

Introduced by Senator GalgianiFebruary 22, 2013

An act to amend Section 15459.1 of the Government Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 615, as introduced, Galgiani. Health facility financing.

The California Health Facilities Financing Authority Act authorizes the California Health Facilities Financing Authority to make loans from the continuously appropriated California Health Facilities Financing Authority Fund to participating health institutions for financing or refinancing the acquisition, construction, or remodeling of health facilities. Existing law also authorizes the authority to issue revenue bonds for certain purposes. Existing law requires, as a condition of the issuance of revenue bonds, whether by the authority or any local agency, as specified, each participating health institution to give reasonable assurance to the authority that the services of the health facility will be made available to all persons residing or employed in the area served by the facility. Existing law requires, as part of its assurances, that the participating health institution agree to perform specified actions, including advising each person seeking services at the participating health institution's facility as to the person's potential eligibility for Medi-Cal and Medicare benefits or benefits from other governmental 3rd Party payers.

This bill would require the participating health institution to also advise each person seeking services at the participating health institution's facility as to the person's potential eligibility for health care coverage by qualified health plans participating in the California Health Benefit Exchange.

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 15459.1 of the Government Code is
2 amended to read:
3 15459.1. As part of its assurance under Section 15459, the
4 participating health institution shall agree to all of the following
5 actions:
6 (a) To advise each person seeking services at the participating
7 health institution’s facility as to the person’s potential eligibility
8 for Medi-Cal and Medicare benefits~~or~~, benefits from other
9 governmental third-party payers, *or health care coverage by*
10 *qualified health plans participating in the California Health Benefit*
11 *Exchange created pursuant to Title 22 (commencing with Section*
12 *100500).*
13 (b) To make available to the authority and to any interested
14 person a list of physicians with staff privileges at the participating
15 health institution’s facility, which includes all of the following:
16 (1) Name.
17 (2) Specialty.
18 (3) Language spoken.
19 (4) Whether the physician takes Medi-Cal and Medicare patients.
20 (5) Business address and phone number.
21 (c) To inform in writing on a periodic basis all practitioners of
22 the healing arts having staff privileges in the participating health
23 institution’s facility as to the existence of the facility’s community
24 service obligation. The required notice to practitioners shall contain
25 a statement, as follows:
26 “This hospital has agreed to provide a community service and
27 to accept Medi-Cal and Medicare patients. The administration and
28 enforcement of this agreement is the responsibility of the California
29 Health Facilities Financing Authority and this facility.”
30 (d) To post notices in the following form, which shall be
31 multilingual where the participating health institution serves a
32 multilingual community, in appropriate areas within the facility,
33 including, but not limited to, admissions offices, emergency rooms,
34 and business offices:

1 “This facility has agreed to make its services available to all
2 persons residing or employed in this area. This facility is prohibited
3 by law from discriminating against Medi-Cal and Medicare
4 patients. Should you believe you may be eligible for Medi-Cal or
5 Medicare, you should contact our business office (or designated
6 person or office) for assistance in applying. You should also contact
7 our business office (or designated person or office) if you are in
8 need of a physician to provide you with services at this facility. If
9 you believe that you have been refused services at this facility in
10 violation of the community service obligation you should inform
11 (designated person or office) and the California Health Facilities
12 Financing Authority.”

13 The participating health institution shall provide copies of this
14 notice for posting to all welfare offices in the county where the
15 participating health institution’s facility is located.

16 (e) For all facilities in areas, and of a type, not subject to
17 Medi-Cal contracting and for all participating health institution
18 which have negotiated in good faith to obtain a Medi-Cal contract
19 but were not awarded a contract by the California Medi-Cal
20 Assistance Commission, the authority shall make modifications
21 to the requirements contained in this section to reflect the absence
22 of a Medi-Cal contract. Nothing in this section relieves a hospital
23 of its obligations under Section 1317 of the Health and Safety
24 Code.