

AMENDED IN SENATE APRIL 25, 2013

AMENDED IN SENATE APRIL 8, 2013

SENATE BILL

No. 163

Introduced by Senator Hueso

February 1, 2013

An act to add Section 4659.1 to the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as amended, Hueso. Developmental services: health insurance payments.

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide services and supports to individuals with developmental disabilities, including, but not limited to, autism. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP) or individualized family services plan (IFSP) developed in accordance with prescribed requirements.

This bill would require a regional center to pay any applicable copayment, coinsurance, ~~and~~ *or* deductible imposed by a health insurance policy or health care service plan for a service or support required by a consumer's IPP or IFSP, as specified. This bill would prohibit a regional center from imposing on the consumer or his or her family a share of cost for, or income requirements relating to, those payments, and from seeking reimbursement for those payments. This bill would require ~~a regional center~~ *the department* to establish appropriate application and documentation forms to implement those provisions.

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

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

- 1 SECTION 1. Section 4659.1 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 4659.1. (a) If a service or support provided pursuant to a
- 4 consumer’s individual program plan under this division or
- 5 individualized family service plan pursuant to the California Early
- 6 Intervention Services Act (Title 14 (commencing with Section
- 7 95000) of the Government Code) is paid for, in whole or in part,
- 8 by the consumer’s or his or her parents’ private health insurance
- 9 policy or health care service plan, the regional center shall pay any
- 10 applicable copayment, coinsurance, or deductible associated with
- 11 the service or support for which the consumer and his or her family
- 12 are responsible.
- 13 (b) The regional center shall not impose on the consumer or his
- 14 or her family a share of cost for, or income requirements relating
- 15 to, payments made pursuant to subdivision (a), and shall not seek
- 16 reimbursement for any payments made pursuant to subdivision
- 17 (a).
- 18 (c) The regional center may pay the family or provide direct
- 19 reimbursement to the provider, or to the health insurer or health
- 20 care service plan, for the payments required under subdivision (a).
- 21 (d) A consumer and his or her family shall provide appropriate
- 22 documentation to affirm that the payments required under
- 23 subdivision (a) are for services that have been established under
- 24 the consumer’s individual program plan or individualized family
- 25 service plan.
- 26 (e) The ~~regional center~~ *department* shall establish appropriate
- 27 application and documentation forms to implement this section.

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