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Maternal and Child Health-Related Legislation California State Legislature 2014-15 Session

The following are some of the Maternal and Child Health and health-coverage related bills presented for this session, as of October 15, 2015. Please let MCHA know of bills we may have missed or any broken links! To read the full text of bills go to www.leginfo.ca.gov to "Bill Information". Thanks to Marty Omoto, [CDCAN](#); [California Coalition for Reproductive Freedom](#); [Health Access](#), the [California Immigrant Policy Collaborative](#) and the [Western Center on Law and Poverty](#) for some of the updates below.

Access and Insurance Coverage

AB 248

Author: R. Hernandez

Topic: Health Insurance: Minimum Value – Large Group Market Policies

Status: **SIGNED INTO LAW**

According to the author, large employers, unlike individual and small employers, are not required to provide essential health benefits (EHBs) to their workers, resulting in the health insurers selling limited benefit health plans, such as prevention-only or indemnity insurance to large employers, primarily those with low-wage workers. He contends that through a loophole in federal law, these large employers have financial incentives to offer limited benefit plans, often referred to as "skinny plans," to their employees, leaving workers with substandard coverage and vulnerable if they get sick. This bill prohibits a health care service plan (plan) or health insurer (insurer) offering plans or policies in the large group market from marketing, offering, amending or renewing a large group plan contract that provides a minimum value of less than 60%.

AB 366

Author: Bonta

Topic: Medi-Cal Annual Access Monitoring Report

Status: Two-Year Bill

Would require the State Department of Health Care Services, by March 15, 2016, and annually thereafter by February 1, to submit to the Legislature, and post on the department's Internet Web site, a Medi-Cal access monitoring report providing an assessment of access to care in Medi-Cal and identifying a basis to evaluate the adequacy of Medi-Cal reimbursement rates and the existence of other barriers to access to care, as specified. The bill would require the department to hold a public meeting to present and discuss the access monitoring report at least once annually, and would require the department to accept public comment from stakeholders at the public meeting. This bill was introduced as a proposal to restore Medi-Cal reimbursement provider rates.

AB 389

Author: Chau

Topic: Hospitals: Language Assistance Services

Status: SIGNED INTO LAW

This bill directs a general acute care hospital to post its language assistance policy for Limited English Proficient (LEP) individuals online and file copies of its plan with the Office of Statewide Health Planning and Development (OSHPD). AB 389 would also require the California Department of Public Health (DPH) and OSHPD to post online hospital language assistance policies.

SB 4

Author: Lara

Topic: Medi-Cal: Undocumented Children

Status: SIGNED INTO LAW

Coverage to all California children regardless of immigration status was achieved in the state budget earlier this year. This bill takes another modest but critical step to streamline the enrollment process. Specifically, SB 4 clarifies that kids currently enrolled in Restricted Scope/Emergency Medi-Cal will not be required to submit a new application when they transition to full-scope coverage, no sooner than May of 2016; it ensures that kids currently enrolled in restricted scope emergency Medi-Cal will be transferred to full-scope services immediately, as soon the program is operational; it ensures that kids with serious medical conditions who require specialty care will be properly evaluated and referred to the appropriate Medi-Cal managed care plan in their area when they enroll. The bill would require the department, beginning January 31, 2016, and until the director makes the above-described determination, to provide monthly updates to the policy and fiscal committees of the Legislature, as specified. The bill would not preclude a beneficiary from being enrolled in any other

children's Medi-Cal specialty program that he or she would otherwise be eligible for.

SB 33

Author: Hernandez

Topic: Medi-Cal: Estate Recovery

Status: Two-Year Bill

This bill would limit estate recovery in Medi-Cal to the federally required minimum of long-term care services. Would also eliminate recovery from the estate of a surviving spouse of a deceased Medi-Cal beneficiary, and require DHCS to provide claims detail information free of charge to Medi-Cal beneficiaries limited to the homes less than average value

SB 137

Author: Ed Hernandez

Topic: Health Care Coverage: Provider Directories

Status: SIGNED INTO LAW

Requires health care service plans (plans) and health insurers (insurers), collectively referred to as carriers, to publish and maintain printed and online provider directories, and sets requirements carriers must meet to maintain accurate provider directories.

SB 388h

Author: Mitchell

Topic: Health Care Coverage: Solicitation and Enrollment

Status: SIGNED INTO LAW

This bill would, commencing October 1, 2016, provide that the Summary of Benefits and Coverage constitutes a vital document and would require a plan or insurer to comply with requirements applicable to those documents. The bill would, commencing July 1, 2016, require the Department of Managed Health Care and the Insurance Commissioner to develop written translations of the template uniform summary of benefits and coverage and to make available those translations in specified languages on their respective Internet Web sites.

Children

AB 187

Author: Bonta

Topic: Medi-Cal Managed Care: California Children's Services (CCS) Carve-Out Extension to January, 2017

Status: SIGNED INTO LAW

Existing law provides for the department to enter into contracts with managed care systems, hospitals, and prepaid health plans for the provision of various Medi-Cal benefits. Existing law prohibits services

covered by the California Children's Services program (CCS) from being incorporated into a Medi-Cal managed care plan until January 1, 2016, except with respect to contracts entered into for county organized health systems in specified counties.

This bill would extend the carve-out for covered services being incorporated into a Medi-Cal managed care contract until January 1, 2017.

AB 433

Author: Chiu

Topic: Public Social Services – CalWORKS

Status: SIGNED INTO LAW

This bill will maintain a family's CalWORKs eligibility and grant amount, when a child in the family dies, for the remainder of the month in which the child dies and the following days. This bill will help ensure that a CalWORKs family does not endure further financial hardship following the loss of a child, regardless of whether an aided parent meets welfare-to-work requirements during that period of time. It will also require county social workers to provide the family with referrals to services when the death of a child is reported.

Eligibility and Enrollment

SB 23

Author: Mitchell –

Topic: CalWORKS eligibility

Status: Two-Year Bill

SB 23 will repeal the Maximum Family Grant (MFG) rule in the California Work Opportunities and Responsibility to Children (CalWORKs) program in order to provide for the basic needs of a newborn. Under the MFG rule, some infants are denied basic needs assistance, which leads to poorer outcomes and ultimately increased costs to the state.

SB 312

Author: Pan

Topic: Face to Face Interviews for CalWORKS

Status: Two-Year Bill

Current law prohibits an applicant from being granted public assistance under CalWORKs until he or she is personally interviewed by the county human services agency or state hospital staff.

This bill would authorize the county human services agency or state hospital staff to conduct this personal interview telephonically or through electronic means. The bill would require a face-to-face interview to be conducted if requested by an applicant or recipient.

Maternal and Child Health

AB 50

Author: Mullin

Topic: Medi-Cal: Evidence-based Home Visitation Programs

Status: VETOED

Would require the California Department of Health Care Services to develop a plan, in consultation with stakeholders, on or before January 1, 2017, to ensure that evidence-based home visiting programs, as defined, are offered and provided to Medi-Cal-eligible pregnant and parenting women. Requires the Department of Health Care Services, in developing the plan, to prioritize the identification of funding sources for home visiting services other than state General Fund, including local, federal, private, or other funds.

AB 302

Author: Garcia

Topic: Lactation Accommodation in Schools

Status: SIGNED INTO LAW

AB 302 would specify that high schools with one or more lactating students shall provide these students with access to a private, secure room to deal with any needs associated with breastfeeding or expressing milk. AB 302 would also require schools to allow lactating students to bring a breast pump to school and store expressed milk, and it would require schools to provide these students with reasonable break time or time away from the classroom to accommodate their lactation schedule.

Nutrition

SB 203

Author: Monning

Topic: Sugar-Sweetened Beverages

Status: Two-Year Bill

This bill would require a consumer-warning label be placed on sugar-sweetened beverages, which contain 75 calories or more per 12 ounces, sold in California. It would provide vital information to consumers about the harmful effects of consuming sugary drinks, such as sodas, sports drinks, energy drinks, and sweetened teas. The warning label will allow consumers to make choices informed by the latest scientific evidence linking sugary drink consumption to obesity, diabetes, and tooth decay.

Reproductive Health

[AB 329](#)

Author: Weber

Topic: Pupil Instruction: sexual health education

Status: **SIGNED INTO LAW**

The bill integrates existing instruction of sexual health education and HIV prevention education and would rename the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act to - the California Healthy Youth Act. The bill would require school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education, as specified.

[AB 775](#)

Author: Chiu

Topic: Reproductive FACT Act

Status: **SIGNED INTO LAW**

This bill would enact the Reproductive FACT (Freedom, Accountability, Comprehensive Care, and Transparency) Act, which would require a licensed covered facility, as defined, to disseminate a notice to all clients, as specified, stating, among other things, that California has public programs that provide immediate free or low-cost access to comprehensive family planning services, prenatal care, and abortion, for eligible women. The bill would also require an unlicensed covered facility, as defined, to disseminate a notice to all clients, as specified, stating, among other things, that the facility is not licensed as a medical facility by the State of California.

The bill would authorize the Attorney General, city attorney, or county counsel to bring an action to impose a specified civil penalty against covered facilities that fail to comply with these requirements.