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SB-220 Medi-Cal Children's Health Advisory Panel. (2017-2018)

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Senate Bill No. 220

CHAPTER 280

An act to amend Section 14005.271 of the Welfare and Institutions Code, relating to Medi-Cal.

[Approved by Governor September 25, 2017. Filed with Secretary of State September 25, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 220, Pan. Medi-Cal Children's Health Advisory Panel.

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which qualified low-income persons receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law establishes the Medi-Cal Children's Health Advisory Panel for the purpose of advising the department on matters relevant to all children enrolled in Medi-Cal and their families. Existing law specifies the composition of the members of the panel, which includes three members who are parents of children who have received specified Medi-Cal services. Existing law requires the department to pay a per-meeting stipend to each advisory panel member who is a Medi-Cal enrollee or parent of a Medi-Cal enrollee.

This bill would revise the qualification criteria for the 3 panel positions filled by parent members described above to instead fill those positions with 3 members who are either Medi-Cal enrollees who have received Medi-Cal benefits or services in relation to a pregnancy, or who are a parent, foster parent, relative caregiver, or legal guardian of a Medi-Cal enrollee who is 21 years of age or younger. The bill would provide that a member of the advisory panel appointed on or after January 1, 2018, shall serve a term of 3 years, except as specified, and would specify a procedure for transitioning existing panel membership to those new terms. The bill would authorize the department to remove a member of the advisory panel if the director of the department determines removal is necessary, and would authorize the chair of the panel to recommend removal of a member who obstructs the functions of the panel for cause. The bill would require the chair of the panel to notify the department of a vacancy on the panel, as specified. The bill would expand the requirement to pay a per-meeting stipend to include a foster parent, relative caregiver, or legal guardian of a Medi-Cal enrollee.

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

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

SECTION 1. Section 14005.271 of the Welfare and Institutions Code is amended to read:

14005.271. (a) The Healthy Families Advisory Board established by former Section 12693.90 of the Insurance Code is hereby renamed the Medi-Cal Children's Health Advisory Panel.

(b) The Medi-Cal Children's Health Advisory Panel shall be an independent, statewide advisory board that shall advise the State Department of Health Care Services on matters relevant to all children enrolled in Medi-Cal and their families, including, but not

limited to, emerging trends in the care of children, quality measurements, communications between the State Department of Health Care Services and Medi-Cal families, provider network issues, and Medi-Cal enrollment issues.

(c) The membership of the advisory panel shall be composed of the following 15 members:

- (1) One member who is a licensed, practicing dentist.
- (2) One physician and surgeon who is board certified in the area of family practice medicine.
- (3) One physician and surgeon who is board certified in pediatrics.
- (4) One representative from a licensed nonprofit primary care clinic.
- (5) One representative from the mental health provider community.
- (6) One representative of the substance abuse provider community.
- (7) One representative of the county public health provider community.
- (8) One representative from a licensed hospital that is on the disproportionate share list maintained by the State Department of Health Care Services.
- (9) A current or former foster youth; an attorney, social worker, probation officer, or court appointed special advocate who currently represents one or more foster youth; a foster care service provider; or a child welfare advocate.
- (10) Three members, each of whom is either a Medi-Cal enrollee who has received Medi-Cal benefits or services in relation to a pregnancy, including, but not limited to, benefits or services received through the Medi-Cal Access Program, or is a parent, foster parent, relative caregiver, or legal guardian of a Medi-Cal enrollee who is 21 years of age or younger.
- (11) One representative from the health plan community.
- (12) One representative from the business community.
- (13) One representative from the education community.

(d) The advisory panel shall elect, from among its members, its chair. In order to coordinate the activities of the advisory panel with other advisory bodies whose scope includes children enrolled in Medi-Cal, the chair shall keep apprised of relevant Medi-Cal stakeholder meetings by communicating with State Department of Health Care Services staff assisting the advisory panel.

(e) The advisory panel members shall be appointed by the State Department of Health Care Services, or in the case of vacancies of three months or greater, by the chair.

(f) A member of the advisory panel appointed on or after January 1, 2018, shall serve a term of three years, commencing upon the expiration of the predecessor member's term, except that a member appointed to fill a vacancy caused by any reason other than expiration of the predecessor member's term shall serve the remainder of the unexpired term.

(g) Members of the advisory panel appointed prior to January 1, 2018, shall, by lot, designate five members of the panel who shall end their terms on December 31, 2018, five members who shall end their terms on December 31, 2019, and five members who shall end their terms on December 31, 2020.

(h) An advisory panel member may be removed by the State Department of Health Care Services, in consultation with the chair, if the removal is determined to be necessary by the Director of Health Care Services. The chair may recommend removal of a member of the advisory panel for cause if the member obstructs the function of the advisory panel. For the purpose of this subdivision, "obstruction of the function of the advisory panel" includes, but is not limited to, the failure of a member to attend two consecutive meetings of the advisory panel.

(i) The chair shall immediately notify the State Department of Health Care Services upon the occurrence of a vacancy on the advisory panel. For the purposes of this subdivision, a vacancy shall not exist solely because a panel member ceases to meet the qualifications of the provision pursuant to which the member was appointed.

(j) The advisory panel's powers and duties include, but are not limited to, both of the following:

- (1) To advise the Director of Health Care Services on all policies, regulations, and operations of the Medi-Cal program related to providing health care services to children.
- (2) To meet at least quarterly, unless deemed unnecessary by the chair.

(k) The State Department of Health Care Services' powers and duties shall include, but not be limited to, all of the following:

(1) To provide general support and staff assistance to the advisory panel.

(2) To convene and attend meetings of the advisory panel at least quarterly, unless deemed unnecessary by the chair, at locations that are easily accessible to the public and advisory panel members, are of sufficient duration for presentation, discussion, and public comment on each agenda item, and are in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(3) To reimburse the members of the advisory panel for all necessary travel expenses associated with the activities of the advisory panel, and to provide a stipend of one hundred dollars (\$100) per meeting attended to each panel member who is a Medi-Cal enrollee or a parent, foster parent, relative caregiver, or legal guardian of a Medi-Cal enrollee.

(4) To maintain an Internet Web page on the department's Internet Web site dedicated to the advisory panel that shall include, but not be limited to, all of the following:

(A) The purpose and scope of the advisory panel.

(B) The current membership of the advisory panel.

(C) A list of past and future meetings.

(D) Agendas and other materials made available for past and future meetings.

(E) Recommendations submitted to the department by the advisory panel.

(F) The department's responses to recommendations submitted by the advisory panel.

(G) Contact information for department staff assisting the advisory panel.

(5) To inform advisory panel members when new information is posted to the Internet Web page dedicated to the advisory panel.

(6) Notwithstanding Section 10231.5 of the Government Code, to submit on or before January 1, 2018, a report to the Legislature on the advisory panel's accomplishments, effectiveness, efficiency, and any recommendations for statutory changes needed to improve the ability of the advisory panel to fulfill its purpose. The report shall be submitted in compliance with Section 9795 of the Government Code.

(l) The Legislature does not intend the addition of this section to result in a new panel, but rather a continuation of the prior panel established by former Section 12693.90 of the Insurance Code. New panel members shall not be appointed until a vacancy occurs.