

ASSEMBLY BILL

No. 1162

Introduced by Assembly Member Holden

February 27, 2015

An act to add Section 14134.25 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1162, as introduced, Holden. Medi-Cal: tobacco cessation.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for a schedule of benefits under the Medi-Cal program. Existing law requires that preventive services assigned a grade of A or B by the United States Preventive Services Task Force be provided to Medi-Cal beneficiaries without any cost sharing by the beneficiary in order for the state to receive increased federal contributions for those services, as specified.

This bill would provide that tobacco cessation services are covered benefits under the Medi-Cal program and would require that those services include, at a minimum, unlimited quit attempts, which would be defined to include at least 4 counseling sessions and a 90-day treatment regimen of any medication approved by the federal Food and Drug Administration for tobacco cessation.

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

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

SECTION 1. Section 14134.25 is added to the Welfare and Institutions Code, to read:

14134.25. (a) Tobacco cessation services are covered benefits under the Medi-Cal program and shall, at a minimum, include unlimited quit attempts, with no required break between attempts, for beneficiaries of any age who use tobacco.

(b) For purposes of this section, a “quit attempt” shall be defined to consist of the following:

(1) At least four tobacco cessation counseling sessions, which may be conducted in person or by telephone and individually or as part of a group, at the beneficiary’s option.

(2) A 90-day treatment regimen of any medication approved by the federal Food and Drug Administration for tobacco cessation, including prescription and over-the-counter medications. A prescription from a provider with authority to prescribe and proof of Medi-Cal coverage shall be sufficient documentation to fill a prescription for over-the-counter tobacco cessation medications. The coverage described in this paragraph shall not be subject to any barriers, requirements, or restrictions, including, but not limited to, prior authorization.

(c) The receipt of covered services under this section shall not be a precondition for the use of one form of treatment in order to receive any other form of treatment.