

AMENDED IN SENATE AUGUST 16, 2010

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY JUNE 2, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 366**

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**Introduced by Assembly Member ~~Ruskin Furutani~~**  
**(Coauthors: ~~Assembly Members Adams, De La Torre, Jones, and~~**  
**~~Portantino~~)**  
*(Coauthor: Senator Lowenthal)*

February 23, 2009

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~~An act to amend Section 14083 of the Welfare and Institutions Code, relating to Medi-Cal.~~ *An act to amend Section 319 of the Streets and Highways Code, relating to highways.*

LEGISLATIVE COUNSEL'S DIGEST

AB 366, as amended, ~~Ruskin Furutani. Medi-Cal: inpatient hospital services contracts: orthopedic implantation.~~ *State Highway Route 19: relinquishment.*

*Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law also authorizes the commission to relinquish certain state highway segments to local agencies.*

*This bill would authorize the commission to relinquish to the City of Lakewood a portion of State Highway Route 19 under certain conditions.*

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which qualified low-income persons are provided with health care services.

Under existing law, the California Medical Assistance Commission is authorized to negotiate inpatient hospital services contracts that are binding upon the department. Existing law requires the commission to consider certain factors in negotiating inpatient hospital services contracts or in drawing specifications for competitive bidding.

This bill would add specialization in orthopedic implantation relating to cancers of the bone to the list of factors the commission is required to consider.

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 319 of the Streets and Highways Code is  
2 amended to read:

3     319. (a) Route 19 is from Del Amo Boulevard near Long  
4 Beach to Gardendale Street/Foster Road in the Cities of Bellflower  
5 and Downey, and then, with an interruption of already relinquished  
6 route, from Telegraph Road at the Downey City limit to Route  
7 164 (Galatin Road) at the northerly city limit of Pico Rivera.

8     (b) If the commission determines it is in the state’s best interests  
9 to do so, it may do the following, pursuant to a cooperative  
10 agreement between the *respective* city and the department:

11     (1) Relinquish to the City of Bellflower the portion of Route 19  
12 between the city’s southerly city limit near Rose Avenue and  
13 Gardendale Street/Foster Road.

14     (2) Relinquish to the City of Downey the portion of Route 19  
15 between the city’s southerly city limit at Century Boulevard and  
16 Gardendale Street.

17     (3) Relinquish to the City of Pico Rivera the portion of Route  
18 19 between Telegraph Road and Gallatin Road.

19     (4) *Relinquish to the City of Lakewood the portion of Route 19*  
20 *that is within the city limits or the sphere of influence of the city.*

21     (c) A relinquishment under this section shall become effective  
22 when the county recorder records the relinquishment resolution  
23 containing the commissioner’s approval of the relinquishment’s  
24 terms and conditions.

1 (d) (1) Any portion of Route 19 relinquished pursuant to this  
2 section shall cease to be a state highway on the effective date of  
3 the relinquishment.

4 (2) *The portion of Route 19 relinquished under paragraph (4)*  
5 *of subdivision (b) may not be considered for future adoption under*  
6 *Section 81.*

7 (3) *For the portion of Route 19 relinquished under paragraph*  
8 *(4) of subdivision (b), the city shall ensure the continuity of traffic*  
9 *flow, including any traffic signal progression, and shall maintain*  
10 *signs directing motorists to the continuation of Route 19.*

11 SECTION 1. ~~Section 14083 of the Welfare and Institutions~~  
12 ~~Code is amended to read:~~

13 ~~14083. The factors to be considered by the negotiator in~~  
14 ~~negotiating contracts under this article, or in drawing specifications~~  
15 ~~for competitive bidding, include, but are not limited to, all of the~~  
16 ~~following:~~

- 17 ~~(a) Beneficiary access.~~
- 18 ~~(b) Utilization controls.~~
- 19 ~~(c) Ability to render quality services efficiently and~~  
20 ~~economically.~~
- 21 ~~(d) Demonstrated ability to provide or arrange needed~~  
22 ~~specialized services.~~
- 23 ~~(e) Protection against fraud and abuse.~~
- 24 ~~(f) Any other factor that would reduce costs, promote access,~~  
25 ~~or enhance the quality of care.~~
- 26 ~~(g) The capacity to provide a given tertiary service, such as~~  
27 ~~specialized children’s services, on a regional basis.~~
- 28 ~~(h) Specialization in orthopedic implantation relating to cancers~~  
29 ~~of the bone.~~
- 30 ~~(i) Recognition of the variations in severity of illness and~~  
31 ~~complexity of care.~~
- 32 ~~(j) Existing labor-management collective bargaining agreements.~~
- 33 ~~(k) The situation of county hospitals and university medical~~  
34 ~~centers contracting with counties for provision of health care to~~  
35 ~~indigent persons entitled to care under Section 17000, which are~~  
36 ~~burdened to a greater extent than private hospitals with bad debts,~~  
37 ~~indirect costs, medical education programs, and capital needs.~~
- 38 ~~(l) The special circumstances of hospitals serving a~~  
39 ~~disproportionate number of Medi-Cal beneficiaries and patients~~  
40 ~~who are not covered by other third-party payers, including the~~

- 1 ~~costs associated with assuring an adequate supply of registered~~
- 2 ~~nurses.~~
- 3 ~~(m) The costs of providing complex emergency services,~~
- 4 ~~including the costs of meeting and maintaining state and local~~
- 5 ~~requirements for trauma center designation.~~
- 6 ~~(n) The hospital does any of the following:~~
- 7 ~~(1) Provides additional obstetrical beds.~~
- 8 ~~(2) Contracts with one or more comprehensive perinatal~~
- 9 ~~providers.~~
- 10 ~~(3) Permits certified nurse midwives, subject to hospital rules,~~
- 11 ~~and consistent with existing laws and regulations, to admit patients~~
- 12 ~~to the health facility.~~
- 13 ~~(4) Expands overall obstetrical services in the hospital.~~
- 14 ~~(o) The special circumstances of hospitals whose Medi-Cal~~
- 15 ~~inpatient utilization rate exceeds the mean Medicaid inpatient~~
- 16 ~~utilization rate by at least one-half of one standard deviation.~~
- 17 ~~(p) The ability and capacity of the contracting hospital in a~~
- 18 ~~closed health facility planning area to provide health care services~~
- 19 ~~to beneficiaries who are in life threatening or emergency situations,~~
- 20 ~~but have been sufficiently stabilized at another noncontracting~~
- 21 ~~facility in order to facilitate transportation to the contracting~~
- 22 ~~hospital.~~
- 23 ~~(q) The ability of the contracting hospital to provide a secure~~
- 24 ~~environment for the provision of health care services. In this regard,~~
- 25 ~~the negotiator shall consider additional security measures that the~~
- 26 ~~contracting hospital may have taken to provide a secure~~
- 27 ~~environment, including, but not limited to, the use of detection~~
- 28 ~~equipment or procedures to detect lethal weapons, the appropriate~~
- 29 ~~use of surveillance cameras, limiting access of unauthorized~~
- 30 ~~personnel to the emergency department, installation of bulletproof~~
- 31 ~~glass as appropriate in designated areas, the use of emergency~~
- 32 ~~“panic” buttons to alert local law enforcement agencies, and~~
- 33 ~~assigning full-time security personnel to the emergency department.~~