

Health Care Legislation Affecting Low-Income Consumers as of April 12, 2023

This week the Legislature returned from Spring Recess. As the deadline for bills with fiscal cost to pass out of policy committee for house of origin looms on April 28, many bills have been given additional depth and substance as they undergo their first policy committee hearing. 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 55	Rodriguez	Medi-Cal: workforce adjustment for ground ambulance transports.	Assembly Health	This bill would set the Medi-Cal fee-for-service reimbursement rate for emergency medical transports at \$350 per transport	
AB 90	Petrie-Norris	Family PACT Program: contraceptive device coverage.	Assembly Appropriations	This bill would clarify that Family PACT comprehensive clinical family planning services include inpatient services for contraceptive device.	Support
AB 365	Aguiar-Curry	Medi-Cal: diabetes management.	Assembly Appropriations	This bill would codify continuous glucose monitoring and supplies as a Medi-Cal benefit and establishes utilization controls based on experts.	
AB 425	Alvarez	Medi-Cal: pharmacogenomic testing.	Assembly Appropriations	The bill would cover pharmacogenomic testing (laboratory genetic testing to identify how a person's genetics may impact the efficacy, toxicity, and safety of medications) under Medi-Cal if a medication is known to have an interaction.	
AB 576	Weber	Medi-Cal: reimbursement for abortion.	Assembly Appropriations	This bill would require DHCS to fully reimburse providers for the provision of medication to terminate a pregnancy.	
AB 586	Calderon	Medi-Cal: community supports: climate change or environmental remediation devices.	Assembly Appropriations	This bill would add climate change remediation to Medi-Cal community supports. Climate change remediation includes devices and installation of those devices to address health-related complications, barriers, or other factors linked to extreme weather or other climate events.	Support
AB 608	Schiavo	Medi-Cal: comprehensive perinatal services.	Assembly Appropriations	This bill would extend the Comprehensive Perinatal Services Program (CPSP) to cover the full year duration of postpartum eligibility from 60-days.	Support
AB 719	Boerner Horvath	Medi-Cal benefits.	Assembly Appropriations	This bill would require Medi-Cal plans to contract with public transit operators for the purpose of establishing reimbursement rates for nonmedical and nonemergency medical transportation trips provided by a public transit operator.	
AB 1085	Maienschein	Medi-Cal: housing support services.	Assembly Appropriations	The bill would require the Department to seek federal approval to make housing support services a Medi-Cal benefit for Californians experiencing homelessness. Housing support services help people access housing, remain stably housed, and are essential for individuals experiencing homelessness to access meaningful care. (Co-sponsored with Corporation for Supportive Housing)	Co-Sponsor

AB 1202	Lackey	Medi-Cal: time or distance standards: children's health care services.	Assembly Appropriations	This bill would require DHCS to conduct an analysis to identify the number of Medi-Cal providers needed to ensure adequate access to children's health care services in complying with Medi-Cal plan time and distance standards.	
AB 1230	Valencia	Medi-Cal and Medicare: dual eligible beneficiaries: special needs plans.	Assembly Health	This bill would require DHCS to offer contracts to health care service plans for Highly Integrated Dual Eligible Special Needs Plans (HIDE-SNPs) and Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPs) to provide care to dual eligible beneficiaries.	
AB 1338	Petrie-Norris	Medi-Cal: community supports.	Assembly Health	This bill would add fitness, physical activity, recreational sports, and mental wellness memberships to Medi-Cal Community Supports.	
AB 1387	Ting	In-Home Supportive Services Program: provider shortage: grant-based outreach program.	Assembly Human Services	This bill would require the Department of Social Services to issue a request for proposals for a three-year, grant-based program to support outreach and education to encourage immigrants to become in-home supportive services (IHSS) providers.	
AB 1644	Bonta	Medi-Cal: medically supportive food and nutrition services.	Assembly Health	This bill would state legislative intent to make medically supportive food and nutrition services a covered Medi-Cal benefit on and after July 1, 2025.	Support
SB 299	Eggman	Medi-Cal eligibility: redetermination.	Senate Appropriations	This bill would delete the requirement that county eligibility workers automatically terminate an individual's Medi-Cal coverage when mail is returned to the county as undeliverable.	Support
SB 311	Eggman	Medi-Cal: Part A buy-in.	Senate Appropriations	This bill would simplify the enrollment process for financial assistance for individuals who rely on Medicare and Medi-Cal but struggle to pay costly Medicare Part A premiums.	Support
SB 340	Eggman	Medi-Cal: eyeglasses: Prison Industry Authority.	Senate Public Safety	This bill would authorize a Medi-Cal provider to obtain eyeglasses from a private entity, as an alternative to the Prison Industry Authority.	
SB 424	Durazo	California Children's Services Program.	Senate Health	This bill would update CCS eligibility, cover drugs administered in-patient or outpatient the same, and raises provider rates for every CCS-enrolled child seen in the hospital or CCS special care center.	
SB 502	Allen	Medi-Cal: children: mobile optometric office.	Senate Health	This bill would require DHCS to request federal approval to cover vision services to cover vision services provided to low-income children through a mobile optometric office and authorizes Medi-Cal payment to mobile optometrists.	
SB 694	Eggman	Medi-Cal: self-measured blood pressure devices and services.	Senate Health	This bill would make self-measured blood pressure (SMBP) devices and SMBP services covered Medi-Cal benefits for the treatment of high blood pressure.	Support

Disparities Reduction					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 85	Weber	Social determinants of health: screening and outreach.	Assembly Health	This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to include coverage for screenings for social determinants of health, as defined. The bill would require a health care service plan or health insurer to provide primary care providers with adequate access to community health workers in counties where the health care service plan or health insurer has enrollees or insureds, as specified. The bill would authorize the respective departments to adopt guidelines to implement its provisions.	Support
AB 904	Calderon	Health care coverage: doulas.	Assembly Appropriations	This bill would require health plans to develop a maternal and infant health equity program that addresses racial health disparities in maternal and infant health outcomes through the use of doulas and authorize the departments to convene workgroups to examine the implementation of these programs.	Support
AB 1057	Weber	California Home Visiting Program.	Assembly Health	This bill establishes the California Home Visiting Program, which funds local health departments to support pregnant people and parents with young children who live in communities that face greater risks and barriers to achieving positive maternal and child health outcomes.	Support
AB 1701	Weber	Black infant health: California Perinatal Equity Initiative.	Assembly Appropriations	This bill would expand the California Perinatal Equity Initiative/Black Infant Health Program funding allocations to include city health departments.	Support
SB 435	Gonzalez	State agencies: collection of demographic data.	Senate Judiciary	This bill would require specified state agencies to use separate collection categories and tabulations for each major Latino, Latin American Indigenous, and Latin American Indigenous language groups.	Support
Health Coverage					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 4	Arambula	Covered California: expansion.	Assembly Appropriations	This bill would direct Covered California to apply for a federal waiver under section 1332 of the Affordable Care Act to waive the specific section that explicitly prevents undocumented individuals from purchasing coverage in Covered California.	Support
AB 632	Gipson	Health care coverage: prostate cancer screening.	Assembly Appropriations	This bill would prohibit a health care service plan from applying a deductible, copayment, or coinsurance to coverage for prostate cancer screening services for an enrollee or insured who is 55 years of age or older or who is 40 years of age or older and is high risk, as determined by the attending or treating health care provider.	Support

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AB 874	Weber	Health care coverage: out-of-pocket expenses.	Assembly Health	This bill would require the application of any amounts paid by the enrollee, insured, or another source pursuant to a discount, repayment, product voucher, or other reduction to the enrollee's or insured's out-of-pocket expenses toward the enrollee's or insured's overall contribution to any out-of-pocket maximum, deductible, copayment, coinsurance, or applicable cost-sharing requirement under the enrollee's or insured's health care service plan, health insurance policy, or other health care coverage.	Support
AB 948	Berman	Prescription drugs.	Assembly Appropriations	This bill would make permanent the existing \$250 co-pay cap for prescription drugs.	Support
AB 1036	Bryan	Health care coverage: emergency medical transport.	Assembly Health	This bill would require a physician upon an individual's arrival to emergency room to certify whether emergency transportation services were reasonable needed and if so the health plan must cover emergency medical transport, consistent with an individual's plan or policy.	
AB 1157	Ortega	Rehabilitative and habilitative services: durable medical equipment and services.	Assembly Health	This bill would clarify that durable medical equipment is a covered essential health benefit in California-regulated health plans and policies when prescribed by a doctor for rehabilitative or habilitative purposes. The bill would also remove limitations such as annual caps on durable medical equipment coverage. (Co-sponsored with National Health Law Program)	Co-Sponsor
AB 1208	Schiavo	California Health Benefit Exchange: Health Care Affordability Reserve Fund.	Assembly Appropriations	This bill would delete the qualification making assistance under the California Health Benefit Exchange available to residents with household incomes at or below 600% of the federal poverty level. The bill would require the Exchange to annually update the proposed program design for cost-sharing reduction, as specified, and would require the Exchange, in developing benefit designs, to maximize the number of low- and middle-income Californians with zero deductibles.	Support
AB 1645	Zbur	Health care coverage: cost sharing.	Assembly Health	The bill would prohibit specified group contracts or individual health plans and policies from imposing a cost-sharing requirement, utilization review, or other specified limits on a recommended sexually transmitted infections screening, and from imposing a cost-sharing requirement for any items and services integral to sexually transmitted infections screening.	Support
SB 70	Wiener	Prescription drug coverage.	Senate Health	This bill would prohibit limiting or excluding coverage of a prescription drug that is prescribed for off-label use. The bill would prohibit a health care service plan contract from requiring additional cost sharing not already imposed for a drug that was previously approved for coverage.	
SB 90	Wiener	Health care coverage: insulin affordability.	Senate Health	Would prohibit a health care service plan contract or a disability insurance policy from imposing a deductible on an insulin prescription drug or imposing a copayment of more than \$35 for a 30-day supply of an insulin prescription drug, except as specified for a high deductible health plan.	Support

SB 257	Portantino	Health care coverage: diagnostic imaging.	Senate Appropriations	This bill would require coverage without imposing cost-sharing for, among other things, screening mammography and medically necessary diagnostic breast imaging, including diagnostic breast imaging following an abnormal mammography result and for an enrollee or insured indicated to have a risk factor associated with breast cancer, except as specified.	Support
SB 339	Wiener	HIV preexposure prophylaxis and postexposure prophylaxis.	Senate Health	This bill would require health plan coverage of the new long lasting injectable PrEP/PEP.	Support
SB 595	Roth	Covered California: data sharing.	Senate Judiciary	This bill is follow-up legislation to ensure that last year's SB 644, which would require EDD to share information about those who applied for income-replacing benefits with Covered California to allow Covered California to outreach and help enroll these individuals in Medi-Cal or Covered California, is implemented timely.	Co-Sponsor
SB 598	Skinner	Health care coverage: prior authorization.	Senate Health	This bill would prohibit a health care service plan or health insurer from requiring a contracted health professional to complete or obtain a prior authorization for any health care services if the plan or insurer approved or would have approved not less than 90% of the prior authorization requests they submitted in the most recent one-year contracted period. The bill would set standards for this exemption and its denial, rescission, and appeal.	Support
Behavioral Health					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 665	Carrillo, Wendy	Minors: consent to mental health services.	Senate	This bill would remove the requirement that to consent to outpatient mental health treatment or counseling , or to residential shelter services, the minor must present a danger to themselves or to others, or be the alleged victim of incest or child abuse.	Support
AB 1060	Ortega	Health care coverage: naloxone hydrochloride.	Assembly Health	This bill would require that all health plans, including Medi-Cal, continue to cover naloxone even if the FDA moves it to over-the-counter and would require no cost sharing.	Support
AB 1437	Irwin	Medi-Cal: serious mental illness.	Assembly Appropriations	This bill would no longer require a treatment authorization request for prescription drug prescribed to prevent, assess, or treat a serious mental illness.	
SB 282	Eggman	Medi-Cal: federally qualified health centers and rural health clinics.	Senate Appropriations	This bill would allow individuals with Medi-Cal to access mental health and substance use disorder services on the same day they see a primary care doctor by allowing community health center to bill Medi-Cal for two visits if a patient is provided behavioral health services on the same day they receive other medical services through pilot project.	Support

Conservatorship					
Measure	Author	Topic	Location	Summary	WCLP Position
SB 43	Eggman	Behavioral health.	Senate Judiciary	This bill would expand the definition of "gravely disabled" and would allow a hearsay exception in conservatorship proceedings for the admission of practitioner statements from medical records.	Oppose
SB 232	Niello	Mental health services: gravely disabled.	Senate Health	This bill would expand the definition of "gravely disabled" in LPS conservatorship process.	Oppose
Cost Containment					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 1091	Wood	Health Care Consolidation and Contracting Fairness Act of 2023.	Assembly Health	This bill would authorize the Attorney General or state entity charged with reviewing health care market competition to review a health care practitioner's or health facility's entrance into a contract that contains specified terms.	Support
AB 1092	Wood	Health care service plans: consolidation.	Assembly Appropriations	This bill would require a health care service plan that intends to acquire or obtain control of an entity, as specified, to give notice to, and secure prior approval from the director.	Support
SB 774	Jones	Nonprofit health facilities: sale of assets: Attorney General approval: conditional consent.	Senate Health	This bill would limit the Attorney General's authority on hospital mergers.	Oppose
Other					
Measure	Author	Topic	Location	Summary	WCLP Position
AB 236	Holden	Health care coverage: provider directories.	Assembly Appropriations	This bill would require health plans audit their own provider directories and would establish annual, increasing provider directory accuracy benchmarks for health plans.	Support
AB 249	Holden	Water: schoolsites: lead testing: conservation.	Assembly Appropriations	This bill would require water systems serving school sites to test for lead in all school potable water fountains by 2025, and at least every five years thereafter.	Support
AB 403	Arambula	Health systems: community benefits plan.	Assembly Health	This bill would redefine the term "community benefit" to include the unreimbursed cost of services as reported in a specified federal tax filing, would require a hospital to annually submit a copy of that completed tax filing, and would require a community benefits plan to include community benefits reported by category consistent with that filing. The bill would increase the maximum fine for failure to adopt, update, or submit, a community benefits plan to \$25,000 and would specify that the community benefits plan should address the community needs identified by the community needs assessment.	Support
AB 503	Carrillo, Juan	Health care: organ donation enrollment.	Assembly Appropriations	This bill would require the single application for insurance affordability programs to include a space for the applicant to enroll in the Donate Life California Organ and Tissue Donor Registry.	

AB 616	Rodriguez	Medical Group Financial Transparency Act.	Assembly Appropriations	This bill would authorize the disclosure of audited financial reports and comprehensive financial statements of providers and physician organizations collected by the Office of Health Care Affordability and financial and other records of risk-bearing organizations made available to the Department of Managed Health Care.	Support
AB 666	Arambula	Health systems: community benefits plans.	Assembly Health	This bill would require the department to define the term “community” by regulation within certain parameters, would redefine the term “community benefit” to mean services rendered to those eligible for, but not enrolled in the above-described programs, the unreimbursed costs as reported in specified tax filings, and the support to local health departments as documented by those local health departments, among other things, and would redefine the term “vulnerable populations” to include those eligible for, but not enrolled in the above-described programs, those below median income experiencing economic disparities, and certain socially disadvantaged groups, such as those who are incarcerated.	Support
AB 716	Boerner Horvath	Emergency ground medical transportation.	Assembly Emergency Management	This bill would prevent consumers from being charged an out-of-network surprise bill for ground ambulance services.	Support
AB 952	Wood	Dental coverage disclosures.	Assembly Appropriations	This bill would require at the time of a provider determining a patient's eligibility and benefit determination, dental plans to disclose whether the enrollee's plan is regulated.	
AB 1048	Wicks	Dental benefits and rate review.	Assembly Health	This bill would prohibit dental plans from implementing waiting periods and denying claims related to preexisting conditions. The bill would also require review of dental plan premium rates.	Support
AB 1094	Wicks	Drug and alcohol testing: informed consent.	Assembly Health	This bill will ensure that a pregnant or perinatal person provides informed consent prior to drug or alcohol tests or screens being conducted on them or their newborn.	Co-Sponsor
AB 1331	Wood D	California Health and Human Services Data Exchange Framework.	Assembly Health	Current law establishes the Center for Data Insights and Innovation within the California Health and Human Services Agency to ensure the enforcement of state law mandating the confidentiality of medical information. Current law, subject to an appropriation in the annual Budget Act, requires the California Health and Human Services Agency to establish the California Health and Human Services Data Exchange Framework on or before July 1, 2022, to govern and require the exchange of health information among health care entities and government agencies. This bill would require the Center for Data Insights and Innovation to take over establishment, implementation, and all the functions related to the California Health and Human Services Data Exchange Framework on or before July 1, 2023, subject to an appropriation in the annual Budget Act.	Support if amended
SB 238	Wiener	Health care coverage: independent medical review.	Senate Health	This bill would automatically refer a disputed mental health care service for children and youth under age 22 to Independent Medical Review process.	Support

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SB 525	Durazo	Minimum wage: health care workers.	Senate Labor, Public Employment & Retirement	This bill would require a healthcare worker minimum wage of \$25 per hour for hours worked in covered healthcare employment, as defined.	Support
SB 770	Wiener	Health care: unified health care financing.	Senate Health	This bill would direct the California Health and Human Services Agency Secretary to pursue discussions with the federal government to establish a unified healthcare financing system and establish a timeline for the completion of milestones leading to required federal waivers.	Support
SB 870	Caballero	Medi-Cal: managed care organization provider tax.	Senate Health	This bill would state the intent of the Legislature to enact legislation to aid in the prevention of rural hospital closures.	
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