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AB-618 Medi-Cal: behavioral health: data sharing. (2025-2026)

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AMENDED IN SENATE JUNE 23, 2025

AMENDED IN ASSEMBLY MAY 23, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 618

Introduced by Assembly Member Krell
(Coauthor: Assembly Member Gipson)

February 13, 2025

An act to add Section 14021.36 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 618, as amended, Krell. Medi-Cal: behavioral health: data sharing.

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 fee-for-service or managed care delivery systems. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions.

Under existing Medi-Cal provisions, behavioral health services, including specialty mental health services and substance use disorder treatment, are provided under the Medi-Cal Specialty Mental Health Services Program, the Drug Medi-Cal Treatment Program, and the Drug Medi-Cal organized delivery system (DMC-ODS) program, as specified.

This bill would require each Medi-Cal managed care plan, county specialty mental health plan, Drug Medi-Cal certified program, and DMC-ODS program to electronically provide data for members of the respective entities to support member care. The bill would require the ~~California Health and Human Services Agency~~ *department* to determine minimum data elements and the frequency and format of data sharing through a stakeholder process and guidance, with final guidance to be published by the ~~State Department of Health Care Services~~ *department* by January 1, 2027, in compliance with privacy laws.

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

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

SECTION 1. Section 14021.36 is added to the Welfare and Institutions Code, immediately following Section 14021.35, to read:

14021.36. (a) It is the intent of the Legislature that this section serve to improve the treatment and care coordination of individuals receiving services from a Medi-Cal managed care plan, a county specialty mental health plan, the Drug Medi-Cal Treatment Program, or the Drug Medi-Cal organized delivery system (DMC-ODS) program, in order to support the goals and objectives of the California Advancing and Innovating Medi-Cal (CalAIM) Act and the Behavioral Health Services Act.

(b) Effective 180 days after the issuance of the guidance described in subdivision (c), each Medi-Cal managed care plan, county specialty mental health plan, Drug Medi-Cal certified program, and DMC-ODS program shall electronically provide data for members of the respective entities to support member care. The ~~California Health and Human Services Agency~~ *department* shall determine minimum data elements and the frequency and format of data sharing through a stakeholder process and the guidance described in subdivision ~~(e)~~ *(c), in consultation with the California Health and Human Services Agency to ensure alignment with its Data Exchange Framework.*

(c) (1) By March 1, 2026, the ~~State Department of Health Care Services~~ *department* shall consult with representatives of Medi-Cal managed care plans, county specialty mental health plans, Drug Medi-Cal certified programs, ~~and DMC-ODS programs~~ *DMC-ODS programs, and the California Health and Human Services Agency* to develop implementing guidance to assist Medi-Cal managed care plans, county specialty mental health plans, Drug Medi-Cal certified programs, and DMC-ODS programs in meeting the requirements of this section. Final guidance shall be published by January 1, 2027, and shall include requirements for timely health information exchange, minimum data elements, and data format as required to implement this section in a manner that is compliant with all relevant privacy protections described in subdivision (d).

(2) The ~~State Department of Health Care Services~~ *department* shall implement, interpret, or make specific this section by means of all-county letters, plan letters, plan or provider bulletins, or similar instructions that direct Medi-Cal managed care plans, county specialty mental health plans, Drug Medi-Cal certified programs, and DMC-ODS programs to exchange information consistent with the requirements of this section, including the recommendations developed under the consultation of those entities as described in paragraph (1).

(d) (1) This section shall not be construed as diminishing or undermining the privacy protections under federal laws, including, but not limited to, the Health Insurance Portability and Accountability Act (HIPAA) privacy rule (Parts 160 and 164 of Title 45 of the Code of Federal Regulations) and the Confidentiality of Substance Use Disorder Patient Records regulations (Part 2 of Title 42 of the Code of Federal Regulations).

(2) Guidance developed pursuant to this section shall adhere to state privacy rules for sharing of health care information, including permissible uses for data exchange as outlined in subdivision (d) of Section 14197.71.