

AMENDED IN ASSEMBLY MARCH 25, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1214

Introduced by Assembly Member Waldron

February 19, 2021

An act ~~relating to mental health~~, to add Section 14011.12 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1214, as amended, Waldron. ~~Mental health~~. *Medi-Cal eligibility.* 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, in part, governed and funded by federal Medicaid program provisions. Existing law provides for the suspension of Medi-Cal benefits to an inmate of a public institution, which ends on the date they are no longer an inmate of a public institution or one year from the date they become an inmate of a public institution, whichever is sooner. Existing law generally requires a county to redetermine a Medi-Cal beneficiary's eligibility to receive Medi-Cal benefits every 12 months and whenever the county receives information about changes in a beneficiary's circumstances that may affect their eligibility for Medi-Cal benefits.

This bill would make an individual incarcerated in the state prison or a county jail eligible for the Medi-Cal program for 30 days prior to the date they are released from the correctional facility if they have a chronic physical or behavioral health condition, a mental illness, or a substance use disorder. The bill would require the department to seek any waivers or state plan amendments necessary to implement its

provisions, and would require the department to send an annual report to the Legislature on the implementation of these provisions, as specified. Because counties are required to make Medi-Cal eligibility determinations, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Existing law establishes a system of mental health programs, largely administered through the counties, to provide mental health services in the state.~~

~~This bill would state the intent of the Legislature to enact legislation that would make changes to the provision of mental health services in the state.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14011.12 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 14011.12. (a) Notwithstanding Section 14011.10, an individual
- 4 identified in subdivision (b) shall be eligible for the Medi-Cal
- 5 program for 30 days prior to the date they are released from a
- 6 correctional facility.
- 7 (b) This section applies to individuals who are incarcerated in
- 8 a correctional facility and have any of the following conditions:
- 9 (1) A chronic physical or behavioral health condition.
- 10 (2) A mental illness.
- 11 (3) A substance use disorder, including an opioid or alcohol
- 12 use disorder.
- 13 (c) The department shall seek any federal waivers or state plan
- 14 amendments necessary to implement this section, and shall only
- 15 implement this section to the degree that those waivers or state
- 16 plan amendments are obtained.

1 (d) If the waiver or state plan amendments required in
2 subdivision (c) are approved, the department shall, while the
3 waiver or state plan amendment is in effect, annually send a report
4 to the Legislature on November 30 each year on all of the
5 following:

6 (1) The number of inmates served under the program.

7 (2) The cost of the program.

8 (3) The effectiveness of the program, including any of the
9 following:

10 (A) Any reduction in the number of emergency room visits or
11 hospitalizations by inmates after release from a correctional
12 facility.

13 (B) Any reduction in the number of inmates undergoing inpatient
14 treatment after release from a correctional facility.

15 (C) Any reduction in overdose rates and deaths of inmates after
16 release from a correctional facility.

17 (D) Any other costs or benefits as a result of the program.

18 (e) A report to be submitted pursuant to subdivision (d) shall
19 be submitted in compliance with Section 9795 of the Government
20 Code.

21 (f) For the purposes of this section, the following terms have
22 the following meanings:

23 (1) "Correctional facility" means the state prison or a county
24 jail.

25 (2) "Mental illness" means a psychiatric disorder that
26 substantially impairs an individual's mental, emotional, behavioral,
27 or related functioning, or the same meaning as defined in either
28 the Diagnostic and Statistical Manual of Mental Disorders
29 published by the American Psychiatric Association or the
30 International Statistical Classification of Diseases and Related
31 Health Problems.

32 SEC. 2. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

1 ~~SECTION 1.—It is the intent of the Legislature to enact~~
2 ~~legislation that would make changes to the provision of mental~~
3 ~~health services in the state.~~

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