

1002.4 Public Meetings and Hearings

(a)

A public meeting or hearing may be held pursuant to Health and Safety Code section 1346(a)(5) at the discretion of the Director for the following types of proceedings: (1) Investigation or analysis of matters affecting the interests of plans, subscribers, enrollees, or the public. (2) Educational programs for the public, subscribers, enrollees, and licensees. (3) An amendment, material modification or other plan filing that proposes:(A) Any change that may have a significant impact, as determined by the Director, on the ability of enrollees to access health care services; or (B) Any change that may have a material effect, as determined by the Director, on the health care service plan (plan) or on its operations.

(1)

Investigation or analysis of matters affecting the interests of plans, subscribers, enrollees, or the public.

(2)

Educational programs for the public, subscribers, enrollees, and licensees.

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An amendment, material modification or other plan filing that proposes:(A) Any change that may have a significant impact, as determined by the Director, on the ability of enrollees to access health care services; or (B) Any change that may have a

material effect, as determined by the Director, on the health care service plan (plan) or on its operations.

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(B)

Any change that may have a material effect, as determined by the Director, on the health care service plan (plan) or on its operations.

(b)

Factors that may be considered by the Director in determining whether to hold a public meeting or hearing include: (1) Whether the proposal has a significant impact on plans, providers, subscribers, enrollees, or Californians generally, including the nature, scope, and significance of any such impact; (2) Whether a public meeting or hearing would help to assure identification of all relevant issues raised in the proposal, and/or ongoing monitoring of the plan, and inform their resolution; (3) Whether a public meeting or hearing would provide additional facts or opinions relevant to a decision whether to approve the filing, including any conditions or undertakings to impose on the approval; (4) Whether a public meeting or hearing would provide a greater depth or scope of understanding of the potential short-term and long-term results or ramifications of an approval, with or without conditions; (5) Whether the likely costs to the Department outweigh the potential benefit; and (6) Whether there is sufficient time to hold a meeting or hearing.

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such impact;

(2)

Whether a public meeting or hearing would help to assure identification of all relevant issues raised in the proposal, and/or ongoing monitoring of the plan, and inform their resolution;

(3)

Whether a public meeting or hearing would provide additional facts or opinions relevant to a decision whether to approve the filing, including any conditions or undertakings to impose on the approval;

(4)

Whether a public meeting or hearing would provide a greater depth or scope of understanding of the potential short-term and long-term results or ramifications of an approval, with or without conditions;

(5)

Whether the likely costs to the Department outweigh the potential benefit; and

(6)

Whether there is sufficient time to hold a meeting or hearing.

(c)

Requests for Public Meeting or Hearing. (1) Any person may request a public meeting or hearing by filing a written request with the Department. (2) A request for public meeting or hearing shall: (A) Be in writing addressed to the Director, in care of the Office of Legal Services, Department of Managed Health Care, 980 Ninth Street, Suite 500, Sacramento, CA 95814, or by e-mail addressed to publichearing@dmhc.ca.gov; and (B) Clearly state that it is a request for a public meeting or hearing and state the matter upon which the public meeting or hearing is requested, including the relevant facts and/or circumstances upon which the

request is made; and (C) Identify the persons or entities on whose behalf the request is made and specify the address to which the Director's determination pursuant to subsection (c)(3) may be mailed or e-mailed. (3) The Director will determine whether the request for a meeting or hearing warrants a public meeting or hearing. (4) The Director will notify the person requesting a meeting or hearing of the determination within ten business days of the date the request is submitted.

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Any person may request a public meeting or hearing by filing a written request with the Department.

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(B)

Clearly state that it is a request for a public meeting or hearing and state the matter upon

which the public meeting or hearing is requested, including the relevant facts and/or circumstances upon which the request is made; and

(C)

Identify the persons or entities on whose behalf the request is made and specify the address to which the Director's determination pursuant to subsection (c)(3) may be mailed or e-mailed.

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The Director will determine whether the request for a meeting or hearing warrants a public meeting or hearing.

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The Director will notify the person requesting a meeting or hearing of the determination within ten business days of the date the request is submitted.