

Introduced by Senator Alquist

February 19, 2010

An act to add and repeal Section 14133.55 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 1236, as introduced, Alquist. Medi-Cal: utilization controls.

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, in part, governed and funded by federal Medicaid provisions.

Existing law establishes a program in Alameda County in which utilization controls shall not be required when, pursuant to federal law under the Medicare Program, a county hospital based utilization review committee has been established to determine the level of authorization for payment under Medi-Cal and a utilization plan has been filed with the department and approved by it.

This bill would establish a program, whereby state utilization controls shall not be required for inpatient hospitalization at designated public hospitals, as defined, in Santa Clara County. The bill would require the nonfederal share of expenditures for inpatient hospitalization at designated public hospitals in Santa Clara County submitted to the federal Centers for Medicare and Medicaid Services for purposes of claiming federal financial participation to be comprised of only those funds that are paid by Santa Clara County and certified by the county in accordance with applicable state and federal requirements.

This bill would provide that the above-described provisions shall become inoperative on the date the Director of Health Care Services

executes a declaration specifying that the nonfederal share of expenditures for inpatient hospitalization at designated public hospitals in Santa Clara County used for purposes of claiming federal financial participation is not comprised of funds that are paid by Santa Clara County and certified by the county in accordance with applicable state and federal requirements.

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 14133.55 is added to the Welfare and
2 Institutions Code, to read:

3 14133.55. (a) There shall be established a program whereby
4 state utilization controls shall not be required for inpatient
5 hospitalization at designated public hospitals, as defined in
6 subdivision (d) of Section 14166.1, in Santa Clara County.

7 (b) The nonfederal share of expenditures for inpatient
8 hospitalization at designated public hospitals in Santa Clara County
9 submitted to the federal Centers for Medicare and Medicaid
10 Services for purposes of claiming federal financial participation
11 shall be comprised of only those funds that are paid by Santa Clara
12 County and certified by the county in accordance with applicable
13 state and federal requirements.

14 (c) This section shall become inoperative on the date the Director
15 of Health Care Services executes a declaration specifying that the
16 nonfederal share of expenditures for inpatient hospitalization at
17 designated public hospitals in Santa Clara County used for purposes
18 of claiming federal financial participation is not comprised of funds
19 that are paid by Santa Clara County and certified by the county in
20 accordance with applicable state and federal requirements, and as
21 of that date is repealed.

22 (d) Notwithstanding Chapter 3.5 (commencing with Section
23 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
24 the department shall implement this section by means of policy
25 letters or similar instructions, without taking further regulatory
26 action.

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