

ASSEMBLY BILL

No. 2968

Introduced by Assembly Member Leno

February 24, 2006

An act to add Section 14132.24 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 2968, as introduced, Leno. Medi-Cal: community–living support benefit.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits, including certain residential care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions.

Existing law, the California Statewide Supportive Housing Initiative Act, provides for grants for the provision of supportive housing for specified low-income individuals with one or more disabilities.

This bill would require the department to develop and implement a program to provide a community–living support benefit to eligible Medi-Cal beneficiaries. It would require the department to submit any federal documentation that is necessary to provide this benefit, and to implement the benefit only to the extent that federal financial participation is available. The bill would require that the benefit include residence in community-based housing sites and access to certain community–living support services provided or coordinated at those sites. Eligibility for the benefit would be based upon specified factors, including eligibility for Medi-Cal and membership in the targeted population under the California Statewide Supportive Housing Initiative Act.

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. The Legislature finds and declares all of the
2 following:

3 (a) Medi-Cal eligible persons who would otherwise be
4 homeless or living in shelters and who reside in
5 community-based housing receive crucial health services that
6 may reduce their use of acute psychiatric and medical services.

7 (b) Community-based housing is noninstitutional residential
8 housing linked to either community-based or site-based medical
9 and psychosocial service supports.

10 (c) Under the existing Medi-Cal program, reimbursement for
11 providing an array of treatment services to Medi-Cal eligible
12 residents in assisted living is complicated, and frequently results
13 in the services being provided instead in more expensive
14 institutional settings.

15 (d) A single designated Medi-Cal reimbursement rate structure
16 for community-living support services that assist beneficiaries
17 who would otherwise be homeless or living in shelters would
18 expand community-based options for beneficiaries who would
19 otherwise require costly institutional care.

20 SEC. 2. Section 14132.24 is added to the Welfare and
21 Institutions Code, to read:

22 14132.24. (a) The department shall develop and implement a
23 program to provide a community-living support benefit to
24 eligible Medi-Cal beneficiaries. The department shall submit any
25 waiver application, modification of any existing waiver, or
26 amendment to the Medicaid state plan, that is necessary to
27 provide this benefit, and shall implement the benefit only to the
28 extent that federal financial participation is available.

29 (b) The community-living support benefit shall include both
30 of the following:

31 (1) Residence in community-based housing sites that enable
32 beneficiaries to remain in the least restrictive and most homelike
33 environment while receiving the medical and personal care
34 necessary to protect their health and well-being. These
35 community-based housing units may include, but are not limited

1 to, assisted living units, as defined in Section 1771 of the Health
2 and Safety Code, licensed residential care facilities for the
3 elderly, publicly funded senior and disabled housing projects, or
4 supportive housing sites that serve chronically homeless
5 individuals with chronic or disabling health conditions.

6 (2) Access to community–living support services provided or
7 coordinated at the community-based housing site, including, but
8 not limited to, the personal care and health services specified in
9 paragraph (8) of subdivision (a) of Section 1788 of the Health
10 and Safety Code, and the support services specified in Section
11 53290 of the Health and Safety Code.

12 (c) An individual shall be eligible for the community–living
13 support benefit if he or she is eligible for the Medi-Cal program,
14 is a member of the target population, as defined in subdivision
15 (d) of Section 53260 of the Health and Safety Code, and satisfies
16 one or both of the following criteria:

17 (1) The department determines that he or she would benefit
18 from supportive housing, as defined in subdivision (c) of Section
19 53260 of the Health and Safety Code.

20 (2) The department determines that he or she is eligible for
21 placement in a skilled nursing facility, as defined in subdivision
22 (c) of Section 1250 of the Health and Safety Code, or an
23 intermediate care facility, as defined in subdivision (d) of that
24 section.

25 (d) The department shall seek to maximize resources for
26 community-based housing by coordinating the community–living
27 support benefit with existing efforts to coordinate care, improve
28 health outcomes, and reduce long-term care costs for the targeted
29 population, including the pilot project established pursuant to
30 Section 14132.26 and any other coordinated care pilot project.