

Introduced by Senator StricklandFebruary 10, 2011

An act to repeal Sections 14165.1, 14165.2, 14165.3, and 14165.8 of, and to repeal and add Section 14165 of, the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 256, as introduced, Strickland. Medi-Cal: California Medical Assistance Commission.

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. Under existing law, the California Medical Assistance Commission is created in the Governor's office for the purpose of contracting with health care delivery systems for provision of health care services to recipients under the Medi-Cal program. Existing law requires the commission to hire an executive director, with designated duties.

This bill would eliminate the California Medical Assistance Commission and transfer the powers and duties of the commission to the department, and the powers and duties of the executive director to the director.

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. It is the intent of the Legislature in enacting this
2 act to abolish the California Medical Assistance Commission and
3 to transfer all powers and duties of the commission to the State
4 Department of Health Care Services.

5 SEC. 2. Section 14165 of the Welfare and Institutions Code is
6 repealed.

7 ~~14165. There is hereby created in the Governor’s Office the~~
8 ~~California Medical Assistance Commission, for the purpose of~~
9 ~~contracting with health care delivery systems for provision of~~
10 ~~health care services to recipients under the California Medical~~
11 ~~Assistance program.~~

12 SEC. 3. Section 14165 is added to the Welfare and Institutions
13 Code, to read:

14 14165. All references in this article or in any other provision
15 of law to the California Medical Assistance Commission and the
16 executive director of the commission are hereby deemed references
17 to the State Department of Health Care Services and the Director
18 of Health Care Services, respectively. All powers and duties of
19 the commission and the executive director are hereby transferred
20 to the department and the director.

21 SEC. 4. Section 14165.1 of the Welfare and Institutions Code
22 is repealed.

23 ~~14165.1. The commission shall be composed of seven voting~~
24 ~~members and two ex officio members. The voting members shall~~
25 ~~be selected from persons with experience in management of~~
26 ~~hospital services, risk management insurance or prepaid health~~
27 ~~programs, the delivery of health services, the management of~~
28 ~~county health systems, and a representative of recipients of service.~~
29 ~~The Directors of the Department of Health Services and the~~
30 ~~Department of Finance, or their designees, shall serve as ex officio~~
31 ~~nonvoting members of the commission.~~

32 SEC. 5. Section 14165.2 of the Welfare and Institutions Code
33 is repealed.

34 ~~14165.2. The Governor shall appoint three members of the~~
35 ~~commission, one of which shall be designated chairperson. The~~
36 ~~Speaker of the Assembly and the Senate Rules Committee shall~~
37 ~~each appoint two members of the commission. Of the members~~
38 ~~first appointed by the Governor, one shall serve for a term of three~~

1 years, and two for a term of two years. Of the members appointed
2 by the Speaker of the Assembly and the Senate Rules Committee,
3 one appointed by the Speaker of the Assembly and one appointed
4 by the Senate Rules Committee shall serve for a period of three
5 years with the other appointees to serve for a period of two years.
6 Thereafter, all appointments shall be for four-year terms.

7 SEC. 6. Section 14165.3 of the Welfare and Institutions Code
8 is repealed.

9 14165.3. The commission shall hire an executive director, legal
10 counsel and such other staff as necessary consistent with funds
11 appropriated in the Budget Act. All professional staff employees
12 of the commission shall be exempt from civil service.

13 SEC. 7. Section 14165.8 of the Welfare and Institutions Code
14 is repealed.

15 14165.8. The commission shall be reimbursed at the annual
16 salary of fifty thousand dollars (\$50,000), beginning on January
17 1, 2006. The commission shall set the salary of the executive
18 director and other staff consistent with funds appropriated. The
19 annual compensation provided by this section shall be increased
20 in any fiscal year in which a general salary increase is provided
21 for state employees. The amount of the increase provided by this
22 section shall be comparable to, but shall not exceed, the percentage
23 of the general salary increases provided for state employees during
24 that fiscal year.