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AB-2308 Health care coverage: information to students. (2015-2016)

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Assembly Bill No. 2308

CHAPTER 570

An act to amend and repeal Section 49452.9 of, and to add and repeal Chapter 11.2 (commencing with Section 66920) of Part 40 of Division 5 of Title 3 of, the Education Code, relating to health care coverage.

[Approved by Governor September 24, 2016. Filed with Secretary of State September 24, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2308, Roger Hernández. Health care coverage: information to students.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to provide instruction to students at community college campuses.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she, and any dependent of that individual, has minimum essential health care coverage.

This bill would establish the California Health Care Coverage Act of 2016, which would require the California State University and the California Community Colleges to provide their students information about insurance affordability programs commencing with the 2017–18 academic year. The act would authorize each campus of the California State University and the California Community Colleges to meet this requirement by developing an informational item or amending an existing enrollment form or Internet Web site to provide students information about insurance affordability programs, as specified. The act would authorize each campus to also meet this requirement by including a factsheet with its enrollment forms explaining basic information about insurance affordability programs for students. The bill would repeal these new provisions on January 1, 2021.

By requiring community colleges to perform additional duties, this bill would impose a state-mandated local program.

Existing law requires a public school, for purposes of the 2015–16, 2016–17, and 2017–18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance, as specified. Existing law authorizes a school to also include a factsheet with its enrollment forms. Existing law requires the State Department of Education to, among other things, develop a standardized template for the factsheet and the informational item or amendment and make those templates available on its Internet Web site on or before August 1, 2015. Existing law repeals these provisions on January 1, 2019.

This bill would make the repeal date for these provisions January 1, 2021, and thereby extend these requirements until that date. By extending these duties on local school districts, the 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 Local Program: yes

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

SECTION 1. Section 49452.9 of the Education Code is amended to read:

49452.9. (a) Commencing with the 2015–16 school year, and each school year thereafter, a public school, including a charter school, shall add an informational item to its enrollment forms, or amend an existing enrollment form, in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance.

(b) To satisfy the requirements of subdivision (a), a school may do either of the following:

(1) Use a template developed pursuant to subdivision (d).

(2) Develop an informational item or amend an existing enrollment form to provide information about health care coverage options and enrollment assistance.

(c) A school may include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families.

(d) (1) The department shall develop a standardized template for both of the following:

(A) The informational item or amendment required by subdivision (a).

(B) The factsheet described in subdivision (c).

(2) The department shall make any templates developed pursuant to this subdivision available on its Internet Web site on or before August 1, 2015, and shall, upon request, provide written copies of the template to a school district.

(e) A school district shall not discriminate against a pupil who does not have health care coverage or use any information relating to a pupil's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the pupil or the pupil's family.

(f) This section shall remain in effect only until January 1, 2021, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2021, deletes or extends that date.

SEC. 2. Chapter 11.2 (commencing with Section 66920) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 11.2. California Health Care Coverage Act of 2016

66920. This chapter shall be known, and may be cited, as the California Health Care Coverage Act of 2016.

66921. (a) Commencing with the 2017–18 academic year, each campus of the California State University and the California Community Colleges shall offer every student information about insurance affordability programs, including how to apply for Medi-Cal and Covered California.

(b) To satisfy the requirements of subdivision (a), the campus may do either or both of the following:

(1) Develop an informational item or amend an existing enrollment form or Internet Web site to provide students information about insurance affordability programs, including how to apply for Medi-Cal and Covered California. A campus may use information provided in the standard template developed by the State Department of Education pursuant to Section 49452.9.

(2) Include a factsheet with its enrollment forms explaining basic information about insurance affordability programs, including how to apply for Medi-Cal and Covered California.

(c) A campus of the California State University or the California Community Colleges shall not discriminate against a student who does not have health coverage or use any information relating to a student's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the student.

66922. This chapter shall remain in effect only until January 1, 2021, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2021, deletes or extends that date.

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