

AMENDED IN SENATE APRIL 14, 2009

SENATE BILL

No. 152

Introduced by Senator Cox

(Coauthors: Senators Alquist, Cogdill, Huff, and Pavley)

*(Coauthors: Assembly Members Bill Berryhill, DeVore, Jeffries, Niello,
and Silva)*

February 12, 2009

An act to add Section 5778.5 to the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 152, as amended, Cox. Medi-Cal funding: mental health services.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which qualified low-income persons are provided with health care services, including mental health services.

Under existing law, the State Department of Mental Health is required to implement managed mental health care for Medi-Cal recipients through fee-for-service or capitated contracts with counties, counties acting jointly, qualified individuals or organizations, or nongovernmental entities.

This bill would, subject to specified exceptions, commencing ~~July~~ *March* 1, 2010, require the ~~Controller to reimburse any fee-for-service county contractor that submits a claim for reimbursement for these services within 90 days after the receipt of the claim~~ *State Department of Mental Health to send a reimbursement claim to the Controller within 90 days after the receipt of a reimbursement claim from any fee-for-service county contractor*, and would provide that interest shall

accrue on an unpaid claim, as prescribed, commencing on the 91st day after receipt of the claim, except as provided.

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 5778.5 is added to the Welfare and
2 Institutions Code, to read:

3 5778.5. (a) For mental health services reimbursed through a
4 fee-for-service payment system, ~~the Controller~~ *State Department*
5 *of Mental Health* shall ~~reimburse~~ *send a reimbursement claim to*
6 *the Controller within 90 days after the receipt of a reimbursement*
7 *claim from any county contractor that submits a claim under*
8 *pursuant to Section 5778 within 90 days after the receipt of a*
9 ~~reimbursement claim by the department.~~ This 90-day timeframe
10 shall not be applicable to claims in the State Department of Mental
11 Health's dispute resolution process or to claims that have been
12 returned to the entity submitting the claim for additional
13 information or necessary changes.

14 (b) Subject to subdivision (c), beginning on the 91st day after
15 receipt of the reimbursement request from the county contractor,
16 interest shall accrue at the daily Pooled Money Investment Account
17 rate. The interest shall be paid *in equal amounts* from the State
18 Department of Mental ~~Health's budget~~ *Health, the State*
19 *Department of Health Care Services, and the California Health*
20 *and Human Services' budgets.*

21 (c) If sufficient funds are unavailable, ~~the Controller~~ *State*
22 *Department of Mental Health* shall request the Director of Finance
23 to include any amounts necessary to satisfy the claim in a request
24 for a deficiency appropriation. Interest charges shall not accrue
25 against the department's budget for periods when the funding to
26 the department is insufficient to pay the claim.

27 (d) This section shall become operative on ~~July~~ *March 1, 2010.*

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