

AMENDED IN ASSEMBLY JULY 14, 2011

SENATE BILL

No. 97

Introduced by Committee on Budget and Fiscal Review

January 10, 2011

An act relating to the Budget Act of 2011. An act to amend Section 14589.5 of the Welfare and Institutions Code, relating to adult day health care, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 97, as amended, Committee on Budget and Fiscal Review. ~~Budget Act of 2011. Adult day health care.~~

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which health care services are provided to qualified, low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law provides, to the extent permitted by federal law, that adult day health care (ADHC) be excluded from coverage under the Medi-Cal program on the first day of the first calendar month following 90 days after the effective date of the act that added that provision or on the first day of the first calendar month following 60 days after the date the department secures all necessary federal approvals to implement that provision, whichever is later.

This bill would, instead, require that ADHC be excluded from coverage under the Medi-Cal program on November 1, 2011.

This bill would appropriate \$1,000 to the State Department of Health Care Services for administration.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2011.~~

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

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

1 *SECTION 1. Section 14589.5 of the Welfare and Institutions*
2 *Code is amended to read:*

3 14589.5. (a) Notwithstanding any other provision of law
4 related to the Medi-Cal program or to adult day health care, adult
5 day health care is excluded from coverage under the Medi-Cal
6 program.

7 (b) This section shall only be implemented to the extent
8 permitted by federal law.

9 (c) Notwithstanding Chapter 3.5 (commencing with Section
10 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
11 the department may implement the provisions of this section by
12 means of all-county letters, provider bulletins, or similar
13 instructions, without taking further regulatory action.

14 (d) This section shall be implemented ~~on the first day of the~~
15 ~~first calendar month following 90 days after the effective date of~~
16 ~~the act that adds this section or on the first day of the first calendar~~
17 ~~month following 60 days after the date the department secures all~~
18 ~~necessary federal approvals to implement this section, whichever~~
19 ~~is later November 1, 2011.~~

20 *SEC. 2. The sum of one thousand dollars (\$1,000) is hereby*
21 *appropriated from the General Fund to the State Department of*
22 *Health Care Services for administration.*

23 *SEC. 3. This act is a bill providing for appropriations related*
24 *to the Budget Bill within the meaning of subdivision (e) of Section*
25 *12 of Article IV of the California Constitution, has been identified*
26 *as related to the budget in the Budget Bill, and shall take effect*
27 *immediately.*

28 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
29 ~~changes relating to the Budget Act of 2011.~~