



Sacramento Office

Elizabeth A. Landsberg
Director of Legislative Advocacy
Brian Augusta
Legislative Advocate
Jessica Bartholow
Legislative Advocate
Michael E. Herald
Legislative Advocate
Michael Moynagh
Policy Analyst
Linda T. Nguy
Legislative Advocate

Health Care Legislation Affecting Low-Income Consumers as of April 9, 2015

As the Legislature returned from the Spring Recess, many bills were given additional depth and substance and have begun to take shape. Bills that were introduced earlier this year and late last year are now being heard by their policy committees of jurisdiction. All bills with a cost must be heard by May 1 in their policy committee and after that will go the respective Appropriations Committees, which must wrap by May 22. The next two months will see a flurry of activity and Western Center will keep you posted on the latest developments. Following is a summary of bills in the Legislature that affect the health of low-income Californians.

Medi-Cal					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 72	Bonta D	Medi-Cal: demonstration project.	Assembly Appropriations	Spot bill for California's 1115 Medicaid waiver.	Watch
AB 139	Gatto D	Nonprobate transfers: revocable transfer upon death deeds.	Assembly Consent Calendar	This bill would create the revocable transfer on death deed, allowing for the transfer of real property on the death of its owner without a probate proceeding, but specifically states that the revocable transfer on death deed is subject to Medi-Cal estate recovery.	Concerns
AB 145	Gomez D	Public benefits reports.	Assembly Consent Calendar	This bill would permit the use of specified information by the Department of Finance to prepare and submit the report that identifies employers in California that employ 100 or more employees on Medi-Cal.	
AB 187	Bonta D	Medi-Cal: managed care: California Children's Services program.	Assembly Appropriations	This bill would extend the termination of the CCS carve out from Medi-Cal managed care until the department has completed evaluations of specified pilot programs created as part of California's current 1115 waiver.	
AB 763	Burke D	Medi-Cal: program for aged and disabled persons.	Assembly Appropriations	This bill would raise the income eligibility threshold for the Medi-Cal Aged and Disabled Program from ~123% to 138% FPL.	Sponsor
AB 858	Wood D	Medi-Cal: federally qualified health centers and rural health clinics.	Assembly Health	This bill would provide that 2 visits taking place on the same day at a federally qualified health center (FQHC) or rural health clinic (RHC) shall be reimbursed under some circumstances.	
AB 859	Medina D	Medi-Cal: obesity treatment plans.	Assembly Health	This bill would declare the intent of the Legislature to enact legislation to provide beneficiaries in the Medi-Cal program who have been diagnosed by a physician and surgeon as obese or morbidly obese with a comprehensive obesity treatment plan.	
AB 1162	Holden D	Medi-Cal: tobacco cessation.	Assembly Health	This bill would require all tobacco cessation medications, counseling, and assessments to be covered Medi-Cal benefit.	Support
AB 1216	Bonta D	Medi-Cal: plan amendments and waiver applications.	Assembly Health	Would require DHCS to post on its website all submitted state plan amendments and all federal waiver applications and requests for new waivers, waiver amendments, and waiver renewals and extensions.	Support

Health Care Legislation Affecting Low-Income Consumers as of April 9, 2015

AB 1231	Wood D	Medi-Cal: nonmedical transportation.	Assembly Health	This bill would clarify nonmedical transportation as a covered Medi-Cal benefit for a beneficiary to obtain transportation services to receive specialty care if those services are more than 60 minutes or 30 miles away.	Sponsor
AB 1261	Burke D	Community-based adult services: adult day health care centers.	Assembly Health	This bill would codify the Community-Based Adult Services benefit according to provisions stipulated in a settlement agreement reached in 2012.	
AB 1299	Ridley-Thomas D	Medi-Cal: specialty mental health services: foster children.	Assembly Human Services	This bill would require DHCS to issue policy guidance that establishes the presumptive transfer of responsibility for providing or arranging for mental health services to foster youth from the county of original jurisdiction to the foster child's county of residence.	
AB 1319	Dababneh D	Medi-Cal benefits: share of cost requirements.	Assembly Health	This bill would raise the SSI recipient retention amount from \$20 to \$50 for purposes of determining share of cost.	
AB 1396	Bonta D	Medi-Cal.	Assembly Health	This bill would require setting Medi-Cal rates high enough that "payments are consistent with efficiency, economy, and quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area."	Support
SB 33	Hernandez D	Medi-Cal: estate recovery.	Senate Appropriations	This bill would limit Medi-Cal estate recovery to long term care costs, delete the requirement that the department make a claim upon the death of the surviving spouse, and require DHCS to provide a current or former beneficiary upon request and free of charge, with the total recoverable amount under these provisions.	Sponsor
SB 36	Hernandez D	Medi-Cal: demonstration project.	Senate Appropriations	Spot bill for California's 1115 Medicaid waiver renewal.	Watch
Health Care Reform					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 248	Hernández, Roger D	Health insurance: minimum value: large group market policies.	Assembly Appropriations	People are not eligible for tax subsidies in Covered CA if they have affordable employer-sponsored coverage. This bill would require group health plans and insurers to provide coverage with at least 60% minimum value.	Support
AB 845	Cooley D	Health care coverage: vision care.	Assembly Health	This bill would authorize Covered California to construct and maintain an Internet Web site for vision care plans.	
AB 1102	Santiago D	Health care coverage: special enrollment periods: triggering event.	Assembly Health	This bill would create a special enrollment period for women who are pregnant to enroll in individual health coverage.	Support
SB 4	Lara D	Health care coverage: immigration status.	Senate Rules	This bill would expand full-scope state-funded Medi-Cal for undocumented immigrants and would allow undocumented immigrants to purchase unsubsidized health coverage through Covered California or a parallel exchange.	Support
SB 43	Hernandez D	Health care coverage: essential health benefits.	Senate Health	This bill would update California's law regarding Essential Health Benefits per final federal regulations.	

SB 125	Hernandez D	Health care coverage.	Senate Appropriations	This bill would change the annual open enrollment period to extend from November 1, of the preceding calendar year, to January 31 of the benefit year for Covered California and the outside individual and small group markets. The bill would also extend the sunset for the California Health Benefit Review Program and expand the reach of bills CHBRP could be asked to analyze.	Support
SB 137	Hernandez D	Health care coverage: provider directories.	Senate Health	This bill would require health plans and insurers to make their provider directory available on their Internet Web site and to update the directory weekly. The bill would require the Department of Managed Health Care and the Department of Insurance to develop a standard provider directory template with required elements.	Support
SB 464	Hernandez D	Health care coverage: enrollment reporting.	Senate Rules	Spot bill on reporting Medi-Cal and Covered California enrollment data.	
Insurance Market Reforms					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1027	Gatto D	Health care coverage: contracted rates: disclosure to consumers.	Assembly Health	This bill would require a health plan or insurer to disclose, upon request, to a consumer the contracted rate for a procedure or a full course of treatment between the plan or insurer and a provider or supplier.	
AB 1086	Dababneh D	Assignment of reimbursement rights.	Assembly Health	This bill would prohibit health plans and insurers from prohibiting an enrollee from making an assignment of his or her reimbursement rights for health services to the provider who furnished those services. The bill would require the provider seeking payment from a health plan or insurer to provide the plan or insurer with specified documentation and information, including an itemized bill for service.	
AB 1305	Bonta D	Limitations on cost sharing: family coverage.	Assembly Health	This bill would require, for family coverage, in addition to existing annual out-of-pocket limits and deductibles which apply to the family, a maximum out-of-pocket limit and deductible for each individual covered by the plan contract that is less than or equal to the maximum out-of-pocket limit for individual coverage under the plan.	Support
AB 1434	McCarty D	Health insurance: prohibition on health insurance sales: health care service plans.	Assembly Revenue & Taxation	The bill would move jurisdiction of some PPOs from DMHC to CDI. The bill states legislative intent that the increased revenues from the plans paying gross premium taxes would be used to increase Medi-Cal provider rates.	Oppose Unless Amended
SB 289	Mitchell D	Telephonic and electronic patient management services.	Senate Health	This bill would require health insurance companies licensed in California to pay physicians for telephone and electronic patient management telehealth services.	
SB 503	Hernandez D	Cal-COBRA: disclosures.	Senate Health	Current law requires a group plan that is subject to Cal-COBRA to make specified disclosures to covered employees, including that a covered employee who is considering declining continuation of coverage should be aware that companies selling individual health insurance may require a review of the employee's medical history. This bill would eliminate that disclosure requirement.	

Charity Care					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1046	Dababneh D	Hospitals: community benefits.	Assembly Health	This bill would align California statute on community health needs assessment with IRS regulations.	
SB 346	Wieckowski D	Health facilities: community benefits.	Senate Health	This bill would require private nonprofit hospitals and nonprofit multispecialty clinics to allocate community benefit moneys to charity health care and community building activities and would require these entities to develop a community health needs assessment.	
Language Access					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 389	Chau D	Hospitals: language assistance services.	Assembly Second Reading	This bill would require hospitals and DHCS to post hospitals' language assistance policies on their respective Internet Web sites.	Support
AB 635	Atkins D	Medical interpretation services.	Assembly Health	This bill would require DHCS to seek federal funding for a program for certified language interpretation services to Medi-Cal beneficiaries who are limited English proficient in both fee-for-service and managed care.	Support
AB 1073	Ting D	Pharmacy: prescription drug labels.	Assembly Business & Professions	The Pharmacy Law requires a standardized, patient-centered, prescription drug label on all prescription medicine in California. This bill would require a dispenser to use a standardized direction for use on the label of the prescription container from a list in existing regulations. The bill would require the board to make available translations, in a minimum of 5 languages other than English, of those standardized directions for use and post the translated standardized directions for use on its Internet Web site.	
SB 388	Mitchell D	Solicitation and enrollment.	Senate Health	This bill would require a health plan's summary of benefits and coverage (SBC) to be translated into non-English languages consistent with California's existing language access requirements for other vital documents and would require the Department of Managed Health Care and the Department of Insurance to make available translated templates of the SBC on their websites.	Support
Medical Debt					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 533	Bonta D	Health care coverage: out-of-network coverage.	Assembly Health	This bill would require a health contract or insurer to provide that if an enrollee obtains care from a participating facility at which the enrollee receives covered services provided by a nonparticipating provider, the enrollee is required to pay the nonparticipating provider only the same cost sharing required if the services were provided by a participating provider.	Support
SB 26	Hernandez D	California Health Care Cost and Quality Database.	Senate Health	Spot bill to create an all payers claims database - the California Health Care Cost and Quality Database.	

Mental Health					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 741	Williams D	Medi-Cal: comprehensive mental health crisis services.	Assembly Health	This bill would add mental health crisis services as an EPSDT benefit.	
AB 796	Nazarian D	Health care coverage: autism and pervasive developmental disorders.	Assembly Health	This bill would expand the autism treatment that commercial health plans provide beyond Applied Behavior Analysis (ABA) to any scientifically-based treatment.	
AB 861	Maienschein R	Mental health: community-based services.	Assembly Health	This bill would require DHCS to apply for mental health services planning grant, including plans for counties to redirect a portion of funds currently used to match federal funds to provide increased housing opportunities for individuals with severe mental illnesses, and to work with counties and other stakeholders in developing its proposal.	
AB 1018	Cooper D	Medi-Cal: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT).	Assembly Health	This bill would require DHCS to permit county mental health plans to contract with local educational agencies (LEAs) to provide services for Medi-Cal eligible pupils under EPSDT, and require DHCS to permit an LEA to make claims for federal financial participation directly to DHCS.	
SB 291	Lara D	Mental health: vulnerable communities.	Senate Rules	This bill would require OSHPD to prepare a Mental Health Manpower Plan to assess the needs and services available to serve the mental health needs of Californians, especially those in vulnerable communities.	
SB 296	Cannella R	Medi-Cal: specialty mental health services: documentation requirements.	Senate Health	This bill would require DHCS to develop a single set of service documentation requirements for the provision of specialty mental health services by January 2017, require DHCS to update the requirements no less than every 2 years, and prohibit counties from requiring additional documentation requirements.	
SB 614	Leno D	Medi-Cal: mental health services: peer and family support specialist certification.	Senate Health	This bill would establish a Peer and Family Support Specialist Certification Program to be administered by DHCS.	Support
Prescription Drugs					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 73	Waldron R	Prescriber Prevails Act.	Assembly Health	This bill would establish 4 types of drugs (antiretrovirals for Aids/HIV, Antipsychotics, Immunosuppressants for anti-rejection and epilepsy/anti-convulsants) as a covered Medi-Cal benefit.	
AB 339	Gordon D	Health care coverage: outpatient prescription drugs.	Assembly Health	This bill would require health plans and insurers that provide coverage for outpatient prescription drugs to provide coverage for medically necessary prescription drugs that do not have a therapeutic equivalent. This bill would require copayments, coinsurance, and other cost sharing for these drugs to be reasonable, would require coverage of single-tablet drug regimens and extended release drugs at same cost-sharing as multitablet and nonextended release products. The bill would standardize the definition of specialty prescription drugs.	Support
AB 374	Nazarian D	Health care coverage: prescription drugs.	Assembly Health	This bill would impose specified requirements on health plans that restrict medications pursuant to step therapy or fail first protocol.	Support

AB 463	Chiu D	Pharmaceutical Cost Transparency Act of 2015.	Assembly Health	This bill would require each manufacturer of a prescription drug that cost \$10,000 or more annually or per course of treatment to file a report to OSHPD, who in turn, would post the report on its Web site.	
Provider Reimbursement					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 366	Bonta D	Medi-Cal: reimbursement: provider rates.	Assembly Health	This bill would require claims for payments pursuant to the inpatient hospital reimbursement methodology to be increased by 16% for the 2015-16 fiscal year, and annually thereafter be increased based on inflation. It would also require Medi-Cal managed care rates to be increased by a proportionately equal amount for increased payments for hospital services.	
AB 1257	Gray D	Medi-Cal: ground ambulance rates.	Assembly Health	This bill would require DHCS to establish payment rates for ground ambulance services based on changes in the Consumer Price Index-Urban and the Geographic Practice Cost Index.	
SB 243	Hernandez D	Medi-Cal: reimbursement: provider rates.	Senate Health	This bill would require claims for payments pursuant to the inpatient hospital reimbursement methodology to be increased by ___ percent for the 2015-16 fiscal year, and thereafter would require annual increases based on inflation.	
SB 534	Pan D	Medi-Cal: ground emergency medical transportation services: supplemental reimbursement.	Senate Rules	This bill would authorize DHCS to provide supplemental reimbursement for the cost of paramedic services at a rate of payment equal to cost.	

For more information contact:

Elizabeth Landsberg
Linda Nguy

916.282.5118
916.282.5117

elandsberg@wclp.org
lnguy@wclp.org