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.


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

SECTION 1. Section 11400.5 is added to the Welfare and...
SEC. 2. Section 1367.615 is added to the Health and Safety Code, to read:

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

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

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

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

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

Institutions Code, to read:

11400.5. The County of San Mateo may operate a youth crisis/residential treatment facility for up to 12 youths who are seriously emotionally disturbed to demonstrate that length of out of home placement can be shortened when interagency partners, including mental health, human services, and juvenile
probation and the youth's parents or responsible caregivers are
directly involved in the development of treatment and aftercare
plans from the initiation of the residential placement.