

AMENDED IN SENATE JUNE 5, 2003

SENATE BILL

No. 897

Introduced by Senator Speier

February 21, 2003

~~An act to add Section 11400.5 to the Welfare and Institutions Code, relating to public social services. An act to add Section 1367.615 to the Health and Safety Code, and to add Section 10123.865 to the Insurance Code, relating to health care benefits.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 897, as amended, Speier. ~~Foster care: San Mateo County Maternity services.~~

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health care service plan or a health insurer that provides maternity coverage may not restrict inpatient hospital benefits and is required to provide notice of the maternity services coverage. Existing law makes a violation of the provisions relating to health care service plans a crime.

This bill would require a health care service plan and a health insurer to provide coverage for maternity services, as defined.

Because the bill would specify additional requirements for a health care service plan, the violation of which would be a crime, it 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 no reimbursement is required by this act for a specified reason.

Existing law establishes the Aid to Families with Dependent Children Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers, including foster family homes, on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with money from the General Fund being continuously appropriated to pay for the state’s share of AFDC-FC costs.

Existing law imposes various requirements that must be met as a condition of the licensing of community care facilities, including group homes, and provides for the licensure of those entities by the State Department of Social Services.

This bill would permit the County of San Mateo to operate a youth crisis/residential treatment facility.

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 11400.5 is added to the Welfare and
- 2 *SECTION 1. The Legislature finds and declares the*
- 3 *following:*
- 4 *(a) In actual practice, health care service plans have been*
- 5 *required by the Knox-Keene Health Care Service Plan Act of 1975*
- 6 *(Chapter 2.2 (commencing with Section 1340) of Division 2 of the*
- 7 *Health and Safety Code) to provide maternity services as a basic*
- 8 *health care benefit.*
- 9 *(b) At the same time, existing law does not require health*
- 10 *insurers to provide designated basic health care services and,*
- 11 *therefore, health insurers are not required to provide coverage for*
- 12 *maternity services.*
- 13 *(c) Therefore, it is essential to clarify that all health coverage*
- 14 *made available to California consumers, whether issued by health*
- 15 *care service plans regulated by the Department of Managed*
- 16 *Health Care or by health insurers regulated by the Department of*
- 17 *Insurance, must include maternity services.*



1 SEC. 2. Section 1367.615 is added to the Health and Safety
2 Code, to read:

3 1367.615. Every health care service plan contract issued,
4 amended, or renewed on or after January 1, 2005, that provides
5 hospital, medical, or surgical coverage, except a specialized
6 health care service plan contract, shall provide coverage for
7 maternity services. For the purposes of this section, “maternity
8 services” include prenatal care, ambulatory care maternity
9 services, involuntary complications of pregnancy, neonatal care,
10 and inpatient hospital maternity care, including labor and delivery
11 and postpartum care.

12 SEC. 3. Section 10123.865 is added to the Insurance Code, to
13 read:

14 10123.865. (a) Every individual or group policy of health
15 insurance that covers hospital, medical or surgical expenses that
16 is issued, amended, renewed, or delivered on or after January 1,
17 2005, shall cover maternity services. For the purposes of this
18 section, “maternity services” include prenatal care, ambulatory
19 care maternity services, involuntary complications of pregnancy,
20 neonatal care, and inpatient hospital maternity care, including
21 labor and delivery and postpartum care.

22 (b) This section shall not apply to Medicare supplement,
23 vision-only, or Champus-supplement insurance, or to hospital
24 indemnity, accident-only, or specified disease insurance that does
25 not pay benefits on a fixed benefit, cash payment only basis.

26 SEC. 4. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because
28 the only costs that may be incurred by a local agency or school
29 district will be incurred because this act creates a new crime or
30 infraction, eliminates a crime or infraction, or changes the penalty
31 for a crime or infraction, within the meaning of Section 17556 of
32 the Government Code, or changes the definition of a crime within
33 the meaning of Section 6 of Article XIII B of the California
34 Constitution.

35 ~~Institutions Code, to read:~~

36 ~~11400.5. The County of San Mateo may operate a youth~~
37 ~~crisis/residential treatment facility for up to 12 youths who are~~
38 ~~seriously emotionally disturbed to demonstrate that length of~~
39 ~~out-of-home placement can be shortened when interagency~~
40 ~~partners, including mental health, human services, and juvenile~~



- 1 ~~probation and the youth's parents or responsible caregivers are~~
- 2 ~~directly involved in the development of treatment and aftercare~~
- 3 ~~plans from the initiation of the residential placement.~~

