

AMENDED IN ASSEMBLY MARCH 30, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2003

Introduced by Assembly Member Strom-Martin
(Coauthor: Assembly Member Pacheco)

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 amended, 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 *and associated facility charges* for dental treatment when rendered in a hospital *or surgery center* 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 *or surgery center* setting. The bill would authorize the health care service plan or disability insurer to require prior authorization of ~~hospitalization~~

general anesthesia and associated charges required 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 and associated facility*
6 *charges* for dental treatment when rendered in a hospital
7 ~~setting, and associated hospital charges or surgery center~~
8 *setting*, when the mental or physical condition of the
9 patient requires dental treatment to be rendered in a
10 hospital *or surgery center* setting. The health care service
11 plan may require prior authorization of ~~hospitalization~~
12 *general anesthesia and associated charges required* for
13 dental care procedures in the same manner that prior
14 authorization is required for other covered diseases or
15 conditions.

16 SEC. 2. Section 10119.9 is added to the Insurance
17 Code, to read:

18 10119.9. A disability insurance policy covering
19 hospital, surgical, or medical expenses, that is issued,
20 amended, renewed, or delivered on or after January 1,
21 1999, shall cover *general anesthesia and associated facility*
22 *charges* for dental treatment when rendered in a hospital
23 ~~setting, and associated hospital charges or surgery center~~



1 *setting*, when the mental or physical condition of the
2 insured requires dental treatment to be rendered in a
3 hospital *or surgery center* setting. The disability
4 insurance policy may require prior authorization of
5 ~~hospitalization~~ *general anesthesia and associated charges*
6 *required* for dental care procedures in the same manner
7 that prior authorization is required for other covered
8 diseases or conditions.

9 SEC. 3. No reimbursement is required by this act
10 pursuant to Section 6 of Article XIII B of the California
11 Constitution because the only costs that may be incurred
12 by a local agency or school district will be incurred
13 because this act creates a new crime or infraction,
14 eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section
16 17556 of the Government Code, or changes the definition
17 of a crime within the meaning of Section 6 of Article
18 XIII B of the California Constitution.

19 Notwithstanding Section 17580 of the Government
20 Code, unless otherwise specified, the provisions of this act
21 shall become operative on the same date that the act
22 takes effect pursuant to the California Constitution.

