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AB-2697 Medi-Cal: community health worker services. (2021-2022)

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Assembly Bill No. 2697

CHAPTER 488

An act to add Section 14132.36 to the Welfare and Institutions Code, relating to Medi-Cal.

[Approved by Governor September 23, 2022. Filed with Secretary of State September 23, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2697, Aguiar-Curry. Medi-Cal: community health worker services.

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services through various delivery systems, including fee-for-service and managed care. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Under federal law, covered services include "preventive services," which are defined as, services recommended by a physician or other licensed practitioner of the healing arts acting within the scope of authorized practice under state law to prevent disease, disability, and other health conditions or their progression, prolong life, and promote physical and mental health and efficiency. On July 26, 2022, the federal Centers for Medicare and Medicaid Services approved the department's Medicaid State Plan Amendment to add community health workers as a preventive service.

This bill would codify the requirement that community health worker services be a covered Medi-Cal benefit. The bill would require a Medi-Cal managed care plan to engage in outreach and education efforts to enrollees, as determined by the department, but that would include, at a minimum, specified information to enrollees, including, among other things, a description of the community health worker services benefit and a list of providers that are authorized to refer an enrollee to community health worker services. The bill would require the department, through existing and regular stakeholder processes, to inform stakeholders about, and accept input from stakeholders on, implementation of the community health worker services benefit. The bill would be implemented only to the extent that federal financial participation is available and not otherwise jeopardized. The bill would authorize the department to implement, interpret, or make specific this bill by means of policy letters, provider bulletins, or other similar instructions, without taking any further regulatory action.

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

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

SECTION 1. (a) Community health workers and promotores are critically important in informing communities of color, persons of limited English proficiency, and immigrants about services to prevent disease, disability, and other health conditions or their progression, prolong life, and promote physical and behavioral health and efficiency.

(b) Community health workers and promotores are also crucial to providing access to safety net services that are available to communities with the goal of reducing health disparities and improving health outcomes.

(c) Community health workers and promotores are trusted members of their community who have personal experience with a health condition, lived experience, and shared language and cultural background, and who help to address chronic conditions, preventive health care needs, and health-related social needs within their communities.

SEC. 2. Section 14132.36 is added to the Welfare and Institutions Code, to read:

14132.36. (a) Community health worker services are a covered Medi-Cal benefit.

(b) For purposes of this section, "community health worker" has the same meaning as defined in subdivision (b) of Section 18998.

(c) A Medi-Cal managed care plan shall engage in outreach and education efforts to enrollees in a form and manner as directed by the department. At a minimum, the department shall require a Medi-Cal managed care plan to provide the following information to an enrollee:

(1) A description of the community health worker services benefit, including eligibility and coverage criteria.

(2) A list of providers that are authorized to refer an enrollee to community health worker services, and an explanation of how to request a referral.

(3) A list of contracted community health worker entities, including community-based organizations, community clinics, local health jurisdictions, licensed providers, clinics, or hospitals available to provide community health worker services, updated at least annually.

(4) An email address, internet website, and telephone number for an enrollee to access to request additional information regarding community health worker services.

(d) The outreach and education efforts conducted by a Medi-Cal managed care plan pursuant to subdivision (c) shall meet cultural and linguistic appropriateness standards, as determined by the department.

(e) The Medi-Cal managed care plan shall notify providers about the community health worker services benefit, as set forth by the department.

(f) The department shall, through existing and regular stakeholder processes, inform stakeholders about, and accept input from stakeholders on, implementation of the community health worker services benefit.

(g) This section shall be implemented only to the extent that federal financial participation is available and not otherwise jeopardized, and any necessary federal approvals have been obtained.

(h) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific this section by means of policy letters, provider bulletins, or other similar instructions, without taking any further regulatory action.