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AB-635 Medical interpretation services. (2015-2016)

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Assembly Bill No. 635

CHAPTER 600

An act to add and repeal Article 4.6 (commencing with Section 14146) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

[Approved by Governor September 25, 2016. Filed with Secretary of State September 25, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 635, Atkins. Medical interpretation services.

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 federal law provides for increased administrative funding for translation and interpretation services provided in connection with the enrollment, retention, and use of services under the Medicaid program.

This bill would require the department to work with stakeholders to conduct a study to identify current requirements for medical interpretation services as well as education, training, and licensure requirements, analyze other state Medicaid programs, make recommendations on strategies that may be employed regarding the provision of medical interpretation services for Medi-Cal beneficiaries who are limited English proficient, and establish a pilot project in up to 4 separate sites to evaluate a mechanism to provide and improve medical interpretation services for those individuals. The bill would authorize the department to expend specified funds for the support of activities relating to medical interpreters for a pilot project, study, or both. The bill also would require the department to seek any available federal funding for the purposes of the bill and would make expenditure of all of the described funds contingent on approval by the Department of Finance, as specified. The bill would require the department, commencing in 2017, to provide an annual update to the budget committees of the Legislature on the implementation of the bill, as specified. The provisions of the bill would become inoperative on July 1, 2020.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to support activities related to a medical interpretation pilot project, study, or both, to be administered by the State Department of Health Care Services, in order to assess the process for delivering language interpretation services for limited English proficient (LEP) Medi-Cal beneficiaries and make recommendations regarding existing medical interpretation services and possible mechanisms to improve those services.

SEC. 2. Article 4.6 (commencing with Section 14146) is added to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

Article 4.6. Medi-Cal Medical Interpretation Services

14146. (a) The department shall work with identified stakeholders to conduct a study to identify current requirements for medical interpretation services as well as education, training, and licensure requirements, analyze other state Medicaid programs, and make recommendations on strategies that may be employed regarding the provision of medical interpretation services for Medi-Cal beneficiaries who are limited English proficient (LEP), in compliance with applicable state and federal requirements.

(b) The study also shall assess and make recommendations on pilot projects that would further the objectives of this article, including funding for those activities and the allowable use of federal funding.

(c) Based on the recommendations of the study related to pilot projects established under subdivision (b), and available funding pursuant to subdivision (f), the department shall work with identified stakeholders to establish a pilot project in up to four separate sites to evaluate a mechanism to provide and improve medical interpretation services for LEP Medi-Cal beneficiaries. In identifying sites, the department shall take into account both the need for those services and the recommendations from the study.

(d) The department may use or contract with an external vendor, vendors, or other contracted subject matter experts to implement the activities described in this section. The department shall consult with identified stakeholders regarding the draft initial scope of work that shall be used to seek and evaluate proposals pursuant to this section.

(e) (1) Each year, commencing in 2017, during the annual state budget process, the department shall provide an update to the budget committees of the Legislature on the implementation of this article.

(2) Any report submitted under this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(f) (1) For activities under this section, the department may expend up to three million dollars (\$3,000,000) under Provision 14 of Item 4260-101-0001 of Section 2.00 of the Budget Act of 2016 (Chapter 23 of the Statutes of 2016) for the support of activities related to a medical interpreters pilot project, study, or both.

(2) The department may seek any available federal funding for support of activities relating to medical interpretation services as provided under this section.

(3) Expenditure or encumbrance of the funds described in this subdivision is contingent upon approval by the Department of Finance.

14146.5. This article shall become inoperative on July 1, 2020, and, as of January 1, 2021, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2021, deletes or extends the dates on which it becomes inoperative and is repealed.