

AMENDED IN SENATE MAY 28, 1999
AMENDED IN SENATE MARCH 8, 1999

SENATE BILL

No. 87

Introduced by Senator Escutia

December 7, 1998

An act to add Sections ~~12693.705 and 12693.76~~ to the Insurance Code, and to amend Section 14012 of, and to add Section 14005.24 to, the Welfare and Institutions Code, relating to health, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 87, as amended, Escutia. ~~Healthy Families and Medi-Cal programs: eligibility of children.~~

~~(1) Existing law provides for the Healthy Families Program, under which qualified children are provided with access to health coverage. Under existing law, in order to be eligible, an applicant must be applying on behalf of a child, who meets certain requirements, including meeting the citizenship and immigration status requirements established by federal law, and meeting specified family income requirements.~~

~~This bill would provide that, to the extent permitted by federal law and in accordance with the requirements of the bill, a child between 12 months and 19 years of age shall be presumptively eligible for the Healthy Families Program when the child has been determined by a qualified entity to meet the family income requirement to be eligible for the Healthy Families Program. This bill would provide that a~~

~~person who is otherwise eligible for participation who entered the United States after August 22, 1996, shall not be denied eligibility based on the child's date of entry into the United States.~~

~~Existing law continuously appropriates money from the Healthy Families Fund for purposes of implementation of the Healthy Families Program.~~

~~This bill, by liberalizing an eligibility criterion for participation within this program and thereby covering a new pool of participants, would make the moneys in this continuously appropriated fund available for a new or expanded purpose, and would thereby make an appropriation.~~

~~(2) Existing law separately provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services. Existing law requires reaffirmation of eligibility for Medi-Cal benefits for persons, whose eligibility is not determined on the basis of eligibility for CalWORKs program benefit recipients and supplemental security income benefit recipients, on an annual basis or at other times as required by the State Department of Health Services.~~

~~This bill would provide that, to the extent permitted by federal law and in accordance with the requirements of the bill, a child under 19 years of age shall be presumptively eligible for medically necessary Medi-Cal services *once a year*. This bill would revise the reaffirmation of eligibility requirement to limit reaffirmations of eligibility for Medi-Cal benefits on any basis other than annually to apply only to persons who are 19 years of age or older.~~

~~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 12693.705 is added to the~~
- 2 ~~Insurance Code, to read:~~
- 3 ~~12693.705. A person who is otherwise eligible for~~
- 4 ~~participation who entered the United States after August~~



1 ~~12, 1996, shall not be denied eligibility based on his or her~~
2 ~~date of entry into the United States.~~

3 ~~SEC. 2. Section 12693.76 is added to the Insurance~~
4 ~~Code, to read:~~

5 ~~12693.76. (a) To the extent permitted by federal law~~
6 ~~and this section, a child older than 12 months of age and~~
7 ~~less than 19 years of age shall be presumptively eligible for~~
8 ~~benefits under this part.~~

9 ~~(b) A qualified entity, as defined in subdivision (c),~~
10 ~~may determine that a child older than 12 months of age~~
11 ~~and less than 19 years of age is presumptively eligible for~~
12 ~~medically necessary services under this part, if the~~
13 ~~qualified entity determines, without verification, that the~~
14 ~~child's family income does not exceed the amount~~
15 ~~permitted for Healthy Families Program eligibility.~~
16 ~~When a child has been determined to be presumptively~~
17 ~~eligible under this subdivision, the child's parent or~~
18 ~~guardian shall have eight weeks in which to submit a~~
19 ~~complete Healthy Families Program application. If an~~
20 ~~application is submitted during this time period, the~~
21 ~~child's presumptive eligibility shall not be terminated~~
22 ~~until a final eligibility determination has been made by~~
23 ~~the board.~~

24 ~~(c) For purposes of this section, "qualified entity"~~
25 ~~means all of the following:~~

26 ~~(1) Traditional children's health care providers,~~
27 ~~including pediatricians and health professionals who~~
28 ~~deliver services in community health centers.~~

29 ~~(2) Child care centers.~~

30 ~~(3) School nurses.~~

31 ~~(4) Community based programs that provide services~~
32 ~~to children.~~

33 ~~(5) Women, Infants, and Children programs.~~

34 ~~(6) Headstart programs.~~

35 ~~(7) State or local agencies that determine eligibility for~~
36 ~~subsidized child care under the federal Child Care and~~
37 ~~Development Block Grant.~~

38 ~~SEC. 3.—~~

39 ~~SECTION 1. Section 14005.24 is added to the Welfare~~
40 ~~and Institutions Code; to read:~~



1 14005.24. (a) To the extent permitted by federal law
2 and this section, a child under 19 years of age shall be
3 presumptively eligible for benefits under this chapter
4 *once a year*.

5 (b) A qualified entity, as defined in subdivision (c),
6 may determine that a child under 19 years of age is
7 presumptively eligible for medically necessary services
8 under this chapter, if the qualified entity determines,
9 without verification, that the child's family income does
10 not exceed the amount permitted for Medi-Cal eligibility.
11 When a child has been determined to be presumptively
12 eligible under this subdivision, the child's parent or
13 guardian shall have eight weeks in which to submit a
14 complete Medi-Cal application. If an application is
15 submitted during this time period, the child's
16 presumptive eligibility shall not be terminated until a
17 final Medi-Cal eligibility determination has been made by
18 the county.

19 (c) For purposes of this section, "qualified entity"
20 means ~~all of the following~~:

21 ~~(1) Traditional~~ *traditional* children's health care
22 providers, including pediatricians and health
23 professionals who deliver services in community health
24 centers.

25 ~~(2) Child care centers.~~

26 ~~(3) School nurses.~~

27 ~~(4) Community-based programs that provide services~~
28 ~~to children.~~

29 ~~(5) Women, Infants, and Children programs.~~

30 ~~(6) Headstart programs.~~

31 ~~(7) State or local agencies that determine eligibility for~~
32 ~~subsidized child care under the federal Child Care and~~
33 ~~Development Block Grant.~~

34 ~~SEC. 4. Section 14012 of the Welfare and Institutions~~
35 ~~Code is amended to read:~~

36 ~~14012. Reaffirmation shall be filed annually. With~~
37 ~~respect to the determination of eligibility for any person~~
38 ~~19 years of age or older, reaffirmation may be required at~~



1 ~~other times in accordance with general standards~~
2 ~~established by the department.~~

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