

AMENDED IN SENATE JULY 14, 2015

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~~ *program*, would require that those services include, at a minimum, ~~unlimited 4 quit attempts, attempts per year;~~ 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 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 four quit-attempts, attempts per year,~~ with no required  
6 break between attempts, for beneficiaries of any age who use  
7 tobacco.

8 (b) For purposes of this section, tobacco cessation services shall  
9 include:

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

13 (2) (A) A 90-day treatment regimen of any medication approved  
14 by the federal Food and Drug Administration for tobacco cessation,  
15 including prescription and over-the-counter medications. ~~A~~

16 (B) *At least one prescription medication and all over-the-counter*  
17 *medications shall be available without prior authorization.*

18 (C) A prescription from a provider with authority to prescribe  
19 and proof of Medi-Cal coverage shall be sufficient documentation  
20 to fill a prescription for over-the-counter tobacco cessation  
21 medications. ~~The~~

22 (D) *Except as provided in subparagraph (B), coverage described*  
23 *in this paragraph shall not be subject to any barriers, requirements,*  
24 *or restrictions, including, but not limited to, prior authorization.*  
25 ~~This restrictions.~~

26 (E) *This paragraph shall apply to medications approved by the*  
27 *federal Food and Drug Administration and that are covered under*  
28 *the Medi-Cal program as of January 1, 2015.*

29 (c) Beneficiaries who are covered under this section shall not  
30 be required to receive a particular form of tobacco cessation service

1 as a condition of receiving any other form of tobacco cessation  
2 service.

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