

## House Resolution

No. 26

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### Introduced by Assembly Member Low

June 24, 2015

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House Resolution No. 26—Relative to the Department of Managed Health Care.

1 WHEREAS, The Department of Managed Health Care was  
2 created by Assembly Bill 78 (Chapter 525 of the Statutes of 1999),  
3 and began operations on January 1, 2000; and

4 WHEREAS, 2015 marks the 15th anniversary of the creation  
5 of the Department of Managed Health Care, which was created to  
6 protect the rights of health care service plan enrollees, to educate  
7 consumers about their rights and responsibilities, to ensure the  
8 financial stability of the managed health care system, and to assist  
9 Californians in navigating the changing health care landscape; and

10 WHEREAS, With currently over 27 million enrollees in plans  
11 under the department’s jurisdiction, the Department of Managed  
12 Health Care is the only state-level department in the United States  
13 focused on regulating health maintenance organizations; and

14 WHEREAS, The Department of Managed Health Care enforces  
15 California’s landmark Knox-Keene Health Care Service Plan Act  
16 of 1975 (the Knox-Keene Act); and

17 WHEREAS, The strong patient protections contained in the  
18 Knox-Keene Act and enforced by the Department of Managed  
19 Health Care include the following:

20 (a) Patients have the right to treatment or services that are  
21 medically necessary, and to receive an independent medical review  
22 by the Department of Managed Health Care if a treatment or service  
23 is denied by a health care service plan.

1 (b) Patients have the right to receive communications related  
2 to services in their primary languages.

3 (c) Patients have the right to timely access to care, which  
4 includes limits on how long a patient must wait to get a health care  
5 appointment.

6 (d) Patients have the right to request continuity of care, for both  
7 medicines and doctors.

8 (e) Patients have the right to an expeditious process to obtain  
9 exceptions from step therapy, and to continued access to their  
10 prescribed medications when changing plans.

11 (f) Patients have the right to know why their plan denies a  
12 service or treatment.

13 (g) Patients have the right to view a health plan's drug formulary  
14 before signing up for the plan.

15 (h) Patients have the right to receive treatment for certain mental  
16 health conditions.

17 (i) A health plan must respond within 30 days when a patient  
18 files a complaint.

19 (j) Patients have the right to receive hospice care at the end of  
20 life; and

21 WHEREAS, The Department of Managed Health Care operates  
22 and maintains the DMHC Help Center, where patients get  
23 assistance with obtaining services from their health plan; now,  
24 therefore, be it

25 *Resolved by the Assembly of the State of California,* That the  
26 Assembly commends the Department of Managed Health Care for  
27 15 years of operation on behalf of California's patients; and be it  
28 further

29 *Resolved,* that the Assembly encourages all Californians to learn  
30 about their legal right to timely access to high quality health care;  
31 and be it further

32 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
33 of this resolution to the author for appropriate distribution.