

AMENDED IN ASSEMBLY AUGUST 18, 2014

AMENDED IN SENATE MARCH 28, 2014

SENATE BILL

No. 1002

**Introduced by Senator De León
(Coauthor: Senator Anderson)**

February 13, 2014

An act to amend Section ~~14005.37~~ of 14005.66 of, and to add Section 18901.05 to, the Welfare and Institutions Code, relating to ~~Medi-Cal~~ low-income individuals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1002, as amended, De León. ~~Medi-Cal: redetermination.~~
Low-income individuals: eligibility determinations.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions.

Existing law generally requires a county to redetermine a Medi-Cal beneficiary's eligibility to receive Medi-Cal benefits every 12 months and whenever the county receives information about changes in a beneficiary's circumstances that may affect his or her eligibility for Medi-Cal benefits. Under existing law, when a redetermination is performed due to a change in circumstances, if a county determines that the beneficiary remains eligible for Medi-Cal benefits, the county must begin a new 12-month eligibility period.

This bill would require a county, when a redetermination is performed due to a change in circumstances, and the county received or gathered the information about the change in circumstance during a CalFresh

application or recertification, and the beneficiary is determined eligible to receive CalFresh benefits, to begin the new 12-month Medi-Cal eligibility period on a date that would align the beneficiary's Medi-Cal eligibility period with his or her household CalFresh certification period. The bill would also require a county, in certain circumstances, to begin a new 12-month Medi-Cal eligibility period that would align a beneficiary's Medi-Cal eligibility period with his or her CalFresh household certification period. The bill would provide that these provisions only be implemented to the extent permitted by federal law and to the extent that they do not violate federal Medicaid maintenance of effort rules. By imposing additional duties on counties, this bill would impose a state-mandated local program.

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:

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county.

Existing law requires the State Department of Health Care Services to seek any federal waivers necessary to use eligibility information of certain individuals who have been determined eligible for the CalFresh program to determine their eligibility for Medi-Cal.

This bill would also require the State Department of Health Care Services to seek any federal waivers necessary to use eligibility information of certain individuals who have been determined eligible for the CalFresh program to redetermine their eligibility for Medi-Cal. The bill would similarly require the State Department of Social Services to seek any federal waivers necessary to use eligibility information of individuals who have been determined eligible for the Medi-Cal program to determine or redetermine their eligibility for CalFresh eligibility. The bill would require the State Department of Social Services to consult with stakeholders in the implementation of this provision and would authorize the State Department of Social Services to implement this provision by means of all-county letters or similar instructions.

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

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

1 SECTION 1. (a) *The Legislature finds and declares all of the*
2 *following:*

3 (1) *Approximately 35 percent of Medi-Cal recipients are*
4 *potentially eligible to receive CalFresh benefits, but are not*
5 *currently receiving those benefits.*

6 (2) *Only 77 percent of CalFresh recipients are currently*
7 *enrolled in Medi-Cal despite the fact that the eligibility income*
8 *threshold for Medi-Cal is higher than it is for CalFresh.*

9 (3) *Recent collaboration between the State Department of Social*
10 *Services, the State Department of Health Care Services, and county*
11 *human services agencies has resulted in the Express Lane*
12 *Enrollment Project, which is an effort to utilize information in a*
13 *CalFresh case file to determine eligibility for Medi-Cal. The*
14 *Express Lane Enrollment Project has been very successful,*
15 *resulting in more than 222,000 CalFresh recipients being enrolled*
16 *into Medi-Cal.*

17 (b) *It is the intent of the Legislature in enacting this act to*
18 *streamline enrollment and eligibility certification processes and*
19 *procedures for CalFresh and Medi-Cal, both at initial enrollment*
20 *and at renewal, to improve access to CalFresh and Medi-Cal, and*
21 *to reduce administrative burdens on county agencies and applicant*
22 *households.*

23 SEC. 2. *Section 14005.66 of the Welfare and Institutions Code*
24 *is amended to read:*

25 14005.66. The department shall seek any federal waivers
26 necessary to use the eligibility information of individuals who
27 have been determined eligible for the CalFresh program under
28 Chapter 10 (commencing with Section 18900) of Part 6, and who
29 are under 65 years of age and are not disabled, to determine *or*
30 *redetermine* their Medi-Cal eligibility.

31 SEC. 3. *Section 18901.05 is added to the Welfare and*
32 *Institutions Code, to read:*

33 18901.05. (a) *The department shall seek any federal waivers*
34 *necessary to use the eligibility information of individuals who have*
35 *been determined eligible for Medi-Cal under Chapter 7*

1 *(commencing with Section 14000) of Part 3 to determine or*
2 *redetermine their CalFresh eligibility.*

3 *(b) The department shall consult with stakeholders in the*
4 *implementation of this section.*

5 *(c) Notwithstanding the rulemaking provisions of the*
6 *Administrative Procedure Act (Chapter 3.5 (commencing with*
7 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
8 *Code), the department shall implement this section by all-county*
9 *letters or similar instructions.*

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, March 28, 2014. (JR11)**