

AMENDED IN SENATE SEPTEMBER 1, 2011

AMENDED IN SENATE AUGUST 15, 2011

AMENDED IN SENATE JULY 12, 2011

AMENDED IN SENATE JUNE 29, 2011

AMENDED IN ASSEMBLY JUNE 1, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 210

Introduced by Assembly Member ~~Solorio~~ Roger Hernández
*(Coauthors: Assembly Members Alejo, Ammiano, Blumenfield, Carter,
Huffman, Bonnie Lowenthal, and Williams)*

January 31, 2011

~~An act to amend Sections 1797.85, 1797.224, 1797.270, 1797.274, and 1797.276 of, and to repeal and add Section 1797.201 of, the Health and Safety Code, relating to emergency medical services. An act to add Section 10123.866 to the Insurance Code, relating to maternity services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 210, as amended, ~~Solorio~~ Roger Hernández. ~~Emergency medical services. Maternity services.~~

Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health insurer that provides maternity coverage may not restrict inpatient hospital benefits,

as specified, and is required to provide notice of the maternity services coverage.

This bill, commencing July 1, 2012, would require every group health insurance policy to provide coverage for maternity services for all insureds covered under the policy.

This bill would become operative only if SB 222 is also enacted.

~~(1) Existing law establishes the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, which governs local emergency medical service systems and establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state activities concerning emergency medical services. The act requires a county to enter into a written agreement with a city or fire district that contracted for, or provided, as of June 1, 1980, prehospital emergency medical services regarding the provision of these services for the city or fire district, as specified. The act requires, until an agreement is reached, prehospital emergency medical services to be continued at not less than the existing level, unless reduced by the city council or the governing body of the fire district, as specified.~~

~~This bill would continue the authorization of a city or fire district that had continuously contracted for or provided prehospital emergency medical services (EMS) since June 1, 1980, to contract for or provide the administration of the same type of prehospital EMS that it has continuously provided or contracted for during that time, within the geographical service area that it continuously served during that time, if the city or fire district makes a formal written request to the local EMS agency prior to January 1, 2014, and if specified conditions are met. The bill would authorize a city or fire district to increase its geographical area if specified conditions are met. The bill would prohibit a local EMS agency from creating an exclusive operating area for a type of prehospital EMS provided or contracted for by a city or fire district that is providing continuing prehospital EMS.~~

~~(2) The EMS act authorizes the establishment of an emergency medical care committee in each county and requires the committee to annually review ambulance services operating within the county, emergency medical care offered within the county, and first aid practices in the county. The act also requires the committee to report its observations and recommendations relative to this review to the authority and the local EMS agency.~~

~~This bill would, instead, require the committee to review the county's emergency medical care system and to act in an advisory capacity to the county board or boards of supervisors. The bill would require the membership of an emergency medical care committee in each county to be representative of the EMS system participants.~~

~~(3) By increasing the duties of local officials, this bill would impose a state-mandated local program.~~

~~(4) 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-no*. State-mandated local program: *yes-no*.

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

1 *SECTION 1. The Legislature finds and declares the following:*

2 *(a) In actual practice, health care service plans have been*
3 *required by the Knox-Keene Health Care Service Plan Act of 1975*
4 *(Chapter 2.2 (commencing with Section 1340) of Division 2 of the*
5 *Health and Safety Code) to provide maternity services as a basic*
6 *health care benefit.*

7 *(b) At the same time, existing law does not require health*
8 *insurers to provide designated basic health care services and,*
9 *therefore, health insurers are not required to provide coverage*
10 *for maternity services.*

11 *(c) Therefore, it is essential to clarify that all health care*
12 *coverage made available to California consumers, whether issued*
13 *by health care service plans regulated by the Department of*
14 *Managed Health Care or by health insurers regulated by the*
15 *Department of Insurance, must include maternity services.*

16 *SEC. 2. Section 10123.866 is added to the Insurance Code, to*
17 *read:*

18 *10123.866. (a) Commencing no later than July 1, 2012, every*
19 *group health insurance policy shall provide coverage for maternity*
20 *services for all insureds covered under the policy.*

1 (b) For purposes of this section, “maternity services” include
 2 prenatal care, ambulatory care maternity services, involuntary
 3 complications of pregnancy, neonatal care, and inpatient hospital
 4 maternity care, including labor and delivery and postpartum care.
 5 This definition of “maternity services” shall remain in effect until
 6 such time as federal regulations and guidance issued pursuant to
 7 the federal Patient Protection and Affordable Care Act (Public
 8 Law 111-148) define the scope of benefits to be provided under
 9 the maternity benefit requirement of that act, after which time the
 10 definition of that term under the federal act and associated
 11 regulations and guidance shall apply for purposes of this section.

12 (c) This section shall not apply to specialized health insurance,
 13 Medicare supplement insurance, short-term limited duration health
 14 insurance, CHAMPUS-supplement insurance, or TRI-CARE
 15 supplement insurance, or to hospital indemnity, accident-only, or
 16 specified disease insurance.

17 SEC. 3. This act shall become operative only if Senate Bill 222
 18 of the 2011–12 Regular Session is also enacted and takes effect.

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**All matter omitted in this version of the bill
 appears in the bill as amended in the
 Senate, August 15, 2011. (JR11)**