

Health Care Legislation Affecting Low-Income Consumers as of September 13, 2017

The Legislature reconvened on August 21 to a flurry of activity. The Legislature had until September 1 to pass any bill with a cost out of second house fiscal committee. From then, the Legislature will focus on hearing bills on the floor before recessing again on September 15. This is the first year following the passage of Proposition 54, which requires bills be in print for 72 hours before they can be voted on, condensing the time bills can be amended. To meet the Proposition 54 newly imposed time constraints, amended bills must be in print by September 12. Following is a summary of bills that affect the health of low-income Californians.

Medi-Cal					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 74	Chiu	Housing.	Assembly Concurrence	This bill would create the Housing for a Healthy California Program to provide rental assistance to individuals who are homeless and receive services from the Whole Person Care pilot program, Health Homes, or another locally controlled funding source.	Support
AB 391	Chiu	Medi-Cal: asthma preventive services.	Assembly Concurrence	This bill would require asthma preventive services to be a covered Medi-Cal benefit, establish requirements for qualified asthma preventive service providers, and establish requirements for an entity or supervising licensed provider who employs or contracts with a qualified asthma preventive services provider.	Support
AB 447	Gray	Medi-Cal: covered benefits: continuous glucose monitors.	ENROLLED	This bill would add continuous glucose monitors to the schedule of Medi-Cal benefits for the treatment of diabetes mellitus type 1 and diabetes mellitus type 2 when medically necessary, subject to utilization controls.	Support
AB 839	Garcia, Eduardo	Medi-Cal: targeted case management.	2-Year Bill	Allows tribal health programs to provide Targeted Case Management services as a local agency, thus drawing down a federal Medicaid match.	Support
SB 218	Dodd	The Qualified ABLÉ Program: tax-advantaged savings accounts.	Assembly Floor	This bill would authorize, to the extent permitted under federal law, the transfer of all amounts in the designated beneficiary's ABLÉ account to an ABLÉ account for another individual and prohibit the state from seeking recovery of any amount remaining in the designated beneficiary's ABLÉ account.	Support
SB 220	Pan	Medi-Cal Children's Health Advisory Panel.	ENROLLED	This bill would revise the qualification criteria for the parent members of the Medi-Cal Children's Health Advisory Panel with 3 members who are either Medi-Cal enrollees who have received Medi-Cal benefits or services in relation to a pregnancy, or who are a parent, foster parent, relative caregiver, or legal guardian of a Medi-Cal child.	
SB 323	Mitchell	Medi-Cal: federally qualified health centers and rural health centers: Drug Medi-Cal and specialty mental health services.	Assembly Floor	This bill would permit a FQHC or rural health clinic to be reimbursed directly from a county or the DHCS for providing Drug Medi-Cal or specialty mental health services to Medi-Cal beneficiaries.	

SB 456	Pan	Medi-Cal managed care: federally qualified health centers and rural health clinics: services that follow the patient.	2-Year Bill	This bill would authorize a FQHC/RHC to enter into an agreement with a public or private entity willing and qualified to provide "services that follow the patient", defined as care management and coordination, health and wellness initiatives, transitional care, and individual and family support centers.	
SB 643	Pan	The Holden-Moscone-Garamendi Genetically Handicapped Persons Program: Duchenne muscular dystrophy.	ENROLLED	This bill would add Duchenne muscular dystrophy to the list of medical conditions eligible for Genetically Handicapped Persons Program.	Support
SB 743	Hernandez	Medi-Cal: family planning providers.	Senate Concurrence	Codifies into state law the provision of federal law that allows Medi-Cal managed care enrollees to see any provider accepting Medicaid for family planning services.	Support

Consumer Rights

Measure	Author	Topic	Location	Summary	WCLP Position
AB 1021	Baker	In-home supportive services: application.	CHAPTERED	This bill would require county human services agencies to accept applications for IHSS benefits by telephone, fax, in person, or, if the county is capable of accepting online applications for benefits, by email or other electronic means.	Support
SB 219	Wiener	Long-term care facilities: rights of residents.	ENROLLED	Prohibits long-term care facilities from discriminating on the basis of a person's sexual orientation, gender identity, gender expression, or HIV status, by refusing to use a resident's preferred name or pronoun, denying admission to a long-term care facility, transferring or refusing to transfer a resident within a facility or to another facility, or involuntarily discharging a resident from a facility.	Support
SB 223	Atkins	Health care language assistance services.	Assembly Floor	Codifies into state law section 1557 provisions of the Affordable Care Act. Adds notice of the availability of interpreter services in 15 languages spoken by limited-English proficient Californians as identified by the Census Bureau to Medi-Cal, health insurance, and health plan enrollees.	Support
SB 239	Wiener	Infectious and communicable diseases: HIV and AIDS: criminal penalties.	ENROLLED	Repeals several HIV-specific criminal laws to align them with current laws applicable to other serious communicable diseases,	Support
SB 241	Monning	Medical records: access.	Assembly Floor	This bill would allow patients to receive medical records electronically, if maintained electronically.	Support
SB 575	Leyva	Patient access to health records.	Assembly Floor	This bill would provide low-income individuals with free access to their medical records when applying for certain public benefit programs.	Sponsor

Health Coverage

Measure	Author	Topic	Location	Summary	WCLP Position
AB 156	Wood	Individual market: enrollment periods.	Senate Appropriations	Changes the Covered California and outside individual market open enrollment period from Nov 1-Jan 31 to an annual enrollment period of Oct 15-Jan 15 starting in fall of 2018 to comply with CMS market stabilization regulations.	Support
SB 133	Hernandez	Health care coverage: continuity of care.	Assembly Floor	Adds continuity of care protections to consumers whose individual plan carrier leaves the market that mirror those protections offered to employees whose employer switches carriers.	Support

Managed Care					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 205	Wood	Medi-Cal: Medi-Cal managed care plans.	Senate Floor	Medicaid managed care rule implementation bill that would codify time and distance standards for Medi-Cal managed care enrollees to obtain primary, core specialty, mental health, dental, and pharmacy services; codify appointment wait time standards; require DSS to develop regulations related to state fair hearing on grievance and appeal; and establish EQRO reporting requirements.	Support
SB 171	Hernandez	Medi-Cal: Medi-Cal managed care plans.	Assembly Floor	Medicaid managed care rule implementation bill that provisions related to public hospital financing, the medical loss ratio, and public reporting related to mental health and substance use disorder parity.	Support
Mental Health					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 254	Thurmond	Local Educational Agency Behavioral Health Integration Pilot Program.	Senate Appropriations	This bill would require DHCS to establish the Local Educational Agency Behavioral Health Integration Pilot Program to improve the behavioral health outcomes of students by improving delivery of direct behavioral health services using MHSA funds.	
AB 340	Arambula	Early and Periodic Screening, Diagnosis, and Treatment Program: trauma screening.	Senate Floor	This bill would require DHCS convene an advisory working group to update, amend or develop tools and protocols for the screening of children with trauma, and moves the convening date earlier from September 15, 2018 to May 1, 2018.	Support
AB 470	Arambula	Medi-Cal: specialty mental health services: performance outcome reports.	ENROLLED	This bill would require DHCS to build on existing data systems to create performance outcomes reports for mental health services delivered to Medi-Cal enrollees.	Support
AB 501	Ridley-Thomas	Mental health: community care facilities.	Assembly Concurrence	This bill would authorize a short-term residential therapeutic program to be operated as a children's crisis residential program, to be regulated by DSS, and would require DHCS to establish interim Medi-Cal rates for children's crisis residential services.	
AB 727	Nazarian	Mental Health Services Act: housing assistance.	Assembly Concurrence	This bill would clarify that counties may spend MHSA moneys on housing assistance for persons with severe mental illnesses.	Support
AB 850	Chau	Mental Health Services Oversight and Accountability Commission.	Assembly Concurrence	This bill would require the Governor to appoint an additional member to the Mental Health Services Oversight and Accountability Commission who has knowledge and experience in reducing mental health disparities, especially for racial and ethnic communities.	Support
AB 1315	Mullin	Mental health: early psychosis and mood disorder detection and intervention.	ENROLLED	This bill would create the Early Psychosis Intervention Competitive Selection Process Plus Program and an advisory committee to the Mental Health Services Oversight and Accountability Commission to expand the provision of early psychosis detection and intervention services.	Support
AB 1688	Committee on Health	Community health services: California Mental Health Planning Council, California Children's Services program, Alameda County pilot program, and Medi-Cal managed care.	Assembly	Clarifying bill that repeals outdated reference to an Alameda county pilot and renames CA Mental Health Planning Council to the CA Behavioral Health Planning Council and update functions to include substance use disorder to reflect integration of mental health and substance use disorder services. Also incorporated the ABX1-1 reporting changes from SB 152 and AB 180.	Support

Prescription Drugs					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 265	Wood	Prescription drugs: prohibition on price discount.	Assembly Concurrence	Prohibits pharmaceuticals from offering discounts that reduce an individual's out-of-pocket expenses, copayments or deductible, for any prescription drug if a lower cost generic prescription drug is available that is therapeutically equivalent to the prescription drug manufactured by that person. Amended to allow exceptions for individuals who have completed step therapy and to clarify that prescription drugs may be offered for free or through an independent patient assistant program.	
SB 17	Hernandez	Health care: prescription drug costs.	ENROLLED	Requires drug makers to give notice to specified purchasers before raising prices and requires health plans to report the proportion of the premiums spent on prescription drugs.	Support
Providers					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 148	Mathis	California Physician Corps Program: practice setting.	Senate Appropriations	This bill would require, for the Steve Thompson Physician Corps Loan Repayment Program, that the clinic or the physician owned and operated medical practice setting have at least 30% of patients, if the area is rural, or at least 50% of patients, if the area is urban, on Medi-Cal.	
AB 651	Muratsuchi	Nonprofit health facilities: sale of assets: Attorney General approval.	ENROLLED	Requires the Attorney General to consider the adverse impact on significant cultural interests in the affected community when a non-profit health facility is being sold and to ensure that notices of public meetings prior to the approval of a sale be in all languages widely spoken in the county.	Support
AB 1534	Nazarian	Health care coverage: HIV specialists.	Inactive	Permits HIV specialists to be primary care providers and subject to the requirements of primary care providers in Knox Keene if the provider requests to be designated as such. HIV specialists designated as primary care would not be included in determining network adequacy of primary care providers.	
Other					
Measure	Author	Topic	Location	Summary	WCLP Position
SB 4	Mendoza	Medi-Cal: county organized health system: County of Orange.	Senate Health	This bill would codify the current CalOptima board membership composition and tenure; the qualifications for individual members; change the procedure for removing a member by requiring a 2/3 vote instead of majority vote; and allow board to increase the number of public members subject to a 2/3 vote. Provisions sunset in 2023.	
SB 54	De León	Law enforcement: sharing data.	Assembly Floor	Makes California a sanctuary state for immigrants to the extent allowed by federal law.	Support

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SB 244	Lara	Privacy: agencies: personal information.	Assembly Floor	Directs that personal information shall only be collected and retained by state agencies and those contracted to administer public services or programs for the purpose of assessing eligibility for and providing those public services and programs for which the application has been submitted. The amended version has removed some of the sweeping provisions but retains protections in licensing, driver's licenses, and education that did not previously exist.	Support
SB 623	Monning	Water quality: Safe and Affordable Drinking Water Fund.	Assembly	Establishes a Safe and Affordable Drinking Water Fund focusing on small disadvantaged communities funded largely by fees on agriculture. Requires the State Water Resources Control Board to spend money in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water. Exempts agriculture from certain enforcement actions.	Support

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