



Sacramento Office

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

Health Care Legislation Affecting Low-Income Consumers as of September 17, 2015

Following is a summary of bills that passed through the Legislature and have gone to the Governor's desk that affect the health of low-income Californians. Bills had to be out of their fiscal committee by August 28 and out of both houses by September 11. In order to pass out of the Appropriations Committee, many bills were amended to lower the fiscal cost. The Legislature recessed on September 12 with several key measures going to the Governor. The Governor now has until October 11 to sign or veto bills. If Western Center has taken a formal position on a bill, it is noted.

Medi-Cal					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 139	Gatto D	Nonprobate transfers: revocable transfer upon death deeds.	Enrollment	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.	
AB 145	Gomez D	Public benefits reports.	Enrollment	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.	Enrollment	This bill would extend the the CCS carve out from Medi-Cal managed care until January 1, 2017.	
AB 366	Bonta D	Medi-Cal: annual access monitoring report.	2 year bill	This bill would establish a monitoring system to determine if Californians are having trouble getting care in the Medi-Cal system. DHCS would be required to post on its website the Medi-Cal access monitoring report and host a public meeting to present and discuss the report.	Support
AB 858	Wood D	Medi-Cal: federally qualified health centers and rural health clinics.	Enrollment	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 1162	Holden D	Medi-Cal: tobacco cessation.	Enrollment	This bill would require certain tobacco cessation medications, counseling, and assessments to be covered Medi-Cal benefit.	Support
AB 1231	Wood D	Medi-Cal: nonmedical transportation.	Enrollment	This bill would clarify nonmedical transportation as a covered Medi-Cal benefit, including roundtrip transportation for covered Medi-Cal services.	Sponsor
AB 1261	Burke D	Community-based adult services: adult day health care centers.	Enrollment	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.	2 year bill	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.	2 year bill	This bill would raise the SSI recipient retention amount from \$20 to \$50 for purposes of determining share of cost.	

SB 33	Hernandez D	Medi-Cal: estate recovery.	2 year bill	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, for a charge of \$5, the total recoverable amount under these provisions.	Sponsor
SB 36	Hernandez D	Medi-Cal: demonstration project.	Enrollment	Spot bill for California's 1115 Medicaid waiver renewal.	
SB 260	Monning D	Medi-Cal: county organized health systems: pilot programs.	2 year bill	This bill would require County Organized Health System Medi-Cal plans to be licensed with the Department of Managed Health Care under the Knox-Keene Act.	Sponsor
Health Care Reform					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 248	Hernández, Roger D	Health insurance: minimum value: large group market policies.	Enrollment	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 1102	Santiago D	Health care coverage: Medi-Cal Access Program: disclosures.	2 year bill	This bill would require that women who apply for the Medi-Cal Access Program (MCAP - formerly AIM) who are denied coverage be told about the Major Risk Medical Insurance Program and Covered California.	Support
SB 4	Lara D	Health care coverage: immigration status.	Enrollment	This bill would set out the transition process for all income-eligible children to be eligible for Medi-Cal regardless of immigration status.	Support
SB 10	Lara D	Health care coverage: immigration status.	2 year bill	This bill would require the Secretary of California Health and Human Services to apply for a waiver to allow undocumented individuals to apply for health coverage for Covered California and would extend eligibility for full-scope Medi-Cal to adults who would qualify but for their immigration status if sufficient funding is available.	Support
SB 43	Hernandez D	Health care coverage: essential health benefits.	Enrollment	This bill would update California's law regarding Essential Health Benefits per final federal regulations including selecting a new benchmark plan and changing the definition of habilitative services.	Support
SB 137	Hernandez D	Health care coverage: provider directories.	Enrollment	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
Insurance Market Reforms					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1305	Bonta D	Limitations on cost sharing: family coverage.	Enrollment	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
SB 503	Hernandez D	Cal-COBRA: disclosures.	2 year bill	Current law requires a group plan that is subject to Cal-COBRA to send a notice to covered employees. This bill would delete the requirement that the notice advise about medical underwriting and required language about Medi-Cal and Covered California.	Support

Language Access					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 389	Chau D	Hospitals: language assistance services.	Enrollment	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.	2 year bill	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.	Enrollment	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.	
AB 1114	Bonilla D	Health care: eligibility and enrollment.	2 year bill	This bill would clarify that Medi-Cal and Covered California renewal forms and notices must be translated into the thirteen Medi-Cal threshold languages	Sponsor
SB 388	Mitchell D	Health care coverage: solicitation and enrollment.	Enrollment	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.	2 year bill	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 be required to pay the nonparticipating provider only the same cost sharing required if the services had been provided by a participating provider.	Support
Mental Health					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 861	Maienschein R	Mental health: community-based services.	Enrollment	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.	Support
AB 1018	Cooper D	Medi-Cal: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT).	2 year bill	This bill would require DHCS and the Department of Education to convene a joint task force to examine the delivery of mental health services to children eligible for EPSDT services and for services pursuant to the federal Individuals with Disabilities Education Act.	

SB 291	Lara D	Public health: vulnerable communities.	Enrollment	This bill would include individuals who have experienced trauma related to genocide in the definition of vulnerable communities and would require representatives from vulnerable communities to be represented in the public stakeholder process for developing the Office of Health Equity's plan to eliminate health and mental health disparities.	
SB 296	Cannella R	Medi-Cal: specialty mental health services: documentation requirements.	2 year bill	This bill would require DHCS to develop a single set of service billing documentation requirements for the provision of specialty mental health services, require DHCS to update the requirements, and prohibit counties from requiring additional documentation requirements.	
SB 614	Leno D	Medi-Cal: mental health services: peer, parent, transition-age, and family support specialist certification.	2 year bill	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 339	Gordon D	Health care coverage: outpatient prescription drugs.	Enrollment	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.	Enrollment	This bill would authorize a request for an exception to a health plan's step therapy process for prescription drugs to be submitted in the same manner as a request for prior authorization for prescription drugs, and would require the plan to treat, and respond to, the request in the same manner as a request for prior authorization for prescription drugs.	Support

Other

Measure	Author	Topic	Location	Summary	WCLP Position
AB 294	Lackey R	Health and human services: state plans: federal waivers: public notice.	Enrollment	This bill would require departments within the California Health and Human Services Agency to post state plans, amendments and waivers on their websites.	Support
SB 492	Liu C	Coordinated care initiative: consumer educational and informational guide.	2 year bill	The bill would require DHCS to develop and post on its website an educational and informational guide to assist consumers and patients in understanding the rights afforded to them under the Coordinated Care Initiative and how to effectively exercise those rights.	Support

SPECIAL SESSION X2

ABX2 4	Levine D	Managed care organization provider tax.	Assembly	This bill would create a flat Managed Care Organization (MCO) tax of \$7.88 per person per month to generate \$1.878 billion in annual revenue.	
ABX2 6/ SBX2 5	Cooper D/ Leno D	Electronic cigarettes.	Assembly	This bill would add e-cigarettes to existing tobacco products definition.	
ABX2 7/ SBX2 6	Stone, Mark D/ Monning D	Smoking in the workplace.	Assembly	This bill would close loopholes in smoke-free workplace laws, including hotel lobbies, small businesses, break rooms, and tobacco retailers.	

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ABX2 8/ SBX2 7	Wood D/ Hernandez D	Tobacco products: minimum legal age.	Assembly	This bill would increase age of sale for tobacco products to 21.	
ABX2 9/ SBX2 8	Thurmond D/ Liu D	Tobacco use programs.	Assembly	This bill would require all schools to be tobacco free.	
ABX2 10/ SBX2 9	Bloom D/ McGuire D	Local taxes: authorization: cigarettes and tobacco products.	Assembly	This bill would allow local jurisdictions to tax tobacco.	
ABX2 11/ SBX2 10	Nazarian D/ Beall D	Cigarette and tobacco product licensing: fees and funding.	Assembly	This bill would establish an annual Board of Equalization tobacco licensing fee program.	
ABX2 15	Eggman D	End of life.	Enrollment	This bill would enact the End of Life Option Act authorizing an adult who meets certain qualifications and has terminal disease to make a request for a drug for the purpose of ending his or her life.	
ABX2 16/ SBX2 13	Bonta D/ Pan D	Public health: cigarette and tobacco products: electronic cigarettes: taxes: California Health Care, Research, and Prevention Tobacco Tax Act of 2015.	Assembly	This bill would raise cigarette (including e-cigarettes) taxes by \$2.	
ABX2 17	McCarty D	Health insurance: prohibition on health insurance sales: health care service plans.	Assembly	The bill would move jurisdiction of some PPOs from DMHC to CDI.	Oppose
ABX2 18	Bonilla D	Taxation: distilled spirits: Cocktails for Healthy Outcomes Act.	Assembly	This bill would impose a 5 cent tax on cocktails sold at bars, beginning January 2017, to fund development disability services and alcohol prevention and counseling.	
ABX2 19	Bonta D	Managed care organization provider tax.	Assembly	This bill would establish a new tiered managed care organization provider tax (administration proposal).	
SBX2 14	Hernandez D	Tobacco: electronic cigarettes: taxes: managed care organization provider tax: in-home supportive services.	Senate	This bill would raise cigarette (including e-cigarette) taxes by \$2 to fund tobacco prevention programs and Medi-Cal provider rates; repeal the 7% IHSS hour reduction; and establish a new tiered managed care organization provider tax that would also fund developmental disability services.	Support

For more information contact:

Elizabeth Landsberg 916.282.5118
Linda Nguy 916.282.5117

elandsberg@wclp.org
lnguy@wclp.org