

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 485

Introduced by Senator Hernandez

February 17, 2011

~~An act relating to Medi-Cal.~~ *An act to add Section 14134.7 to the Welfare and Institutions Code, relating to Medi-Cal.*

LEGISLATIVE COUNSEL'S DIGEST

SB 485, as amended, Hernandez. Medi-Cal.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care services. ~~Existing law requires the department to develop a program to provide information and assistance to enable Medi-Cal beneficiaries to understand and successfully use the services of the Medi-Cal managed care plans in which they enroll.~~

~~This bill would declare the intent of the Legislature regarding legislation that would require the department to provide specified information regarding community clinics to Medi-Cal beneficiaries who do not have a primary care physician, but who utilize the emergency unit of a general acute care hospital for care of routine physical ailments.~~

This bill would require the department to establish a pilot program to facilitate collaboration between a federally qualified health clinic and a general acute care hospital to provide a Medi-Cal beneficiary with an alternative to the use of the emergency unit of a general acute care hospital for care and services if the Medi-Cal beneficiary, after a medical screening, is determined by a physician and surgeon to not have an emergency medical condition and the Medi-Cal beneficiary is

provided the specified information, in writing, before nonemergency medical care is provided in the emergency unit.

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

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

1 *SECTION 1. Section 14134.7 is added to the Welfare and*
2 *Institutions Code, to read:*

3 *14134.7. (a) The department shall establish a pilot program*
4 *to facilitate collaboration between a federally qualified health*
5 *clinic and a general acute care hospital, as a benefit of the*
6 *Medi-Cal program, to provide a Medi-Cal beneficiary with an*
7 *alternative to the use of the emergency unit of a general acute care*
8 *hospital for care and services if the Medi-Cal beneficiary, after a*
9 *medical screening, is determined by a physician and surgeon to*
10 *not have an emergency medical condition and the Medi-Cal*
11 *beneficiary is provided the following information, in writing, before*
12 *nonemergency medical care is provided in the emergency unit:*

13 *(1) The name and address of an available and accessible*
14 *provider of nonemergency medical care who does not charge a*
15 *copay or may charge a lower copay than the general acute care*
16 *hospital.*

17 *(2) A referral from the general acute care hospital if necessary*
18 *to coordinate the scheduling of treatment.*

19 *(b) The department shall submit any necessary application to*
20 *the federal Centers for Medicare and Medicaid Services for a*
21 *waiver to implement the pilot project described in this section. The*
22 *department shall determine the form of waiver most appropriate*
23 *to achieve the purposes of this section. The waiver request shall*
24 *be included in any waiver application submitted within 12 months*
25 *after the effective date of this section, or shall be submitted as an*
26 *independent application within that time period. After federal*
27 *approval is secured, the department shall implement the waiver*
28 *within 12 months of the date of approval.*

29 *(c) The department shall develop a timeline and process for*
30 *monitoring and evaluating the pilot project and provide this*
31 *timeline and process to the appropriate fiscal and policy*
32 *committees of the Legislature.*

1 *(d) For purposes of this section, an available and accessible*
2 *provider of nonemergency medical care includes the office of a*
3 *physician and surgeon, health clinic, community health center,*
4 *and hospital outpatient department, provided that the provider of*
5 *nonemergency medical care is able to diagnose or treat*
6 *contemporaneously within the same amount of time that a physician*
7 *within the emergency unit of a general acute care hospital would*
8 *have taken to provide the same nonemergency services.*

9 ~~SECTION 1. It is the intent of the Legislature to enact~~
10 ~~legislation that would, as a pilot program, require the State~~
11 ~~Department of Health Care Services to mail a letter to Medi-Cal~~
12 ~~beneficiaries who do not have a primary care physician, but who~~
13 ~~utilize the emergency unit of a general acute care hospital for care~~
14 ~~of routine physical ailments, that explains the availability of, and~~
15 ~~identifies, nearby clinics to visit for care of these ailments.~~