

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1162**

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**Introduced by Assembly Member Holden**

February 27, 2015

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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 attempts, and would also require tobacco cessation services to include~~ at least 4 counseling sessions *per quit attempt* and a 90-day treatment regimen of any medication approved by the federal

Food and Drug Administration for tobacco cessation, *cessation that is covered under the Medi-Cal program as of January 1, 2015.*

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” tobacco~~  
8 ~~cessation services shall be defined to consist of the following:~~  
9 *include:*

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

13 (2) A 90-day treatment regimen of any medication approved by  
14 the federal Food and Drug Administration for tobacco cessation,  
15 including prescription and over-the-counter medications. A  
16 prescription from a provider with authority to prescribe and proof  
17 of Medi-Cal coverage shall be sufficient documentation to fill a  
18 prescription for over-the-counter tobacco cessation medications.  
19 The coverage described in this paragraph shall not be subject to  
20 any barriers, requirements, or restrictions, including, but not limited  
21 to, prior authorization. *This paragraph shall apply to medications*  
22 *approved by the federal Food and Drug Administration and that*  
23 *are covered under the Medi-Cal program as of January 1, 2015.*

24 (c) Beneficiaries who are covered under this section shall not  
25 be required to receive a particular form of tobacco cessation service  
26 as a condition of receiving any other form of tobacco cessation  
27 service.