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**AB-781 Medi-Cal: family respite care.** (2019-2020)

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**Assembly Bill No. 781**

**CHAPTER 64**

An act to amend Section 14132.10 of the Welfare and Institutions Code, relating to Medi-Cal.

[ Approved by Governor July 09, 2019. Filed with Secretary of State July 09, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 781, Maienschein. Medi-Cal: family respite care.

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 provides that pediatric day health care is a covered benefit under the Medi-Cal program and that pediatric day health care does not include inpatient long-term care or family respite care.

This bill would specify that pediatric day health care services may be provided at any time of the day and on any day of the week, so long as the total number of authorized hours is not exceeded. The bill would also authorize pediatric day health care services to be covered for up to 23 hours per calendar day.

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

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

**SECTION 1.** Section 14132.10 of the Welfare and Institutions Code is amended to read:

**14132.10.** (a) (1) Pediatric day health care provided by a health facility licensed under paragraph (11) of subdivision (a) of Section 1250.1 of the Health and Safety Code is a covered benefit under this chapter subject to terms, conditions, and utilization controls developed by the department. Pediatric day health care does not include inpatient long-term care or family respite care.

(2) Pediatric day health care services may be provided at any time of the day and on any day of the week, so long as the total number of authorized hours is not exceeded. Pediatric day health care services may be covered for up to 23 hours per calendar day.

(b) The department shall publish emergency regulations for pediatric day health care services by October 1, 1997. These regulations shall reimburse providers at a rate that shall be determined by the department, consistent with efficiency, economy, and quality of care until a new rate is determined on the basis of a cost study conducted by the department.

(c) Coverage for pediatric day health care services shall be available only to the extent that no additional net program costs are incurred.

(d) The department shall not approve a request for authorization of pediatric day health care when the beneficiary for whom the authorization is requested is an inpatient in a licensed health care facility.

(e) The department shall not approve a request for authorization of pediatric day health care if the department determines that the total cost incurred by the Medi-Cal program for providing pediatric day health care services and all other medically necessary services to the individual beneficiary is greater than the total cost incurred by the Medi-Cal program in providing medically equivalent services at the beneficiary's otherwise appropriate level of institutional or home care.

(f) Coverage for pediatric day health care services shall be available only to the extent that federal financial participation in the cost of providing these services is available pursuant to a federally approved state plan amendment including those services as a Medi-Cal program benefit.