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Health Care Legislation Affecting Low-Income Consumers as of April 11, 2018

As the Legislature returned from the Spring Recess on April 2nd, 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 April 27 in their policy committee and after that will go the respective Appropriations Committees, which must wrap by May 25. 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 11	McCarty	Early and Periodic Screening, Diagnosis, and Treatment Program: screening services.	Senate Health	This bill would require that screening services under the EPSDT program include screening services (including lead blood test) for children 3 and under with Medi-Cal in compliance with the periodicity schedule and the standardized and validated screening tool.	Support
AB 839	Garcia, Eduardo	Medi-Cal: targeted case management.	Senate - 2 YEAR	Allows tribal health programs to provide Targeted Case Management services as a local agency, thus drawing down a federal Medicaid match.	Support
AB 1785	Nazarian	Medi-Cal eligibility: assets.	Assembly Appropriations	Excludes the principal and interest of a 529 college savings plan, as defined, from the non-MAGI Medi-Cal assets test.	Support
AB 2328	Nazarian	Youth Substance Use Disorder Treatment and Recovery Program Act of 2018.	Assembly Appropriations	This bill would require DHCS to establish a comprehensive continuum of substance use disorder (SUD) care for California youth under age 21.	Support
AB 2331	Weber	Medi-Cal: redetermination: developmental disability.	Assembly Health	Would reduce Medi-Cal eligibility redeterminations to only every 3 years for beneficiaries with developmental disabilities who are eligible for regional center services, subject to federal approval.	Support
AB 2427	Wood	Medi-Cal: anticompetitive conduct.	Assembly Health	Prohibits "anti-competitive conduct" from Medi-Cal managed care plans.	
AB 2430	Arambula	Medi-Cal: program for aged and disabled persons.	Assembly Appropriations	This bill would raise the Medi-Cal Aged and Disabled income level to 138% FPL, an amount equivalent to most other Medi-Cal income levels for adults. Co-sponsors: DRC, Justice in Aging, and Western Center.	Co-Sponsor
AB 2472	Wood	Health care coverage: Medi-Cal: public purchase option.	Assembly Health	Medi-Cal buy-in option for people earning over 138% FPL.	
AB 2579	Burke	Medi-Cal: California Special Supplemental Nutrition Program for Women, Infants, and Children.	Assembly Health	Creates an express lane process to enroll in Medi-Cal for children and mothers receiving WIC.	Support
AB 2718	Friedman	Medi-Cal: CalWORKs: eligibility.	Assembly Appropriations	Allows for 12 continuous months of Transitional Medi-Cal (TMC) for families leaving CalWORKS instead of 6 months, plus an additional 6 months if income is still below 185% FPL.	Support

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AB 2861	Salas	Medi-Cal: telehealth: substance use disorder services.	Assembly Health	This bill would require DHCS to allow a licensed practitioner of the healing arts or a certified substance use disorder counselor to receive Medi-Cal reimbursement for substance use disorder services provided through telehealth in accordance with the Medicaid state plan.	
AB 2965	Arambula	Medi-Cal: immigration status: adults.	Assembly Health	This bill would expand full-scope Medi-Cal to all adults who but for their immigration status would be eligible.	Support
SB 974	Lara	Medi-Cal: immigration status: adults.	Senate Appropriations	This bill would expand full-scope Medi-Cal to all adults who but for their immigration status would be eligible.	Support
SB 1108	Hernandez	Medi-Cal: conditions of eligibility or coverage.	Senate Appropriations	Prohibits DHCS from seeking or obtaining a federal Medicaid waiver to require work requirements, waiting periods, time limits, coverage lockouts, or any other condition of Medi-Cal eligibility or coverage not authorized by state or federal law.	Sponsor
SB 1264	Stone	Medi-Cal: hypertension medication management services: advanced practice pharmacists.	Senate Business, Professions & Economic Development	This bill would authorize pharmacists to provide hypertension management services to Medi-Cal members and to access the state health information exchange and any relevant continuity of care documents maintained by a health facility.	
SB 1287	Hernandez	Medi-Cal: medically necessary services.	Senate Health	This bill would codify in state statute the federal Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) standards for Medi-Cal services applied to children under age 21 to ensure the correct medical necessity standard is used for children under age 21. Co-sponsored by National Health Law Program and Western Center.	Co-Sponsor

Access to Justice

Measure	Author	Topic	Location	Summary	WCLP Position
AB 1526	Kalra D	Civil actions: time of commencing.	Senate Judiciary	Reforms California's statute of limitations for consumer debt (including medical debt) so that a collection agency or original creditor cannot sue after the statute has run, and requires notice to the consumer that a debt may not be litigated or reported to a credit reporting agency when such activities are time-barred. Also changes how the statute timeline is calculated. 2-year bill.	Sponsor
AB 2376	Stone, Mark D	Civil actions: provisional remedies: injunctions.	Assembly Judiciary	Clarifies which taxpayers can claim taxpayer standing to ensure that residents who do not own property or are not citizens can claim standing.	Sponsor

Civil Rights

Measure	Author	Topic	Location	Summary	WCLP Position
AB 1971	Santiago	Mental health services: involuntary detention: gravely disabled.	Assembly Appropriations	Expands the potential use of conservatorships for persons experiencing homelessness who have mental illness or substance use disorder expanding the definition of "gravely disabled."	Oppose
AB 2156	Chen	Mental health services: gravely disabled.	Assembly Health	Expands the potential use of involuntary commitments and conservatorships for persons experiencing homelessness who have mental illness or substance use disorder through an expanded definition of "gravely disabled."	Oppose

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AB 2983	Arambula	Health care facilities: voluntary psychiatric care.	Assembly Health	Prohibits hospital from requiring a person who voluntarily seeks care to be in a 5150 hold as a condition of accepting a transfer of that person.	
SB 1045	Wiener	Conservatorship: chronic homelessness: mental illness and substance use disorders.	Senate Judiciary	Expands the potential use of conservatorships for persons who have mental illness or substance use disorder through a new conservatorship process solely for persons who are also experiencing homelessness.	Oppose
SB 1152	Hernandez	Hospital patient discharge process: homeless patients.	Senate Health	Places additional requirements on hospitals to ensure that patients are not discharged without appropriate shelter, clothing, and medical support.	Support
SB 1190	Skinner	Eugenics Sterilization Compensation Program.	Senate Rules	Establishes the Eugenics Sterilization Compensation Program to provide victim compensation to any survivor of state-sponsored sterilization conducted pursuant to eugenics laws that existed in the State of California between 1909 and 1979.	Support

Covered California

Measure	Author	Topic	Location	Summary	WCLP Position
AB 2416	Wood	Health care coverage.	Assembly Health	Requires a health care service plan that contracts with DHCS to offer Medi-Cal managed care or PACE plans to negotiate with Covered California to offer Exchange plans in service areas where there are 2 or fewer plans offering products on the Exchange.	
AB 2459	Friedman	Personal income taxes: credits: health insurance premiums.	Assembly Health	Would allow a California tax credit for people earning over 400% FPL to ensure that no one pays more than 8% of their income for a Bronze health plan starting January 1, 2019.	
AB 2565	Chiu	Affordability assistance: cost sharing.	Assembly Health	Provides additional premium assistance for Covered California.	Support
AB 3148	Arambula	Health care affordability assistance: cost sharing.	Assembly Health	Provides additional premium assistance for people on Covered California below 400% FPL.	Support
SB 1245	Leyva	Covered California.	Senate Health	Allows Covered California to continue using emergency rulemaking authority.	Support
SB 1255	Hernandez	Health insurance market: financial assistance.	Senate Appropriations	Provides additional premium assistance and cost-sharing reductions for Covered California enrollees.	Support

Dental

Measure	Author	Topic	Location	Summary	WCLP Position
AB 2643	Irwin	Dentistry: general anesthesia: health care coverage.	Assembly Health	This bill would expand health care coverage of general anesthesia beyond hospital and surgery centers, amends the required informed consent language for dental anesthesia provided to minors to include nonsurgical treatment options, and specifies informed consent for minors is only for general anesthesia, not conscious sedation. Medi-Cal currently provides coverage when medically necessary regardless of setting.	
SB 707	Cannella	Medi-Cal: Denti-Cal Advisory Group.	Assembly	This bill would, until January 1, 2023, establish the Denti-Cal Advisory Group to study the policies and priorities of Denti-Cal.	

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SB 1008	Skinner	Health insurance: dental services: medical loss ratios: out-of-network coverage information: disclosures.	Senate Rules	This bill would enact a medical loss ratio standard for dental managed care plans of 70% for small group and individual market and 75% for large group market and require rebates if not met.	
SB 1148	Pan	Medi-Cal: restorative dental services.	Senate Appropriations	This bill would authorize a Denti-Cal provider to use silver diamine fluoride as a caries arresting agent after consultation with the beneficiary, including informed consent, and as part of a comprehensive treatment plan.	
SB 1464	Wiener	Medi-Cal: benefits: enrollees with special dental service needs.	Senate Health	This bill would require DHCS to establish Medi-Cal aid codes that identify individuals with chronic medical, physical, mental, behavioral, or developmental conditions or other disabilities that complicate their dental care and develop new rates for Denti-Cal providers who serve these individuals.	

Disparities Reduction

Measure	Author	Topic	Location	Summary	WCLP Position
AB 1909	Nazarian	In-home supportive services: written content translation.	Assembly Consent	Requires DSS to translate notices, timesheets, and other forms for IHSS workers.	Support
AB 2029	Garcia, Eduardo	Federally Qualified Health Clinics: rural health clinics.	Assembly Health	Adds immigrants to the list of populations the Office of Health Equity in the Dept. of Public health collects information on in order to close the gaps in health status and access to care.	
AB 2275	Arambula	Medi-Cal managed care: quality assessment and performance improvement.	Assembly Health	This bill would improve the quality of health care services provided by Medi-Cal managed care plans and reduce health disparities by holding plans accountable so that Medi-Cal enrollees achieve better health outcomes. Co-sponsors: CPEHN and Western Center.	Co-Sponsor
AB 2299	Chu	Medi-Cal: managed care plans: informational materials.	Assembly Health	Requires DHCS to ensure that all written health education and informing materials produced by managed health care plans, whether in English or threshold languages, are subject to a readability checklist and a community review.	Co-Sponsor
AB 2434	Bloom	Strategic Growth Council: Health in All Policies Program.	Assembly Natural Resources	Requires the Strategic Growth Council to establish a Health in All Policies (HiAP) Task Force to incorporate health, equity, and sustainability considerations into decision-making across sectors and policy areas.	

Health Insurance Market

Measure	Author	Topic	Location	Summary	WCLP Position
AB 595	Wood	Health care service plans: mergers and acquisitions.	Senate Health	This bill would require specified entities that intend to merge with, consolidate, acquire, purchase, or control a health care service plan to hold public hearing on proposal, secure approval from the Director of the DMHC, and apply for licensure as a health care service plan.	Support
AB 2499	Arambula	Health care coverage: medical loss ratios.	Assembly Appropriations	Increases by 5% the medical loss ratio requirement of plans sold in the large group market to 90% and small or individual market to 85%. Also removes requirement to issue emergency regulations in case of conflict with federal regulation as the statute goes beyond federal regulations.	Support

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AB 2941	Berman	Health care coverage: state of emergency.	Assembly Appropriations	Requires a health care service plan or health insurer to ensure its enrollees or insureds who have been displaced by a state of emergency have continued access to medically necessary health care services.	Support
SB 910	Hernandez	Short-term limited duration health insurance.	Senate Appropriations	Prohibits the sale of short-term health insurance in California.	Support
SB 1156	Leyva	Health care service plans: 3rd-party payments.	Senate Health	Adds requirements for a person or company that purchases health insurance on behalf of somebody else if the purchaser stands to benefit financially from that health insurance policy.	

Lead Testing

Measure	Author	Topic	Location	Summary	WCLP Position
AB 2122	Reyes D	Medi-Cal: Blood lead screening tests.	Assembly Health	This bill would require DHCS to ensure that a child enrolled in Medi-Cal receives blood lead screening tests and require DHCS to report blood lead screening tests for all enrolled children annually on its website, establish a case management monitoring system, and require health care providers to test enrolled children.	Support
AB 2370	Holden D	Lead exposure: child day care facilities: family day care homes.	Assembly Appropriations	This bill would require a licensed child day care facility, upon enrolling a child, request that the child's parent/guardian provide the documentation demonstrating that the child has received a blood lead screening test. If no documentation is provided, child is allowed to enroll but the child day care facility would provide information on the risks and effects of lead exposure and locations to get tested.	Support
AB 2976	Quirk D	Childhood lead poisoning: prevention.	Assembly Health	This bill would require the Department of Public Health to coordinate with the Department of Health Care Services to gather data to determine whether children on Medi-Cal are being screened for lead poisoning.	Support
SB 1041	Leyva D	Childhood lead poisoning prevention.	Senate Appropriations	This bill would require the Department of Public Health to annually notify providers who perform children health health assessments about lead tests and include a lead screening report aggregated to show the total number of children enrolled and not-enrolled in Medi-Cal, broken down by county and age, who have received and who have not received blood lead screening tests.	Support

Managed Care

Measure	Author	Topic	Location	Summary	WCLP Position
AB 2674	Aguiar-Curry D	Health care service plans: disciplinary actions.	Assembly Appropriations	This bill would require DMHC to investigate provider complaints that a health plan has underpaid or failed to pay the provider, to establish a procedure for a provider to file a complaint with the department, and to assess an administrative penalty if the plan is found in fault.	
AB 2895	Arambula D	Primary Care Spending Transparency Act.	Assembly Health	This bill would require a health plan to annually report its total primary care expenditures to CHSS; require CHHS to annually post this information on website; and direct CHHS to adopt rules prescribing the primary care services for which costs are reported.	

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SB 997	Monning D	Health care service plans: physician to enrollee ratios.	Senate Appropriations	This bill removes the sunset date, thereby continuing the operation that requires a health plan to ensure that there is at least one FTE primary care physician for every 2,000 enrollees.	
SB 1285	Stone R	Health care coverage: advanced practice pharmacist.	Senate Health	This bill would require health plan coverage, including Medi-Cal managed care plans, for services provided by an advanced practice pharmacist, including but not limited to comprehensive medication management (CMM).	
Mental Health					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1893	Maienschein R	Maternal mental health: federal funding.	Assembly Third Read	This bill would require the Department of Public Health to investigate and apply for federal funds regarding maternal mental health and to prepare a report to the Legislature on how the department plans to use the federal funding it receives.	
AB 2112	Santiago	Federal 21st Century Cures Act: community-based crisis response plan: grant.	Assembly Appropriations	This bill would require DHCS to develop and submit a proposal to solicit a grant under the federal 21st Century Cures Act to develop a community-based crisis response plan.	
AB 2119	Gloria	Foster care: gender affirming health care and behavioral health services.	Assembly Appropriations	This bill would, upon the request of a minor or nonminor in foster care, or caregiver, attorney, Court Appointed Special Advocate, or social worker, require the county child welfare agency to ensure that the minor or nonminor in foster care has access to gender affirming health care and gender affirming behavioral health services.	Support
AB 2193	Maienschein	Maternal mental health.	Assembly Health	This bill would require providers who treat mothers, children, or both, to screen mothers for maternal mental health conditions at least once during pregnancy and once during the postpartum period and to report the screening's findings to the mother's primary care physician (PCP) if the provider is not the mother's PCP.	
AB 2287	Kiley	Mental Health Services Act.	Assembly Health	This bill would establish the Office of Mental Health Services within the California Health and Human Services Agency, transferring MHSA oversight functions from DHCS and require the office to initiate investigations, advise counties, conduct research, and report to the Legislature any additional authority it deems necessary to complete its duties.	
AB 2316	Eggman	Mental health: county patients' rights advocates: training materials.	Assembly Appropriations	This bill would require the contracted entity that provides protection and advocacy services to persons with mental disabilities to make patients' rights advocacy training materials readily accessible to all county patients' rights advocates online.	
AB 2393	Committee on Health	Mental health.	Assembly Consent	This bill would implement Mental Health Compliance Plan by prohibiting a county from charging for specialty mental health services to Medi-Cal beneficiaries who do not have a share of cost or who have met their share of cost, and would authorize a county to charge fees to individuals who are not Medi-Cal beneficiaries and Medi-Cal beneficiaries who have a share of cost that has not been met.	Support

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AB 2843	Gloria	Mental Health Services Fund.	Assembly Health	This bill would require Mental Health Services Act (MHSA) funds subject to reversion to be reallocated to cities, special districts, school districts, or other public entities for the provision of mental health services consistent with the intent of the MHSA.	
SB 906	Beall	Medi-Cal: mental health services: peer, parent, transition-age, and family support specialist certification.	Senate Appropriations	This bill would require DHCS to establish a Peer, Parent, Transition-Age, and Family Support Specialist Certification Program.	Support
SB 1004	Wiener	Mental Health Services Act: prevention and early intervention.	Senate Appropriations	This bill would require the Mental Health Services Oversight and Accountability Commission to establish priorities for the use of prevention and early intervention funds and to develop a statewide strategy for monitoring implementation as well as require counties to focus the prevention and early intervention portion of its local plan on the priorities established by the commission.	
SB 1019	Beall	Youth mental health and substance use disorder services.	Senate Education	This bill would authorize schools and county mental health plan networks to enter into partnerships for targeted interventions for pupils with behavioral health needs and codifies the Mental Health Services Accountability and Oversight Commission's recommendation to allocate at least half of the triage grant funding for services targeted to youth 18 years of age or younger.	Support
SB 1125	Atkins	Federally qualified health center and rural health clinic services.	Senate Health	This bill would allow FQHCs and RHCs to bill Medi-Cal for two visits if a patient is provided mental health services on the same day they receive other medical services.	Support
Prescription Drugs					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 587	Chiu	State government: pharmaceuticals: procurement: collaborative.	Senate - 2 YEAR	Require the Dept of General Services to convene the California Pharmaceutical Collaborative to address the rising cost of pharmaceuticals.	
AB 1860	Limón	Health care coverage: cancer treatment.	Assembly Health	Deletes a sunset on cost caps on copayments for oral anticancer medication.	
AB 1998	Rodriguez	Opioids: safe prescribing protocol.	Assembly Health	This bill would prohibit a prescriber from prescribing opioids for more than 3-days unless deemed necessary. If the prescriber writes a prescription for an opioid that is larger than the 3-day supply or is the 4th prescription without the dosage decreasing, the prescriber must detail in the patient's record why the additional prescription was needed, what other medications were considered, the patient's injury or illness, and the dosage.	
AB 2384	Arambula	Medication-assisted treatment.	Assembly Health	This bill would require a drug formulary maintained by a health plan, including a Medi-Cal managed plan, include specified prescription drugs for the medication-assisted treatment of SUDS and would provide that medication-assisted treatment is not subject to prior authorization and an annual or lifetime dollar limit.	

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AB 2487	McCarty	Physicians and surgeons: education: opiate-dependent patient treatment and management.	Assembly Appropriations	This bill would require every applicant for a physician's and surgeon's certificate from the Medical Board of California to have completed a course on the treatment and management of opiate-dependent patients as well as at least eight hours of instruction in buprenorphine treatment of opioid use disorders; additionally requires every current physician and surgeon to take this training through a mandatory continuing education course if they are not already federally authorized to prescribe buprenorphine.	
AB 2741	Burke	Prescription drugs: opioid medications: minors.	Assembly Health	This bill would require a prescriber to comply with specified conditions when prescribing opioid medication to a minor, including not prescribing more than a 5-day supply of an opioid medication to that minor except in specified instances.	
AB 2760	Wood	Prescription drugs: naloxone hydrochloride.	Assembly Health	This bill would require a prescriber to prescribe naloxone for patients when certain conditions are present and to provide specified education to those patients and their households.	
SB 1021	Wiener	Prescription drugs.	Senate Health	Removes the January 1, 2020 sunset on the \$250 monthly cost sharing prescription drug cap.	Support
Reimbursement and Rates					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1963	Waldron	Medi-Cal: reimbursement: opioid addiction treatment.	Assembly Appropriations	This bill would increase the reimbursement rate for Medi-Cal providers who are certified to prescribe medication-assisted treatment drugs.	
AB 2203	Gray	Medi-Cal: primary care services.	Assembly Appropriations	This bill would, beginning July 1, 2019, require that the Medi-Cal rate for primary care services be not less than 100% of the Medicare rate, excluding services provided to individuals who are not eligible for the Medi-Cal program or Family PACT.	
AB 2436	Mathis	Medi-Cal: ground ambulance rates.	Assembly Appropriations	This bill would require DHCS to establish payment rates for ground ambulance services based on changes in inflation.	
AB 2502	Wood	Health care payments database.	Assembly Health	Establishes the California Health Care Payments Database, an all-payer claims database for health care service plans.	
AB 2593	Grayson	Medi-Cal: air ambulance services.	Assembly Health	This bill would increase Medi-Cal reimbursement rates for emergency air ambulance providers.	
AB 3087	Kalra	California Health Care Cost, Quality, and Equity Commission.	Assembly Health	Establishes commission to regulate health care prices for health plans, hospitals, physicians, and other health care cost drivers, while ensuring fair reimbursement rates for plans and providers, improving the quality of care received by Californians, and reducing health disparities among Californians.	Support
SB 1047	Nielsen	Medi-Cal: reimbursement rates: rural counties.	Senate Rules	This bill would state legislative intent to increase the Medi-Cal reimbursement rates for services provided by qualified providers in counties with both a population density under 300 persons per square mile and a total population under 500,000 persons.	
SB 1154	Portantino	Medi-Cal: beneficiaries with HIV or AIDS.	Senate Health	This bill would allow DHCS to determine either a separate capitation rate for each stage of HIV disease, or a blended rate that covers a person at any stage of HIV disease.	

Women's Health					
Measure	Author	Topic	Location	Summary	WCLP Position
SB 320	Leyva	Public health: public postsecondary education: on-campus student health centers: abortion by medication techniques.	Assembly Desk	Requires the UC and Cal State on-campus student health centers to provide abortion by medication and establishes the privately-funded Medication Abortion Implementation Fund pay for the services.	Support
SB 945	Atkins	Breast and Cervical Cancer Treatment Program.	Senate Health	Requires the BCCTP program to cover the entire duration of cancer treatment as long as the individual meets other eligibility requirements, thereby removing the 18 and 24 month cap.	Support
SB 1023	Hernandez	Reproductive health care coverage.	Senate Health	Allows the use of telehealth in the Family PACT program and Medi-Cal managed care provided clinical guidelines are followed.	
Workforce					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 2018	Maienschein	Mental health workforce planning: loan forgiveness, loan repayment, and scholarship programs.	Assembly Appropriations	This bill would add psychiatric trainees to the list of healthcare providers eligible to participate in the Steve Thompson Physician Corps Loan Repayment Program.	
AB 2143	Caballero	Mental health: Licensed Mental Health Service Provider Education Program.	Assembly Health	This bill would add physician assistants who specialize in mental health services and psychiatric-mental health nurse practitioners to those licensed mental health service providers eligible for educational loan repayment grant and increases the license renewal fee of these added providers to fund grant program.	
AB 2539	Mathis	California Physician Corps Program: practice setting.	Assembly 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.	
Other					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 3033	Maienschein	CalHEERS: application for CalFresh.	Assembly Human Services	Requires county eligibility workers to treat information received from CalHEERS as a CalFresh application if requested by the applicant and to obtain any information needed to complete the CalFresh application during the CalFresh interview.	Support
SB 1238	Roth	Patient records: maintenance and storage.	Senate Judiciary	Prevents the destruction of medical records without notification.	Support

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