

AMENDED IN ASSEMBLY AUGUST 24, 2012

AMENDED IN ASSEMBLY JUNE 15, 2012

AMENDED IN SENATE MAY 31, 2011

SENATE BILL

No. 393

Introduced by Senator Hernandez

February 16, 2011

An act to add Chapter 3.5 (commencing with Section 24300) to Division 20 of the Health and Safety Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

SB 393, as amended, Hernandez. ~~Medical~~ *Patient-centered medical homes.*

Existing law provides for the licensure and regulation of clinics and health facilities by the State Department of Public Health. Existing law also provides for the registration, certification, and licensure of various health care professionals and sets forth the scope of practice for these professionals.

This bill would establish the Patient-Centered Medical Home Act of ~~2011~~ 2012 and would define *patient-centered medical home* ~~and other related terms~~. *The bill would provide that a physician-directed practice team shall not be construed to prohibit activities conducted pursuant to specified provisions of law regarding scope of practice.* The bill would specify that its provisions do not alter the scope of practice of any health care provider.

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

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

1 SECTION 1. Chapter 3.5 (commencing with Section 24300)
 2 is added to Division 20 of the Health and Safety Code, to read:

3
 4 CHAPTER 3.5. PATIENT-CENTERED MEDICAL HOME ACT OF
 5 ~~2011~~ 2012
 6

7 24300. (a) This chapter shall be known, and may be cited, as
 8 the Patient-Centered Medical Home Act of ~~2011~~ 2012.

9 (b) ~~“Medical home,” “patient-centered medical home,”~~
 10 ~~“advanced practice primary care,” “health home,” “person-centered~~
 11 ~~health care home,” and “primary care home” all mean a health~~
 12 ~~care delivery model as defined in Section 3502(e)(2) of the federal~~
 13 ~~Patient Protection and Affordable Care Act (Public Law 111-148),~~
 14 ~~as amended by the federal Health Care and Education~~
 15 ~~Reconciliation Act of 2010 (Public Law 111-152), and any federal~~
 16 ~~rules or regulations issued pursuant to that paragraph, and~~
 17 *“Patient-centered medical home” means a health care delivery*
 18 *model that meets the following criteria:*

19 (1) Facilitates a relationship between a patient and his or her
 20 personal physician *and surgeon* or other licensed primary care
 21 provider in a physician-directed practice team to provide
 22 comprehensive and culturally competent primary and preventive
 23 care.

24 ~~(2) Meets the criteria of, and participates in, a voluntary~~
 25 ~~recognition process conducted by a nongovernmental entity to~~
 26 ~~demonstrate that the practice has the capabilities to provide~~
 27 ~~patient-centered services consistent with the medical home model.~~

28 ~~(c) This section shall not be construed to alter the scope of~~
 29 ~~practice of any health care provider, or to authorize the delivery~~
 30 ~~of health care services in a setting or manner not otherwise~~
 31 ~~authorized by law.~~

32 (2) *Utilizes a team approach to care.*

33 (3) *Delivers high-quality, comprehensive care including whole*
 34 *person orientation, and coordinates the patient’s health care needs*
 35 *across the health care system.*

36 (4) *Uses evidence-based medicine, patient input and clinical*
 37 *decision support tools to guide decisionmaking.*

1 (5) Enhances patient access to, and communication with, his
2 or her medical home team.

3 (6) Engages in continuous quality improvement with the
4 involvement of patients and their families.

5 (c) A physician-directed practice team, for purposes of this
6 chapter, shall not be construed to prohibit activities conducted
7 pursuant to Sections 2725 and 3502 of the Business and
8 Professions Code.

9 24301. Nothing in this chapter shall be construed to do any of
10 the following:

11 (a) Alter the scope of practice of any health care provider
12 licensed or certified in this state.

13 (b) Apply to a Low Income Health Program developed pursuant
14 to Part 3.6 (commencing with Section 15909) of Division 9 of the
15 Welfare and Institutions Code, including its provider network and
16 service delivery system.

17 (c) Apply to health care programs administered by the state,
18 including, but not limited to, activities conducted as part of a
19 demonstration project developed pursuant to Section 14180 of the
20 Welfare and Institutions Code.

21 (d) Prevent or limit participation in activities authorized by a
22 federal health program or grant, including, but not limited to, the
23 Patient Protection and Affordable Care Act or any federal grants
24 pursuant to that act, if the participation is consistent with state
25 scope of practice law.

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