

ASSEMBLY BILL

No. 2003

Introduced by Assembly Member Strom-Martin

February 18, 1998

An act to add Section 1367.71 to the Health and Safety Code, and to add Section 10119.9 to the Insurance Code, relating to health coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2003, as introduced, Strom-Martin. Health coverage: dental treatments: anesthesia.

Existing law provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, willful violation of any of these provisions is a crime. Existing law also provides for the regulation of policies of disability insurance administered by the Insurance Commissioner.

This bill would require specified health care service plans and disability insurers to cover general anesthesia for dental treatment when rendered in a hospital setting, and associated hospital charges, when the mental or physical condition of the patient or insured requires dental treatment to be rendered in a hospital setting. The bill would authorize the health care service plan or disability insurer to require prior authorization of hospitalization for dental care procedures in the same manner that prior authorization is required for other covered diseases or conditions. Since the willful violation of the provisions relating to health care service plans is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 1367.71 is added to the Health
2 and Safety Code, to read:

3 1367.71. A health care service plan that is issued,
4 amended, renewed, or delivered on or after January 1,
5 1999, shall cover general anesthesia for dental treatment
6 when rendered in a hospital setting, and associated
7 hospital charges, when the mental or physical condition
8 of the patient requires dental treatment to be rendered
9 in a hospital setting. The health care service plan may
10 require prior authorization of hospitalization for dental
11 care procedures in the same manner that prior
12 authorization is required for other covered diseases or
13 conditions.

14 SEC. 2. Section 10119.9 is added to the Insurance
15 Code, to read:

16 10119.9. A disability insurance policy covering
17 hospital, surgical, or medical expenses, that is issued,
18 amended, renewed, or delivered on or after January 1,
19 1999, shall cover general anesthesia for dental treatment
20 when rendered in a hospital setting, and associated
21 hospital charges, when the mental or physical condition
22 of the insured requires dental treatment to be rendered
23 in a hospital setting. The disability insurance policy may
24 require prior authorization of hospitalization for dental
25 care procedures in the same manner that prior
26 authorization is required for other covered diseases or
27 conditions.

28 SEC. 3. No reimbursement is required by this act
29 pursuant to Section 6 of Article XIII B of the California



1 Constitution because the only costs that may be incurred
2 by a local agency or school district will be incurred
3 because this act creates a new crime or infraction,
4 eliminates a crime or infraction, or changes the penalty
5 for a crime or infraction, within the meaning of Section
6 17556 of the Government Code, or changes the definition
7 of a crime within the meaning of Section 6 of Article
8 XIII B of the California Constitution.

9 Notwithstanding Section 17580 of the Government
10 Code, unless otherwise specified, the provisions of this act
11 shall become operative on the same date that the act
12 takes effect pursuant to the California Constitution.

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