

Introduced by Senator CorbettFebruary 21, 2007

An act to add Section 14132.103 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 400, as introduced, Corbett. Medi-Cal: federally qualified health centers.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which health care services are provided to qualified low-income persons. Federally qualified health center (FQHC) services described under federal law are covered Medi-Cal benefits. Existing law includes within the definition of an FQHC certain entities known as FQHC look-alikes, which have been determined to meet specified funding requirements, but have not received that funding.

Existing law requires that FQHCs be reimbursed on a per-visit basis, and allows an FQHC to apply for an adjustment to its per-visit rate based on a change in the scope of services it provides.

This bill would, subject to the availability of federal financial participation, allow an FQHC to bill the Medi-Cal program for FQHC services, as defined, delivered in locations other than the FQHC's site or sites by a provider who is an employee or a contracted member of the staff of the FQHC if specified requirements are met.

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

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

1 SECTION 1. Section 14132.103 is added to the Welfare and
2 Institutions Code, to read:

3 14132.103. For purposes of this section, the following
4 definitions shall apply:

5 (1) “Federally qualified health center (FQHC)” means an entity
6 described in subparagraph (B) of paragraph (2) of subdivision (l)
7 of Section 1396d of Title 42 of the United States Code.

8 (2) “FQHC services” means services defined in subparagraph
9 (C) of paragraph (2) of subdivision (a) of Section 1396d of Title
10 42 of the United States Code.

11 (3) “Offsite location” means a location other than the FQHC’s
12 site or sites.

13 (b) (1) An FQHC may bill the Medi-Cal program for FQHC
14 services delivered in locations other than the FQHC’s site or sites
15 by a provider who is an employee or a contracted member of the
16 staff of the FQHC if the requirements of this subdivision are met.

17 (2) The requirements of Section 14132.100 to Section
18 14132.102, inclusive, and of the California Medicaid State Plan
19 shall apply to the same extent as if the services were provided at
20 the FQHC’s site or sites.

21 (3) Employees or contracted members of the staff of the FQHC
22 who deliver FQHC services at offsite locations on behalf of the
23 FQHC shall be licensed, certified, or registered, as applicable,
24 under state law, and maintain written contracts with, or other
25 written authorization from, the FQHC to provide services to FQHC
26 patients at the offsite locations.

27 (4) The FQHC services shall be provided in the offsite location,
28 rather than at the FQHC’s site or sites, consistent with the entity’s
29 responsibilities as an FQHC, for health or medical reasons.

30 (5) To qualify for payment pursuant to this subdivision, all
31 inpatient services delivered at offsite locations shall be limited,
32 with respect to any particular patient, to initial and necessary follow
33 up hospital visits, patient discharges, and obstetrical deliveries.
34 Payments made to an FQHC shall not duplicate payments made
35 to the inpatient hospital for the same service. This paragraph shall
36 not apply to out patient services delivered at offsite locations.

37 (c) The department shall promptly seek all necessary federal
38 approvals in order to implement this section, including any

1 amendments to the California Medicaid State Plan. To the extent
2 that any element or requirement of this section is not approved,
3 the department shall submit a request to the federal Centers for
4 Medicare and Medicaid Services for any waivers or state plan
5 amendments that may make it possible to implement this section.

6 (d) The department shall implement this section only to the
7 extent that federal financial participation is obtained.

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