

AMENDED IN SENATE JANUARY 26, 2010
AMENDED IN SENATE DECEMBER 16, 2009
AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 771

Introduced by Senator Alquist

February 27, 2009

An act to amend Section 14005.25 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 771, as amended, Alquist. Medi-Cal: continuous eligibility: semiannual status reports.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is partially governed and funded under federal Medicaid provisions.

Existing law, until July 1, 2012, requires the department, subject to the availability of federal financial participation, to exercise a federal option to expand continuous eligibility to children 19 years of age and younger for 6 months, after which date the continuous eligibility period shall be from the date of a determination of eligibility to the earlier of either the end of a 12-month period following the eligibility determination or the date the child exceeds 19 years of age.

Existing law provides that the provisions limiting continuous eligibility to 6 months shall be inoperative from March 27, 2009, until the date the Director of Health Care Services executes a declaration specifying that increased federal financial participation is no longer

available pursuant to the federal American Recovery and Reinvestment Act of 2009 (ARRA).

This bill would, instead, provide that the provisions limiting continuous eligibility to 6 months shall be inoperative from March 27, 2009, until the date the director executes a declaration specifying that increased federal financial participation is no longer available pursuant to ARRA or any subsequent federal legislation, ~~including an amendment to ARRA, that either maintains or extends increased federal financial participation~~ *legislation that amends ARRA to maintain or extend increased federal financial participation for 2 calendar quarters.*

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 14005.25 of the Welfare and Institutions
2 Code, as amended by Section 1 of Chapter 24 of the Third
3 Extraordinary Session of the Statutes of 2009, is amended to read:
4 14005.25. (a) To the extent federal financial participation is
5 available, the department shall exercise the option under Section
6 1902(e)(12) of the federal Social Security Act (42 U.S.C. Sec.
7 1396a(e)(12)) to extend continuous eligibility to children 19 years
8 of age and younger. A child shall remain eligible pursuant to this
9 subdivision from the date of a determination of eligibility for
10 Medi-Cal benefits until the earlier of either:
11 (1) The end of a 12-month period following the eligibility
12 determination.
13 (2) The date the individual exceeds the age of 19 years.
14 (b) This section shall be implemented only if, and to the extent
15 that, federal financial participation is available.
16 (c) Notwithstanding Chapter 3.5 (commencing with Section
17 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
18 the department shall, without taking regulatory action, implement
19 this section by means of all county letters or similar instructions.
20 Thereafter, the department shall adopt regulations in accordance
21 with the requirements of Chapter 3.5 (commencing with Section
22 11340) of Part 1 of Division 3 of Title 2 of the Government Code.
23 (d) In order to implement changes in the level of funding for
24 health care services, commencing on the first day of the month
25 following 90 days after the operative date of amendments to this

1 section that added this subdivision, the continuous eligibility time
2 period provided in paragraph (1) of subdivision (a) shall be reduced
3 to six months.

4 (e) (1) Subdivision (d) shall be inoperative from the date the
5 act adding this subdivision becomes effective until the date the
6 Director of Health Care Services executes a declaration specifying
7 that increased federal financial participation is no longer available
8 pursuant to the federal American Recovery and Reinvestment Act
9 of 2009 (Public Law 111-5) or any subsequent federal legislation,
10 ~~including an amendment to legislation that amends the federal~~
11 ~~American Recovery and Reinvestment Act of 2009, that either~~
12 ~~maintains or extends 2009 to maintain or extend~~ increased federal
13 financial participation *for two calendar quarters*.

14 (2) The department shall redetermine the continuous eligibility
15 period of any child whose continuous eligibility period was
16 determined or redetermined pursuant to subdivision (d) during the
17 first calendar year quarter of 2009 and shall grant to that child the
18 period of continuous eligibility provided for in subdivision (a),
19 retroactive to the date that the determination or redetermination
20 under subdivision (d) was made.

21 (f) This section shall become inoperative on July 1, 2012, and
22 as of January 1, 2013, is repealed, unless a later enacted statute,
23 that is enacted before January 1, 2013, deletes or extends that date.