

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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 amended, 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:

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

3 14134.25. (a) Tobacco cessation services are covered benefits
4 under the Medi-Cal program and shall, at a minimum, include
5 unlimited quit attempts, with no required break between attempts,
6 for beneficiaries of any age who use tobacco.

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

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

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

21 ~~(c) The receipt of covered services~~ Beneficiaries who are
22 covered under this section shall not be a precondition for the use
23 of one form of treatment in order to receive any other form of
24 treatment. required to receive a particular form of tobacco
25 cessation service as a condition of receiving any other form of
26 tobacco cessation service.