

AMENDED IN ASSEMBLY APRIL 5, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

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 amended, 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 reimbursement for an array of health-related and psychosocial services provided or coordinated at 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. *limited to persons who are eligible for Medi-Cal, who are residents of San Francisco who would otherwise be homeless, living in shelters, or institutionalized, and who meet at least one of 2 other criteria.*

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 *(a) Medi-Cal eligible persons who are residents of San
21 Francisco, who would otherwise be homeless, living in shelters,
22 or institutionalized, and who reside in community-based housing
23 should have access to crucial health services that may reduce
24 their use of acute psychiatric and medical services or
25 institutionalized long-term care services.*

26 *(b) Community-based housing is noninstitutional residential
27 housing linked to either community-based or site-based
28 health-related and psychosocial services.*

1 (c) Under the existing Medi-Cal program, reimbursement for
2 providing an array of health-related and psychosocial services to
3 Medi-Cal eligible residents in assisted living is complicated, is
4 sometimes not available, and, when available, frequently results
5 in the services being provided in more expensive institutional
6 settings.

7 (d) A designated Medi-Cal reimbursement rate structure for
8 community-living support services that assist beneficiaries who
9 would otherwise be homeless, living in shelters, or
10 institutionalized would expand community-based options for
11 beneficiaries who would otherwise require costly institutional
12 care.

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

15 14132.24. (a) The department shall develop and implement a
16 program to provide a community-living support benefit to
17 eligible Medi-Cal beneficiaries. The department shall submit any
18 waiver application, modification of any existing waiver, or
19 amendment to the Medicaid state plan, that is necessary to
20 provide this benefit, and shall implement the benefit only to the
21 extent that federal financial participation is available.

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

24 ~~(1) Residence in community-based housing sites that enable~~
25 ~~beneficiaries to remain in the least restrictive and most homelike~~
26 ~~environment while receiving the medical and personal care~~
27 *Reimbursement for an array of health-related and psychosocial*
28 *services provided or coordinated at community-based housing*
29 *sites that enable beneficiaries to remain in the least restrictive*
30 *and most homelike environment while receiving the*
31 *health-related services, including personal care and*
32 *psychosocial services, necessary to protect their health and*
33 *well-being. These community-based housing units may include,*
34 *but are not limited to, assisted living units, as defined in Section*
35 *1771 of the Health and Safety Code, licensed residential care*
36 *facilities for the elderly, publicly funded senior and disabled*
37 *housing projects, or supportive housing sites that serve*
38 *chronically homeless individuals with chronic or disabling health*
39 *conditions.*

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

7 (c) An individual shall be eligible for the community–living
8 support benefit if he or she is eligible for the Medi-Cal program,
9 ~~is a member of the target population, as defined in subdivision~~
10 ~~(d) of Section 53260 of the Health and Safety Code, and satisfies~~
11 *is a resident of San Francisco who would otherwise be homeless,*
12 *living in shelters, or institutionalized, and meets one or both of*
13 *the following criteria:*

14 (1) The department determines that he or she would benefit
15 from supportive housing, as defined in subdivision (c) of Section
16 53260 of the Health and Safety Code.

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

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

29 *SEC. 3. Due to the unique circumstances facing Medi-Cal*
30 *recipients in the City and County of San Francisco who reside in*
31 *community-based housing, the Legislature hereby finds and*
32 *declares that a general statute cannot be made applicable within*
33 *the meaning of Section 16 of Article IV of the California*
34 *Constitution. Therefore, the special legislation contained within*
35 *Section 2 of this act is necessarily applicable only to the City and*
36 *County of San Francisco.*