

**Introduced by Senator McGuire
(Coauthors: Senators Beall, Hancock, Liu, and Mitchell)**

February 18, 2016

An act to add Section 14028 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 1174, as introduced, McGuire. Medi-Cal: children: prescribing patterns.

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, including early and periodic screening, diagnosis, and treatment for any individual under 21 years of age. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law establishes a statewide system of child welfare services, administered by the State Department of Social Services, with the intent that all children are entitled to be safe and free from abuse and neglect.

This bill would require the State Department of Health Care Services and the State Department of Social Services to, on an ongoing basis, conduct an analysis of data regarding Medi-Cal prescribers and their prescribing patterns for all children enrolled in and receiving services pursuant to the Medi-Cal program. The bill would require the analysis to include a breakdown of data by specified population categories, including children in foster care. Commencing July 1, 2017, the bill would require the State Department of Health Care Services and the State Department of Social Services to report quarterly to the Medical Board of California and to the Legislature of the ongoing analysis. The bill would require the Medical Board of California to review the analysis

in order to determine if any potential violations of law or departures from the standard of care exist and conduct an investigation, if warranted, and would require the board to take disciplinary action, as specified.

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 14028 is added to the Welfare and
2 Institutions Code, to read:

3 14028. (a) The department and the State Department of Social
4 Services shall, on an ongoing basis, conduct an analysis of data
5 regarding Medi-Cal prescribers and their prescribing patterns for
6 all children enrolled in and receiving services pursuant to, the
7 Medi-Cal program. The analysis shall include a breakdown of data
8 by population of:

- 9 (1) Children in foster care.
- 10 (2) Children in juvenile hall, as described in Section 850.
- 11 (3) Children placed in out-of-home care.
- 12 (4) Children with developmental disabilities.

13 (b) (1) Notwithstanding Section 10235.1 of the Government
14 Code, commencing July 1, 2017, the department and the State
15 Department of Social Services shall report quarterly to the Medical
16 Board of California and to the Legislature the results of the ongoing
17 analysis of data described in subdivision (a). The Medical Board
18 of California shall review the analysis in order to determine if any
19 potential violations of law or departures from the standard of care
20 exist and, if warranted, shall conduct an investigation. If after the
21 investigation, the Medical Board of California concludes that there
22 was a violation of law or departure from the standard of care, the
23 board shall take disciplinary action, as appropriate, as authorized
24 by Section 2220.5 of the Business and Professions Code.

25 (2) A report to be submitted pursuant to this subdivision shall
26 be submitted in compliance with Section 9795 of the Government
27 Code.

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