

**Introduced by Senator Hernandez**February 21, 2014

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An act to add Section 14132.04 to the Welfare and Institutions Code, relating to Medi-Cal.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1322, as introduced, Hernandez. Medi-Cal: preventive services: providers.

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 benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law provides for a schedule of benefits under the Medi-Cal program, which includes specified preventive services.

This bill would require the department to reimburse Medi-Cal providers for, and would require Medi-Cal managed care plans to cover, preventive services provided by a health care practitioner not subject to professional licensure by the state, that have been recommended by a physician or other licensed practitioner of healing arts acting within the scope of that physician's or practitioner's license. The bill would provide that this coverage is available only to the extent that federal financial participation in the cost of providing these services is available. The bill would require the department to convene a working group, as specified, to determine the types of health care practitioners eligible to provide preventive services pursuant to these provisions and to develop a summary of practitioner qualifications for those practitioners to be included in any state plan amendment necessary to implement these 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. (a) The Legislature finds and declares both of  
2 the following:

3 (1) Research suggests that 50 percent of a physician’s time is  
4 spent providing preventive care and screenings, much of which  
5 can be provided by other health care practitioners.

6 (2) On July 15, 2013, the Centers for Medicare and Medicaid  
7 Services released an update to federal Medicaid regulations that  
8 permits state Medicaid programs to reimburse for preventive  
9 services recommended by a physician or other licensed health care  
10 practitioner.

11 (b) It is the intent of the Legislature in enacting this act to  
12 maximize federal funds to provide critical preventive services to  
13 Medi-Cal beneficiaries by amending state law to reflect the July  
14 15, 2013, update to federal Medicaid regulations.

15 SEC. 2. Section 14132.04 is added to the Welfare and  
16 Institutions Code, to read:

17 14132.04. (a) (1) The department shall reimburse Medi-Cal  
18 providers for preventive services, as defined in Section 440.130(c)  
19 of Title 42 of the Code of Federal Regulations, provided by a health  
20 care practitioner not subject to professional licensure by the state,  
21 including, but not limited to, a community health worker, that have  
22 been recommended by a physician or other licensed practitioner  
23 of healing arts acting within the scope of that physician’s or  
24 practitioner’s license.

25 (2) Medi-Cal managed care plans shall cover preventive  
26 services, as defined in Section 440.130(c) of Title 42 of the Code  
27 of Federal Regulations, provided by a health care practitioner not  
28 subject to professional licensure by the state, including, but not  
29 limited to, a community health worker, that have been  
30 recommended by a physician or other licensed practitioner of  
31 healing arts acting within the scope of that physician’s or  
32 practitioner’s license.

33 (3) Coverage for preventive services pursuant to this section  
34 shall be available only to the extent that federal financial  
35 participation in the cost of providing these services is available.

1 (b) By June 30, 2015, the department shall convene a working  
2 group to determine the types of health care practitioners eligible  
3 to provide preventive services pursuant to this section and the  
4 summary of qualifications for those practitioners to be included  
5 in any state plan amendment that may be necessary to implement  
6 this section. The working group shall include representatives from  
7 consumer advocacy groups, community health worker  
8 organizations, community clinics, physicians' groups, and health  
9 plans. The summary of practitioner qualifications shall reflect  
10 widely supported perspectives.

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