

AMENDED IN SENATE APRIL 17, 2012

AMENDED IN SENATE APRIL 9, 2012

AMENDED IN SENATE MARCH 29, 2012

SENATE BILL

No. 970

Introduced by Senator De León

(Principal coauthor: Senator Alquist)

(Coauthor: Senator DeSaulnier)

(Coauthors: Assembly Members Ammiano, Hill, Portantino, Williams,
and Yamada)

January 17, 2012

An act to add Sections 15927 and 15928 to the Welfare and Institutions Code, relating to health and human services.

LEGISLATIVE COUNSEL'S DIGEST

SB 970, as amended, De León. Health Care Reform Eligibility, Enrollment, and Retention Planning Act: coordination with other programs.

Existing law, the Health Care Reform Eligibility, Enrollment, and Retention Planning Act, requires the California Health and Human Services Agency, in consultation with specified entities, to establish standardized single, accessible application forms and related renewal procedures for state health subsidy programs, as defined, in accordance with specified requirements.

This bill would require a county human services department to allow an applicant initially applying for, or renewing, health care coverage using the single state application developed pursuant to the act, with the applicant's consent, to have his or her application information used to simultaneously initiate applications for CalWORKs and CalFresh,

and would similarly require the county to assess CalFresh recipients for potential state health subsidy program eligibility, as specified. The bill would require the California Health and Human Services Agency to convene a workgroup of human services and health care advocates, legislative staff, and other specified representatives, to identify other human services and work support programs that might be integrated into this cross-application process. *This bill would require the State Department of Health Care Services, in cooperation with other specified entities and representatives, to adopt regulations to implement the bill, as specified.* Implementation of the process created by the bill would be required by December 31, 2015, except as specified.

By imposing new duties on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15927 is added to the Welfare and
2 Institutions Code, to read:
3 15927. (a) At the time of initial application for, or renewal of,
4 health care coverage using the single state application described
5 in subdivision (c) of Section 15926, an individual may consent to
6 have his or her application information used by the appropriate
7 county human services department to initiate a simultaneous
8 application for the California Work Opportunity and Responsibility
9 to Kids (CalWORKs) and CalFresh programs, and by other state
10 or local departments, as appropriate, for other human services or
11 work support programs identified by the workgroup established
12 in subdivision (c).
13 (b) If information used to renew a beneficiary's eligibility for
14 a state health subsidy program is sufficient to meet the requirements
15 for a CalWORKs or CalFresh semiannual report or annual

1 recertification, as specified in Sections 11265, 11265.1, 11265.2,
2 and 18925, the county human services department, with the
3 beneficiary's consent, shall use that information to continue or
4 recertify CalWORKs or CalFresh benefits for all eligible
5 individuals. *Nothing in this subdivision shall be construed to either*
6 *require or prevent the shortening of a CalFresh certification*
7 *period.*

8 (c) The California Health and Human Services Agency shall
9 convene a workgroup of human services and health care advocates,
10 legislative staff, representatives of county human services
11 departments and county eligibility workers, and staff from
12 appropriate state and local departments, to consider and develop
13 a plan for the integration of additional human services and work
14 support programs into the process described in subdivision (a).

15 (d) This section shall be implemented by December 31, 2015.

16 SEC. 2. Section 15928 is added to the Welfare and Institutions
17 Code, to read:

18 15928. (a) By October 1, 2013, a county human services
19 agency shall do all of the following, using data to which the agency
20 has access:

21 (1) Identify nonassistance CalFresh recipients who are not
22 currently enrolled in a state health subsidy program.

23 (2) Inform the recipients identified in paragraph (1) of the
24 requirement to be enrolled in health coverage under the federal
25 Patient Protection and Affordable Care Act (PPACA; Public Law
26 111-148), and of their right to, and likely eligibility for, free or
27 low-cost health coverage. With a recipient's consent, and if
28 information in his or her CalFresh case file is sufficient to establish
29 eligibility for health care coverage, the recipient shall be enrolled
30 into the state health subsidy program for which he or she is eligible,
31 beginning on the earliest date that the recipient is eligible.

32 (b) For a CalFresh recipient identified pursuant to paragraph
33 (1) of subdivision (a) who cannot be enrolled into a state health
34 subsidy program based upon the information available within the
35 case file, the county shall make every reasonable effort to contact
36 the CalFresh recipient to obtain the information needed to enroll
37 the recipient in a state health subsidy program.

38 (c) The information shared pursuant to this section shall be used
39 exclusively for the purposes specified in this section.

1 (d) (1) The department, in conjunction with counties, the State
2 Department of Social Services, and representatives of the Statewide
3 Automated Welfare System (SAWS) consortia, county eligibility
4 workers, consumers, and other affected stakeholder groups, shall
5 conduct a planning process ~~and to implement this section.~~

6 (2) *The department, in conjunction with the State Department*
7 *of Social Services and in consultation with the stakeholders*
8 *specified in paragraph (1), shall develop administrative enrollment*
9 *and renewal policies and procedures, ~~which the department shall~~*
10 *implement by means of all-county letters or similar instructions*
11 *from the director. The director shall adopt regulations as are*
12 *necessary to implement the administrative enrollment and renewal*
13 *policies and procedures in accordance with the rulemaking*
14 *provisions of the Administrative Procedure Act (Chapter 3.5*
15 *(commencing with Section 11340) of Part 1 of Division 3 of Title*
16 *2 of the Government Code).*

17 (3) *As an alternative to paragraph (2), and notwithstanding the*
18 *rulemaking provisions of the Administrative Procedure Act*
19 *(Chapter 3.5 (commencing with Section 11340) of Part 1 of*
20 *Division 3 of Title 2 of the Government Code), the director may*
21 *develop administrative enrollment and renewal policies and*
22 *procedures by means of a provider bulletin, or other similar*
23 *instructions, without taking regulatory action, provided that no*
24 *bulletin or other similar instructions issued under this paragraph*
25 *shall remain in effect after July 31, 2016. It is the intent of the*
26 *Legislature that any regulations adopted pursuant to paragraph*
27 *(2) shall be adopted on or before July 31, 2016.*

28 SEC. 3. If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made
31 pursuant to Part 7 (commencing with Section 17500) of Division
32 4 of Title 2 of the Government Code.

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