

AMENDED IN ASSEMBLY JANUARY 8, 1998

AMENDED IN ASSEMBLY JULY 31, 1997

CALIFORNIA LEGISLATURE—1997-98 REGULAR SESSION

ASSEMBLY BILL

No. 1397

Introduced by Assembly Member Gallegos
(Coauthors: Assembly Members Margett and Vincent)
(Coauthors: Senators Hughes and Mountjoy)

February 28, 1997

An act to ~~amend Section 14085.51 of~~ *add Section 14132.42* to the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1397, as amended, Gallegos. Medi-Cal: ~~disproportionate share hospitals~~ *maternity benefits*.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Services, under which qualified low-income persons are provided with health care services.

~~The Medi-Cal program provides for a special methodology of reimbursement of disproportionate share hospitals for the provision of inpatient hospital services.~~

~~Existing law generally defines a disproportionate share hospital as a hospital that has disproportionately higher costs, volume, or services related to the provision of services to Medi-Cal or other low-income patients than the statewide average.~~



~~This bill would provide that disproportionate share hospitals meeting specified requirements that have submitted final plans for an eligible capital project may submit substitute final plans and shall qualify for supplemental reimbursement for the revised capital project if specified conditions are met.~~

This bill would provide that benefits under the Medi-Cal program shall not be restricted for inpatient hospital care to a time period less than 48 hours following a normal vaginal delivery and less than 96 hours following delivery by caesarean section, except where certain conditions are met.

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 14085.51 of the Welfare and~~
2 *SECTION 1. It is the intent of the Legislature in*
3 *enacting this act that the protections under the*
4 *Newborns' and Mothers' Health Act of 1997 (Chapter 389*
5 *of the Statutes of 1997), which added Section 1367.62 to*
6 *the Health and Safety Code and Section 10123.87 to the*
7 *Insurance Code, shall apply equally to all pregnant*
8 *women eligible for benefits under Medi-Cal.*
9 *SEC. 2. Section 14132.42 is added to the Welfare and*
10 *Institutions Code, to read:*
11 *14132.42. Benefits under this chapter shall not be*
12 *restricted for inpatient hospital care to a time period less*
13 *than 48 hours following a normal vaginal delivery and less*
14 *than 96 hours following delivery by caesarean section.*
15 *However, coverage for inpatient hospital care may be for*
16 *a time period less than 48 or 96 hours following a delivery*
17 *if both of the following conditions are met:*
18 *(a) The decision to discharge the mother and newborn*
19 *before the 48- or 96-hour time period is made by the*
20 *treating physicians in consultation with the mother.*
21 *(b) A postdischarge followup visit for the mother and*
22 *newborn within 48 hours of discharge, when prescribed*
23 *by the treating physician, is also a covered benefit under*
24 *this chapter. The visit shall be by a licensed health care*



1 provider whose scope of practice includes postpartum
2 care and newborn care. The visit shall include, at a
3 minimum, parent education, assistance and training in
4 breast or bottle feeding, and the performance of any
5 necessary maternal or neonatal physical assessments. The
6 treating physician shall disclose to the mother the
7 availability of a postdischarge visit, including an in-home
8 visit, physician office visit, or plan facility visit. The
9 treating physician, in consultation with the mother, shall
10 determine whether the postdischarge visit shall occur at
11 home, the plan's facility, or the treating physician's office
12 after assessment of certain factors. These factors shall
13 include, but not be limited to, the transportation needs of
14 the family and environmental and social risks.

15 ~~Institutions Code is amended to read:~~

16 ~~14085.51. (a) A disproportionate share hospital that~~
17 ~~qualifies under Section 14085.5 that has submitted final~~
18 ~~plans for an eligible capital project in accordance with~~
19 ~~subparagraph (C) of paragraph (1) of subdivision (b) of~~
20 ~~Section 14085.5 may submit substitute final plans and shall~~
21 ~~qualify for supplemental reimbursement under Section~~
22 ~~14085.5 for the revised capital project as described in the~~
23 ~~substitute final plans if all of the following conditions are~~
24 ~~met:~~

25 ~~(1) The substituted capital project continues to meet~~
26 ~~the requirements for eligible projects as specified in~~
27 ~~Section 14085.5.~~

28 ~~(2) The hospital provides written notification to the~~
29 ~~department of the status of the project on or before~~
30 ~~January 1 of each year commencing January 1, 1999. This~~
31 ~~notification shall, at a minimum, include a narrative~~
32 ~~description of the project, identification of medical~~
33 ~~services to be provided, documentation substantiating~~
34 ~~service needs, projected construction timeframes, and~~
35 ~~total estimated revised capital project costs.~~

36 ~~(3) The substitute final plans are submitted to the~~
37 ~~Office of Statewide Health Planning and Development~~
38 ~~prior to June 30, 1995, or, where debt was issued prior to~~
39 ~~July 1, 1996, for the capital project for which the plans~~
40 ~~were originally submitted, the substitute final plans are~~



1 ~~submitted to the Office of Statewide Health Planning and~~
2 ~~Development prior to December 31, 2000.~~

3 ~~(b) The revised capital project may provide for any~~
4 ~~one or more of the following:~~

5 ~~(1) A reduction in size and scope of the original project~~
6 ~~plan.~~

7 ~~(2) Tenant interior improvements for the entire~~
8 ~~building not specified in the original project plan.~~

9 ~~(3) Modifications to the foundation, structural frame,~~
10 ~~and building exterior shell, commonly known as the shell~~
11 ~~and core.~~

12 ~~(4) Modifications necessary to comply with current~~
13 ~~seismic safety standards.~~

14 ~~(c) The supplemental reimbursement under Section~~
15 ~~14085.5 for the revised capital project shall be no greater~~
16 ~~than the supplemental reimbursement for the original~~
17 ~~capital project as evidenced by the architects' and~~
18 ~~engineers' certified cost estimate of the original plan~~
19 ~~submission and the substitute plan submission.~~

20 ~~(d) (1) A project, if eligible under the criteria set~~
21 ~~forth in this section and Section 14085.5, shall commence~~
22 ~~construction on or before January 1, 2002.~~

23 ~~(2) In addition, the project shall be licensed for~~
24 ~~operation and available for occupancy on or before~~
25 ~~January 1, 2009.~~

