outside pharmacy hours and without the need to leave their campus.”

*Current wellness vending machines.* According to data provided by the author, wellness vending machines have been successfully installed and positively received by students in several California public and independent colleges and universities. Some of the campuses include, but are not limited to, the following:

- 1) UC Davis;
- 2) UC Riverside;
- 3) UC Santa Barbara;
- 4) UCLA;
- 5) UC Berkeley;
- 6) CSU Northridge;
- 7) Stanford University;
- 8) Scripps College;
- 9) Pomona College; and,
- 10) University of Southern California

Committee Staff understands that while the contents of the wellness vending machines may differ slightly from campus to campus, the majority of the machines sell, at a discounted rate from the local pharmacies, some of the following:

- 1) Azo;
- 2) EContra EZ (emergency contraception);
- 3) Family Car Pregnancy Test;
- 4) Kotex Tampons;
- 5) Kotex Thin Pads;
- 6) Trojan Magnum Condom;
- 7) Trojan Ultra Ribbed Condom;
- 8) Trojan ENZ Condom;
- 9) Trojan Ultra Thin Condom;
- 10) Kotex Tampons Super;
- 11) Claritin;
- 12) Tylenol Extra Strength; and,
- 13) Advil

*Committee comments.* This measure currently requires the CSU and CCC, and requests the UC, to participate in the created pilot. The CSU and CCC shall select five of its campuses to participate in the pilot and the UC may select any number of its campuses to participate in the pilot program. However, the bill is silent as to the selection process for campuses' to participate in the pilot program.

*Moving forward, the author may wish to work with this Committee, and the segments' systemwide offices, in order to determine the best method of selecting campuses to participate in the pilot program.*

Additionally, while several public and independent colleges and universities in the state have at least one wellness vending machine on their campuses, the locations of the wellness vending machines vary; and, it is presently unclear how students are notified that said machines are accessible to them on campus. Additionally, many of the campuses with existing wellness vending machines have placed the machines in the lobby of their student centers or unions and/or athletic centers, but these buildings on campus (including the lobby) are not open twenty-four hours/day (24-7); thus, students' are not able to access the contents of the wellness vending machines 24-7.

*Moving forward, the author may wish to work with this Committee and the segments' systemwide offices, in order to determine whether the wellness vending machines should be centrally located and accessible 24-7 at each participating campus. Additionally, the author may wish to work with this Committee and the segments' systemwide offices to determine a method of how students can be made aware of the presence of the wellness vending machine on participating campuses.*

Further, this measure currently sunsets the Wellness Vending Machine Pilot Program on January, 1, 2030. However, the measure does not stipulate that the Program may be extend if future legislation either extends the sunset, or removes the sunset before the initial sunset date.

*Moving forward, the author may wish to determine if the aforementioned clause should be included in this measure.*

*Arguments in support.* According to the American College of Obstetricians and Gynecologists District IX (ACOG), “access to quality, affordable healthcare products, especially on college campuses, is essential for ensuring health and wellness.” Further, ACOG states that, “Unfortunately, not all health centers on college campuses are available 24 hours and many lack same-day appointments and are closed on the weekends. This means a large portion of students seeking health and wellness products off-campus or outside of operating hours must travel to the closest pharmacy – sometimes as far as two to three miles away, and many closing at midnight. This can prove difficult for students who do not have access to a car or when public transportation is not proximate to a pharmacy.”

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

American College of Obstetricians and Gynecologists District IX

**Opposition**

None on file.

**Analysis Prepared by:** Jeanice Warden / HIGHER ED. / (916) 319-3960