

AMENDED IN SENATE MAY 3, 2016  
AMENDED IN SENATE JULY 15, 2015  
AMENDED IN ASSEMBLY MAY 4, 2015  
AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1051**

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**Introduced by Assembly Member Maienschein**

*(Principal coauthors: Assembly Members Lackey, Steinorth, and Waldron)*

*(Principal coauthor: Senator Nielsen)*

**(Coauthors: Assembly Members ~~Atkins, Baker, Bonilla, Bigelow, Chang, Chávez, Gonzalez, Dahle, Gallagher, Jones, Jones-Sawyer, Lackey, Steinorth, and Waldron~~ Kim, Linder, Mathis, Mayes, Olsen, and Wilk)**

*(Coauthors: Senators Anderson, Bates, Block, and Hueso Berryhill, Cannella, Fuller, Huff, Nguyen, Stone, and Vidak)*

February 26, 2015

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~~An act to amend Section 186.22 of the Penal Code, relating to human trafficking.~~ *An act relating to Medi-Cal, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1051, as amended, Maienschein. ~~Human trafficking.~~ *Denti-Cal program.*

*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 provides for a schedule of benefits provided under the Medi-Cal program, which includes certain dental services that are referred to as Denti-Cal.*

*This bill would appropriate \$200,000,000 from the General Fund to the State Department of Health Care Services for the Denti-Cal program. The bill would require the department to allocate these funds to, among other things, increase funding for preventative care and case management services, as appropriate, to achieve significant long-term cost savings, increased provider participation, and increased beneficiary utilization under the Denti-Cal program.*

~~Existing law, as amended by Proposition 21, as approved by the voters at the March 7, 2000, statewide primary election, provides that any person who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and who willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang, shall be punished, as specified. Existing law defines “a pattern of criminal gang activity” as the commission of, attempted commission of, conspiracy to commit, or solicitation of, sustained juvenile petition for, or conviction of, 2 or more listed offenses. Proposition 21 may be amended by a statute passed by a  $\frac{2}{3}$  vote of the membership of each house of the Legislature.~~

~~This bill would add human trafficking as an offense that may be used to establish a pattern of criminal gang activity. Because this bill would amend Proposition 21, the bill requires a  $\frac{2}{3}$  vote.~~

~~Because this bill would change the definition of a crime, it would impose a state-mandated local program.~~

~~The bill would also correct cross-references and make conforming changes.~~

~~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 no reimbursement is required by this act for a specified reason.~~

Vote:  $\frac{2}{3}$ . Appropriation: ~~no~~-yes. Fiscal committee: yes.  
State-mandated local program: yes-~~no~~.

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

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

3     *(a) California’s Medicaid dental program, Denti-Cal, is charged*  
4 *with providing an adequate level of dental coverage to 13 million*  
5 *low-income Californians, including five million children.*

6     *(b) Dental care, particularly preventative care, can have*  
7 *significant long-term impacts. Tooth decay and disease are*  
8 *associated with pregnancy risks, diabetes, and respiratory and*  
9 *heart disease. Additionally, a lack of access to dental care among*  
10 *children can result in missed school days, and ultimately poorer*  
11 *academic performance.*

12     *(c) Denti-Cal, as currently implemented and funded, is a failure.*  
13 *Just 37.8 percent of California’s five million Denti-Cal-eligible*  
14 *children saw a dentist in the 2014 calendar year.*

15     *(d) The Milton Marks “Little Hoover” Commission on*  
16 *California State Government Organization and Efficiency and the*  
17 *California State Auditor both note these low utilization rates, which*  
18 *stem from a lack of providers and an uneven distribution of those*  
19 *providers that do participate in the Denti-Cal program. Five*  
20 *counties have no providers, and 14 counties only have providers*  
21 *that are not accepting new patients.*

22     *(e) The lack of providers is partly a result of low reimbursement*  
23 *rates, which are typically one-third to one-half of the national*  
24 *average for common procedures.*

25     *SEC. 2. (a) The sum of two hundred million dollars*  
26 *(\$200,000,000) is hereby appropriated from the General Fund to*  
27 *the State Department of Health Care Services for the Denti-Cal*  
28 *program. The intent of the Legislature is to attract and retain more*  
29 *providers, with an emphasis on underserved areas, and to increase*  
30 *utilization of the program.*

31     *(b) The State Department of Health Care Services shall allocate*  
32 *the funds appropriated in subdivision (a), as appropriate, to*  
33 *accomplish both of the following:*

34     *(1) Increase reimbursement rates for the 15 most common*  
35 *prevention, treatment, and oral evaluation services to the Medicaid*  
36 *national average.*

37     *(2) Increase funding for preventative care and case management*  
38 *services, as appropriate, to achieve significant long-term cost*

1 *savings, increased provider participation, and increased*  
2 *beneficiary utilization under the program.*  
3 *(c) Any funds remaining after the allocation specified in*  
4 *subdivision (b) shall be allocated to other uses that further the*  
5 *intent of the Legislature, as described in subdivision (a), including,*  
6 *but not limited to, increasing additional reimbursement rates to*  
7 *the national average.*

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**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Senate, July 15, 2015. (JR11)**