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SB-281 Medi-Cal: Short-Term Community Transitions program. (2021-2022)

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Senate Bill No. 281

CHAPTER 898

An act to amend Section 14196.2 of, to amend the heading of Article 6.2 (commencing with Section 14196.2) of Chapter 7 of Part 3 of Division 9 of, and to repeal and add Section 14196.6 of, the Welfare and Institutions Code, relating to Medi-Cal.

[Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 281, Dodd. Medi-Cal: Short-Term Community Transitions program.

Existing law establishes 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 establishes the Money Follows the Person Rebalancing Demonstration, which is designed to achieve various objectives with respect to institutional and home- and community-based long-term care services provided under state Medicaid programs. Under the Money Follows the Person Rebalancing Demonstration, an eligible individual is required to meet prescribed qualifications, including that they have resided in an inpatient facility for at least 60 consecutive days.

Existing law requires the department to provide services consistent with the Money Follows the Person Rebalancing Demonstration for transitioning eligible individuals out of an inpatient facility who have resided in that setting for fewer than 60 days. Existing law requires the department to cease to enroll beneficiaries under these provisions commencing January 1, 2023, and to cease providing these services commencing January 1, 2024. Existing law repeals these provisions on January 1, 2025.

This bill would instead require the department to cease to enroll beneficiaries commencing January 1, 2026, and to cease providing those services commencing January 1, 2027. The bill would extend the repeal date of those provisions to January 1, 2028.

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

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

SECTION 1. The heading of Article 6.2 (commencing with Section 14196.2) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code is amended to read:

Article 6.2. Short-Term Community Transitions

SEC. 2. Section 14196.2 of the Welfare and Institutions Code is amended to read:

14196.2. (a) (1) The Legislature finds and declares that in order to reduce the risk of transmission of COVID-19 during the current pandemic and to further the objectives of the Money Follows the Person Rebalancing Demonstration, a temporary program is hereby established to facilitate the transition of individuals from an inpatient facility who have resided in that setting for fewer than 60 days.

(2) The department shall provide services consistent with the Money Follows the Person Rebalancing Demonstration program, pursuant to Section 6071 of Public Law 109-171, and subsequent amendments, for transitioning eligible individuals out of inpatient facilities.

(b) 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 article by means of letters, provider bulletins, or similar instructions, without taking regulatory action.

(c) Commencing January 1, 2026, the department shall cease to enroll beneficiaries pursuant to this article and commencing January 1, 2027, the department shall cease to provide services pursuant to this article.

SEC. 3. Section 14196.6 of the Welfare and Institutions Code is repealed.

SEC. 4. Section 14196.6 is added to the Welfare and Institutions Code, to read:

14196.6. This article shall remain in effect only until January 1, 2028, and as of that date is repealed.