

AMENDED IN ASSEMBLY MAY 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1216

Introduced by Assembly Member Bonta

February 27, 2015

An act to amend Section 14100.3 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, as amended, Bonta. Medi-Cal: plan amendments and waiver applications.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law grants the department the rights and duties necessary to conform to requirements for securing approval of an agreement, or state plan, between the state and the federal government under Title XIX of the federal Social Security Act that describes the nature and scope of the Medi-Cal program. Existing law requires the department to seek approval from the federal Centers for Medicare and Medicaid Services (CMS) of any amendments to the state plan or a waiver from the requirements of the act for the purposes of continued federal financial participation under the act. Existing law requires the department to post on its Internet Web site all submitted state plan amendments and all federal waiver applications and requests for new waivers, waiver amendments, and waiver renewals and extensions, within 10 business days from the date of submission of those documents to CMS. Existing law requires the department to post

on its Internet Web site all pending submitted state plan amendments and federal waiver applications and requests that the department submitted to CMS in 2009 and every year thereafter.

This bill would instead require the department to post on its Internet Web Site all submitted state plan amendments and all federal waiver applications and requests for new waivers, waiver amendments, and waiver renewals and extensions within 7 business days from the date of submission, and would also require the department to post all pending submitted state plan amendments and federal waiver applications and requests. *The bill would require the department to accept public comment on all state plan amendments and waivers, as specified, and would authorize use of information from the comments to make amendments to those documents.*

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 14100.3 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 14100.3. (a) (1) The State Department of Health Care
- 4 Services shall post on its Internet Web site all submitted state plan
- 5 amendments and all federal waiver applications and requests for
- 6 new waivers, waiver amendments, and waiver renewals and
- 7 extensions, within seven business days from the date the
- 8 department submits these documents for approval to the federal
- 9 Centers for Medicare and Medicaid Services (CMS).
- 10 (2) *The department shall accept public comment on all submitted*
- 11 *state plan amendments and all federal waiver applications and*
- 12 *requests for new waivers, waiver amendments, and waiver renewals*
- 13 *and extensions, for a period of 30 days from the date the*
- 14 *department submits these documents for approval to CMS, and*
- 15 *post the comments on the department’s Internet Web site. The*
- 16 *department shall not be required to respond to any comment*
- 17 *submitted. However, the department may use any information*
- 18 *provided in the comments to make amendments to any submitted*
- 19 *state plan amendment or waiver, as the department deems*
- 20 *necessary.*
- 21 (b) The department shall post on its Internet Web site final
- 22 approval or denial letters and accompanying documents for all

1 submitted state plan amendments and federal waiver applications
2 and requests within 10 business days from the date the department
3 receives notification of final approval or denial from CMS.

4 (c) If the department notifies CMS of the withdrawal of a
5 submitted state plan amendment or federal waiver application or
6 request, as described in subdivisions (a) and (b), the department
7 shall post on its Internet Web site the withdrawal notification within
8 10 business days from the date the department notifies CMS of
9 the withdrawal.

10 (d) Unless already posted on the Internet Web site pursuant to
11 subdivisions (a) to (c), inclusive, the department shall post on its
12 Internet Web site all pending submitted state plan amendments
13 and federal waiver applications and requests.

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