

## **53520 Public Notice and Public Hearings**

### **(a)**

The Department shall publish a public notice at least 120 days prior to: (1)

Entering into an initial or renewed contract. (2) Amending an existing contract for the purpose of:(A) Reducing the scope or availability of services provided by the prepaid health plan. (B) Enlarging the service area of the prepaid health plan. (C) Increasing the maximum enrollment permitted under the contract. (D) Making any other change in the plan's organization, operation or delivery of services which, in the Department's estimation, will have a substantial impact on the ability of enrollees to obtain health care services.

#### **(1)**

Entering into an initial or renewed contract.

#### **(2)**

Amending an existing contract for the purpose of:(A) Reducing the scope or availability of services provided by the prepaid health plan. (B) Enlarging the service area of the prepaid health plan. (C) Increasing the maximum enrollment permitted under the contract. (D) Making any other change in the plan's organization, operation or delivery of services which, in the Department's estimation, will have a substantial impact on the ability of enrollees to obtain health care services.

#### **(A)**

Reducing the scope or availability of services provided by the prepaid health plan.

**(B)**

Enlarging the service area of the prepaid health plan.

**(C)**

Increasing the maximum enrollment permitted under the contract.

**(D)**

Making any other change in the plan's organization, operation or delivery of services which, in the Department's estimation, will have a substantial impact on the ability of enrollees to obtain health care services.

**(b)**

The public notice shall appear in at least two major newspapers of general distribution in the service area of the prepaid health plan.

**(c)**

Any person may request that a public hearing be held. The written request shall be: (1) Received by the Department no later than 30 calendar days after publication of the notice of intent to contract; and (2) Accompanied by an explanation of the reason for the request and a description of problems or questions regarding the plan's ability to meet its contractual obligations.

**(1)**

Received by the Department no later than 30 calendar days after publication of the notice of intent to contract; and

**(2)**

Accompanied by an explanation of the reason for the request and a description of problems or questions regarding the plan's ability to meet its contractual obligations.

**(d)**

The Director shall determine whether the request for hearing is reasonable and shall notify the person requesting a hearing of the determination. A request shall

be considered reasonable if, in the Department's estimation, the request raises previously unaddressed problems or poses previously unaddressed questions regarding the plan's ability to meet its contractual obligations.

**(e)**

A public hearing shall be held by the Department if it determines that the request for hearing is reasonable and warrants a full public hearing.

**(f)**

Public hearings held pursuant to Section 14300, Welfare and Institutions Code, shall be conducted within the service area of the plan.

**(g)**

Notification of the time, date and place of the public hearing shall be placed in at least one general circulation newspaper distributed within the service area of the plan at least 15 calendar days prior to the hearing. The Department shall mail a notification of the time, date and place of the hearing to the following: (1) The organization applying for a contract, contract renewal or merger. (2) Members of the plan on which the hearing is being held. (3) Any interested party who requests notification of such public hearings. (4) Those public interest groups, consumer advocate groups or professional associations within the service area which may be affected by the contract and for which the Department has the name and address of the organization or a responsible party therefrom. (5) The person requesting the hearing.

**(1)**

The organization applying for a contract, contract renewal or merger.

**(2)**

Members of the plan on which the hearing is being held.

**(3)**

Any interested party who requests notification of such public hearings.

**(4)**

Those public interest groups, consumer advocate groups or professional associations within the service area which may be affected by the contract and for which the Department has the name and address of the organization or a responsible party therefrom.

**(5)**

The person requesting the hearing.