

**OFFICE OF LEGISLATIVE COUNSEL  
DRAFT BILL**

**RN:** 1005455

This request was prepared for you in accordance with instructions provided to us by Robert Nelson.

**LCB Deputy Contact:** Ms. Cameron Rhudy at 341-8267.

The boxes checked below, if any, apply to this request:

- Cover letter:** This request is accompanied by a cover letter, to bring to your attention legal or practical issues that may be raised by this bill, if introduced.
- Appropriation bill:** This bill, if introduced, will constitute an appropriation bill that the California Constitution prohibits the Legislature from sending to the Governor before the Budget Bill is finally enacted, unless it is recommended by the Governor as an emergency bill (see subd. (c), Sec. 12, Art. IV, Cal. Const.).
- Unbacked bill:** The attached bill draft has **not** been backed for introduction. When a Member has decided to introduce this bill draft, the draft should be returned to the Office of Legislative Counsel as soon as possible so that it can be prepared for introduction by that Member.
- Spot bill:** This bill, if introduced, may not be qualified for referral to a committee, if it is deemed a bill that makes no substantive change in or addition to existing law, or that would not otherwise affect the ongoing operations of state or local government (see, for example, Assembly Rule 51.5).
- Reintroduced bill:** This bill, if introduced, may violate the rule that, except as specified, a Member may not author a bill during a session that would have substantially the same effect as a bill he or she previously introduced during that session (Joint Rule 54(c)).

An act to amend Section 14131.10 of the Welfare and Institutions Code, relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.



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

SECTION 1. Section 14131.10 of the Welfare and Institutions Code is amended to read:

14131.10. (a) Notwithstanding any other provision of this chapter, Chapter 8 (commencing with Section 14200), or Chapter 8.75 (commencing with Section 14590), in order to implement changes in the level of funding for health care services, specific optional benefits are excluded from coverage under the Medi-Cal program.

(b) (1) The following optional benefits are excluded from coverage under the Medi-Cal program:

- (A) Adult dental services, except as specified in paragraph (2).
- (B) Acupuncture services.
- (C) Audiology services and speech therapy services.
- (D) Chiropractic services.
- (E) Optometric and optician services, including services provided by a fabricating optical laboratory.
- (F) Podiatric services.
- (G) Psychology services.
- (H) Incontinence creams and washes.
- (I) Hearing aids.
- (J) Outpatient physical therapy.
- (K) Orthotics.
- (L) Independent rehabilitation facilities services.
- (M) Outpatient heroin detoxification.



(N) Medical supplies.

(O) Prosthetics.

(P) Durable medical equipment.

(Q) Outpatient occupational therapy.

(2) Medical and surgical services provided by a doctor of dental medicine or dental surgery, which, if provided by a physician, would be considered physician services, and which services may be provided by either a physician or a dentist in this state, are covered.

(3) Pregnancy-related services and services for the treatment of other conditions that might complicate the pregnancy are not excluded from coverage under this section.

(c) The optional benefit exclusions do not apply to either of the following:

(1) Beneficiaries under the Early and Periodic Screening Diagnosis and Treatment Program.

(2) Beneficiaries receiving long-term care in a nursing facility that is both:

(A) A skilled nursing facility or intermediate care facility as defined in subdivisions (c) and (d) of Section 1250 of the Health and Safety Code.

(B) Licensed pursuant to subdivision (k) of Section 1250 of the Health and Safety Code.

(d) This section shall only be implemented to the extent permitted by federal law.

(e) 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 the



provisions of this section by means of all-county letters, provider bulletins, or similar instructions, without taking further regulatory action.

(f) This section shall be implemented on the first day of the month following 90 days after the operative date of this section.

(g) The amendments made to this section by the act that adds this subdivision shall be implemented on the first day of the first calendar month following 90 days after the effective date of the act that adds this subdivision.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make changes necessary for implementation of the Budget Act of 2010, it is necessary that this act take effect immediately.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, \_\_\_\_\_.

General Subject: Medi-Cal: optional benefits.

Existing law provides for 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 partially governed and funded by federal Medicaid Program provisions.

Existing law provides that certain optional Medi-Cal benefits, including, among others, certain adult dental services, acupuncture services, and audiology and speech therapy services, are excluded from coverage under the Medi-Cal program.

This bill would also provide that additional optional Medi-Cal benefits shall be excluded from coverage under the Medi-Cal program, including, among others, hearing aids, outpatient physical therapy, orthotics, durable medical equipment, and independent rehabilitation facilities services.



This bill would provide that these provisions shall be implemented on the first day of the first calendar month following 90 days after this bill becomes effective.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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