

AMENDED IN ASSEMBLY APRIL 19, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1808

Introduced by Assembly Member Galgiani

February 10, 2010

An act to add Section 5777.8 to the Welfare and Institutions Code, relating to foster children.

LEGISLATIVE COUNSEL'S DIGEST

AB 1808, as amended, Galgiani. Medi-Cal: mental health ~~services:~~ *services: foster children.*

Existing law requires the State Department of Mental Health to implement managed mental health care for Medi-Cal beneficiaries through fee-for-service or capitated rate contracts with mental health plans, including individual counties, counties acting jointly, any qualified individual or organization, or a nongovernmental entity. Under existing law, this may include the provision of specialty mental health services to children in foster care.

Existing law requires the State Department of Mental Health to create a standardized contract, service authorization procedure, and set of documentation standards and forms, and to use these items to facilitate the receipt of medically necessary specialty mental health services by a foster child who is placed outside of his or her county of original jurisdiction, as specified. In addition, existing law requires the California Health and Human Services Agency to coordinate the efforts of the State Department of Mental Health and the State Department of Social Services for the performance of designated duties with respect to

implementing these provisions, including establishing informational materials for foster care providers and county child welfare agencies, as specified.

This bill would require that when a child is placed in foster care outside of the county of original jurisdiction, the county in which the child is placed shall be responsible for ensuring that the child receives *medically necessary specialty* mental health services, and any adjustments in the administration of the Medi-Cal program shall be made, to ensure that the funding applicable to the mental health services for that child is received by the new county of residence.

~~This bill would also require the California Child Welfare Council and other stakeholders to document the problems an out-of-county foster child faces when seeking mental health services in the host county and provide solutions in a report to the Legislature by January 1, 2012.~~

To the extent that this bill would impose new duties on county child welfare departments in connection with the provision of *medically necessary specialty* mental health services to foster children, 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 5777.8 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 5777.8. (a) When a child is placed in foster care outside of the
- 4 county of original jurisdiction, the county in which the child is
- 5 placed shall be responsible for ensuring that the child receives
- 6 *medically necessary specialty* mental health services, and any
- 7 adjustments in the administration of the Medi-Cal program shall
- 8 be made, to ensure that the funding applicable to the mental health
- 9 services for that child is received by the new county of residence.

1 ~~(b) The California Child Welfare Council and other stakeholders~~
2 ~~shall document the problems an out-of-county foster child faces~~
3 ~~when seeking mental health services in the host county and provide~~
4 ~~solutions in a report to the Legislature by January 1, 2012.~~

5 SEC. 2. If the Commission on State Mandates determines that
6 this act contains costs mandated by the state, reimbursement to
7 local agencies and school districts for those costs shall be made
8 pursuant to Part 7 (commencing with Section 17500) of Division
9 4 of Title 2 of the Government Code.