

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1872

Introduced by Assembly Member Galgiani

February 16, 2010

An act to amend ~~and repeal~~ Section 14105.18 of the Welfare and Institutions Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1872, as amended, Galgiani. Health care programs: provider reimbursement rates.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care benefits.

Existing law also requires the department to administer various health programs, including the California Children's Services Program, Genetically Handicapped Person's Program, Breast and Cervical Cancer Early Detection Program, State-Only Family Planning Program, and Family Planning, Access, Care, and Treatment (Family PACT) Waiver Program. Existing law requires provider rates of payment for services under these programs to be identical to the rates of payment for the same service performed by the same provider type pursuant to the Medi-Cal program, except, until January 1, 2011, with regard to hospital inpatient rates of payment, which existing law requires to be 90% of Medi-Cal hospital interim rates of payment, as provided.

~~This bill would extend indefinitely the provisions that would otherwise be repealed on January 1, 2011.~~

This bill would extend the provisions that would be repealed on January 1, 2011, until the earlier of January 1, 2014, or the state's

implementation of the provisions expanding Medi-Cal pursuant to the federal Patient and Protection Affordable Care 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. Section 14105.18 of the Welfare and Institutions
2 Code, as amended by Section 1 of Chapter 260 of the Statutes of
3 2009, is amended to read:

4 14105.18. (a) Notwithstanding any other provision of law,
5 provider rates of payment for services rendered in all of the
6 following programs shall be identical to the rates of payment for
7 the same service performed by the same provider type pursuant to
8 the Medi-Cal program, except that hospital inpatient rates of
9 payment shall be 90 percent of the Medi-Cal hospital interim rates
10 of payment, as developed by the department, and these hospital
11 rates shall not be subject to any further reductions to Medi-Cal
12 rates of payment enacted before or after the effective date of the
13 act that amended this subdivision during the 2007–08 Regular
14 Session.

15 (1) The California Children’s Services Program established
16 pursuant to Article 5 (commencing with Section 123800) of
17 Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

18 (2) The Genetically Handicapped Person’s Program established
19 pursuant to Article 1 (commencing with Section 125125) of
20 Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

21 (3) The Breast and Cervical Cancer Early Detection Program
22 established pursuant to Article 1.3 (commencing with Section
23 104150) of Chapter 2 of Part 1 of Division 103 of the Health and
24 Safety Code and the breast cancer programs specified in Section
25 30461.6 of the Revenue and Taxation Code.

26 (4) The State-Only Family Planning Program established
27 pursuant to Division 24 (commencing with Section 24000).

28 (5) The Family Planning, Access, Care, and Treatment (Family
29 PACT) Waiver Program established pursuant to subdivision (aa)
30 of Section 14132.

31 (b) The director may identify in regulations other programs not
32 listed in subdivision (a) in which providers shall be paid rates of

1 payment that are identical to the rates of payments in the Medi-Cal
2 program pursuant to subdivision (a).

3 (c) Notwithstanding subdivision (a), services provided under
4 any of the programs described in subdivisions (a) and (b) may be
5 reimbursed at rates greater than the Medi-Cal rate that would
6 otherwise be applicable if those rates are adopted by the director
7 in regulations.

8 (d) *This section shall remain in effect until the earlier of January*
9 *1, 2014, or the state's implementation of the provisions expending*
10 *Medi-Cal pursuant to the federal Patient Protection and Affordable*
11 *Care Act (Public Law 111-148), and as of January 1, 2014, is*
12 *repealed, unless a later enacted statute, that is enacted before*
13 *January 1, 2014, deletes or extends that date.*

14 ~~SEC. 2. Section 14105.18 of the Welfare and Institutions Code,~~
15 ~~as amended by Section 2 of Chapter 260 of the Statutes of 2009,~~
16 ~~is repealed.~~

17 *SEC. 2. Section 14105.18 of the Welfare and Institutions Code,*
18 *as amended by Section 2 of Chapter 260 of the Statutes of 2009,*
19 *is amended to read:*

20 14105.18. (a) Notwithstanding any other provision of law,
21 provider rates of payment for services rendered in all of the
22 following programs shall be identical to the rates of payment for
23 the same service performed by the same provider type pursuant to
24 the Medi-Cal program.

25 (1) The California Children's Services Program established
26 pursuant to Article 5 (commencing with Section 123800) of
27 Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

28 (2) The Genetically Handicapped Person's Program established
29 pursuant to Article 1 (commencing with Section 125125) of
30 Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

31 (3) The Breast and Cervical Cancer Early Detection Program
32 established pursuant to Article 1.5 (commencing with Section
33 104150) of Chapter 2 of Part 1 of Division 103 of the Health and
34 Safety Code and the breast cancer programs specified in Section
35 30461.6 of the Revenue and Taxation Code.

36 (4) The State-Only Family Planning Program established
37 pursuant to Division 24 (commencing with Section 24000).

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39 PACT) Waiver Program established pursuant to subdivision (aa)
40 of Section 14132.

1 (b) The director may identify in regulations other programs not
2 listed in subdivision (a) in which providers shall be paid rates of
3 payment that are identical to the rates of payments in the Medi-Cal
4 program pursuant to subdivision (a).

5 (c) Notwithstanding subdivision (a), services provided under
6 any of the programs described in subdivisions (a) and (b) may be
7 reimbursed at rates greater than the Medi-Cal rate that would
8 otherwise be applicable if those rates are adopted by the director
9 in regulations.

10 (d) This section shall become operative on ~~January 1, 2011~~
11 *January 1, 2014, or on the date the state begins implementing the*
12 *provisions expanding Medi-Cal pursuant to the federal Patient*
13 *Protection and Affordable Care Act (Public Law 111-148),*
14 *whichever occurs first.*