

AMENDED IN SENATE MAY 20, 2009
AMENDED IN SENATE APRIL 29, 2009
AMENDED IN SENATE APRIL 16, 2009

SENATE BILL

No. 311

Introduced by Senator Alquist

February 25, 2009

An act to add Section ~~12693.265~~ 12693.516 to the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 311, as amended, Alquist. Healthy Families Program: ~~dental-only coverage.~~ *prospective payment system.*

Existing law, the federal Children's Health Insurance Program Reauthorization Act of 2009, ~~authorizes~~ *requires* states with a ~~separate Children's Health Insurance Program to provide dental-only supplemental coverage to children who are enrolled in group health care coverage or health insurance coverage offered through an employer and who would otherwise satisfy the requirements for being a targeted low-income child, as specified to reimburse federally qualified health centers and rural health clinics based on a specified prospective payment system established under the Medicaid Program.~~

Existing law creates the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health, dental, and vision benefits to eligible children pursuant to the federal Children's Health Insurance Program.

This bill would, contingent upon the receipt and appropriation of funds, require the board to ~~provide dental-only coverage consistent with the federal Children's Health Insurance Program Reauthorization Act~~

of 2009, as specified, apply the Medicaid prospective payment system to services provided under the program by federally qualified health centers and rural health clinics and would authorize the board to adopt emergency regulations to implement that requirement.

This bill would also state the intent of the Legislature to enact legislation that would implement other provisions of the federal Children's Health Insurance Program Reauthorization Act of 2009.

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 hereby finds and declares all of
- 2 the following:
- 3 (a) Congress and the President have reauthorized the federal
- 4 Children's Health Insurance Program, which provides funding for
- 5 the state's Healthy Families Program.
- 6 (b) The reauthorization legislation has provided additional
- 7 funding for children's health insurance and additional flexibility
- 8 to states to improve and expand health care coverage for children.
- 9 (c) Although more than nine of every 10 children in California
- 10 have health care coverage, about 683,000 children in the state are
- 11 without health care coverage according to 2007 data from the
- 12 Center for Health Policy Research at the University of California
- 13 at Los Angeles.
- 14 (d) It is imperative that the state act to take advantage of the
- 15 increased federal funding and enhanced flexibility in administering
- 16 the federal Children's Health Insurance Program.
- 17 (e) It is the intent of the Legislature to enact legislation that
- 18 would implement the key elements of the federal Children's Health
- 19 Insurance Program Reauthorization Act of 2009, including
- 20 receiving federal matching funds for enrolling eligible immigrant
- 21 children, implementing changes to citizen documentation
- 22 requirements, ensuring parity in state coverage, establishing new
- 23 payment methods for clinics participating in the Healthy Families
- 24 Program, measuring quality of care within public programs, and
- 25 taking advantage of the increased federal funding that is available
- 26 to California, including bonuses and targeted grant programs, such
- 27 as performance bonuses and outreach funding.

1 SEC. 2. Section 12693.516 is added to the Insurance Code, to
2 read:

3 12693.516. (a) The board shall apply the prospective payment
4 system established under Section 1396a(bb) of Title 42 of the
5 United States Code to services provided under the program by
6 federally qualified health centers and rural health clinics as
7 required by Section 503 of Title V of the Children's Health
8 Insurance Program Reauthorization Act of 2009 (Public Law
9 111-3).

10 (b) The board may adopt, and may only one time readopt,
11 regulations, deemed to be emergency regulations, to implement
12 subdivision (a). This adoption and one-time readoption of a
13 regulation authorized by this subdivision is deemed to address an
14 emergency, for purposes of Sections 11346.1 and 11349.6 of the
15 Government Code, and the board is hereby exempted for this
16 purpose from the requirements of subdivision (b) of Section
17 11346.1 of the Government Code.

18 (c) This section shall be implemented only if and to the extent
19 that federal financial participation is obtained and only if and to
20 the extent that funds are appropriated by the Legislature for
21 purposes of this section in the annual Budget Act or in another
22 statute.

23 SEC. 2. ~~Section 12693.265 is added to the Insurance Code, to~~
24 ~~read:~~

25 ~~12693.265. (a) Subject to subdivisions (b) and (c), the board~~
26 ~~shall provide dental-only coverage as authorized by Section 501~~
27 ~~of the Children's Health Insurance Program Reauthorization Act~~
28 ~~of 2009 (Public Law 111-3). To be eligible to receive this coverage,~~
29 ~~a child shall be an eligible child, as described in subdivision (a)~~
30 ~~of Section 12693.70, except that the child shall be enrolled in a~~
31 ~~group health plan or employer-sponsored coverage that does not~~
32 ~~provide dental benefits or cost sharing that meets the requirements~~
33 ~~of Section 12693.63 and its implementing regulations.~~

34 ~~(b) The board may adopt, and may only one time readopt,~~
35 ~~regulations, deemed to be emergency regulations, to implement~~
36 ~~subdivision (a). This adoption and one-time readoption of a~~
37 ~~regulation authorized by this subdivision is deemed to address an~~
38 ~~emergency, for purposes of Sections 11346.1 and 11349.6 of the~~
39 ~~Government Code, and the board is hereby exempted for this~~

1 ~~purpose from the requirements of subdivision (b) of Section~~
2 ~~11346.1 of the Government Code.~~

3 ~~(c) This section shall be implemented only if and to the extent~~
4 ~~that federal financial participation is obtained and only if and to~~
5 ~~the extent that funds are appropriated by the Legislature for~~
6 ~~purposes of this section in the annual Budget Act or in another~~
7 ~~statute.~~