

AMENDED IN ASSEMBLY JUNE 27, 2006
AMENDED IN ASSEMBLY JUNE 15, 2006
AMENDED IN ASSEMBLY JUNE 13, 2006
AMENDED IN SENATE MAY 26, 2006
AMENDED IN SENATE MAY 9, 2006
AMENDED IN SENATE APRIL 17, 2006
AMENDED IN SENATE MARCH 30, 2006
AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1469

Introduced by Senator Cedillo
(Principal coauthor: Assembly Member Coto)

February 23, 2006

An act to add Section 14029.5 to the Welfare and Institutions Code, relating to Medi-Cal eligibility.

LEGISLATIVE COUNSEL'S DIGEST

SB 1469, as amended, Cedillo. Medi-Cal: eligibility: juvenile offenders.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, and under which qualified low-income persons receive health care benefits. The Medi-Cal program is governed, in part, by federal Medicaid provisions.

Existing law places specified juvenile offenders in county juvenile detention facilities.

This bill, commencing January 1, 2008, would require a county juvenile detention facility to provide specified information relating to a ward of the county who is scheduled to be released to the appropriate county welfare department, and would require the county to initiate an application and determine the individual’s eligibility for the Medi-Cal program, as specified. The bill would require the county, if the ward is a minor, to give a parent or guardian the opportunity to opt out of this eligibility determination. The bill would require a county welfare department to provide sufficient documentation to enable the ward to receive medical care upon his or her release from custody, as specified.

This bill would require the department, by June 1, 2007, in consultation with designated entities, ~~to collaborate~~ to establish the protocols and procedures necessary to implement the bill. The bill would require the department to implement its provisions by means of all-county letters or similar instructions, and thereafter to adopt implementing regulations, as necessary. The bill would require the department to seek any federal waivers necessary for its implementation.

By increasing the duties of counties administering the Medi-Cal program and of county juvenile detention facilities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14029.5 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 14029.5. (a) (1) Commencing January 1, 2008, immediately
- 4 following the issuance of an order committing a ward of the
- 5 county to a juvenile hall, camp, or ranch for 30 days or longer,

1 the county juvenile detention facility shall provide the
2 appropriate county welfare department with the ward’s name, his
3 or her scheduled or actual release date, any known information
4 regarding the ward’s Medi-Cal status prior to disposition, and
5 sufficient information, when available, for the county welfare
6 department to begin the process of determining the ward’s
7 eligibility for benefits under this chapter, including, if the ward is
8 a minor, contact information for the ward’s parent or guardian, if
9 available.

10 (2) If the ward is a minor, prior to providing information to the
11 county welfare department pursuant to paragraph (1), the county
12 juvenile detention facility shall notify the parent or guardian, in
13 writing, of its intention to submit the information required by that
14 paragraph to the county welfare department. The parent or
15 guardian shall be given a reasonable time to opt out of the
16 Medi-Cal eligibility determination provided for under this
17 section, in which case the county juvenile detention facility shall
18 not comply with paragraph (1).

19 (3) For purposes of this section, “ward” means a person in the
20 custody of a county juvenile detention facility.

21 (b) (1) Upon receipt of the information described in paragraph
22 (1) of subdivision (a), and pursuant to the protocols and
23 procedures developed pursuant to subdivision (c) the county
24 welfare department shall initiate an application and determine the
25 individual’s eligibility for benefits under the Medi-Cal program.
26 ~~The~~ *If the ward is a minor, the* county welfare department shall
27 promptly contact the parent or guardian to arrange for completion
28 of the application. The county shall expedite the application of a
29 ward who, according to the information provided pursuant to
30 paragraph (1) of subdivision (a), is scheduled to be released in
31 fewer than 45 days.

32 (2) If the county welfare department determines that the
33 ~~individual~~ *ward* does not meet the eligibility requirements for the
34 Medi-Cal program, the county welfare department, *with the*
35 *consent of the ward’s parent or guardian, if the ward is a minor,*
36 shall forward the ~~individual’s~~ *ward’s* information to the
37 appropriate entity to determine eligibility for the Healthy
38 Families Program, or other appropriate health coverage program,
39 as determined by the department.

1 (3) If the county welfare department determines that a ward
2 meets eligibility requirements for the Medi-Cal program, the
3 county shall provide sufficient documentation to enable the ward
4 to obtain necessary medical care upon his or her release from
5 custody.

6 (c) By June 1, 2007, the department, in consultation with the
7 Chief Probation Officers of California and the County Welfare
8 Directors Association, shall ~~collaborate to~~ establish the protocols
9 and procedures necessary to implement this section.

10 (d) Notwithstanding Chapter 3.5 (commencing with Section
11 11340) of Part 1 of Division 3 of Title 2 of the Government
12 Code, the department shall implement this section by means of
13 all-county letters or similar instructions, without taking any
14 further regulatory action. Thereafter, the department shall adopt
15 regulations, as necessary, to implement this section in accordance
16 with the requirements of Chapter 3.5 (commencing with Section
17 11340) of Part 1 of Division 3 of Title 2 of the Government
18 Code.

19 (e) The department shall seek any federal waivers necessary
20 for the implementation of this section.

21 SEC. 2. If the Commission on State Mandates determines that
22 this act contains costs mandated by the state, reimbursement to
23 local agencies and school districts for those costs shall be made
24 pursuant to Part 7 (commencing with Section 17500) of Division
25 4 of Title 2 of the Government Code.