

PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 166

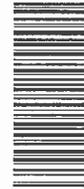
CALIFORNIA LEGISLATURE—2019—20 REGULAR SESSION

ASSEMBLY BILL

No. 166

Introduced by Assembly Member Gabriel

January 7, 2019



RN1910340

An act to add Section 14134.3 to the Welfare and Institutions Code, relating to Medi-Cal.

Amendment 1

LEGISLATIVE COUNSEL'S DIGEST

AB 166, as introduced, Gabriel. Medi-Cal: violence-prevention counseling preventive services.

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and 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 establishes a schedule of benefits under the Medi-Cal program, including various mental health services. Existing federal law authorizes, at the option of the state, preventive services, as defined, that are recommended by a physician or other licensed practitioner of the healing arts.

This bill would state the intent of the Legislature to enact legislation relating to Medi-Cal reimbursement for violence prevention counseling services.

This bill would, no later than July 1, 2020, make violence preventive services provided by a qualified violence prevention professional, as defined, a covered benefit under the Medi-Cal program, subject to utilization controls. The bill would make the benefit available to a Medi-Cal beneficiary who has received medical treatment for a violent injury and for whom a licensed health care provider has determined

PROPOSED AMENDMENTS

AB 166

— 2 —

**RN 19 10340 04
02/20/19 02:24 PM
SUBSTANTIVE**

that the beneficiary is at elevated risk of reinjury or retaliation and has referred the beneficiary to participate in a violence preventive services program.

The bill would require the department to approve at least one governmental or nongovernmental accrediting body with expertise in violence preventive services to review and approve training and certification programs. The bill would require an entity that employs or contracts with a qualified violence prevention professional to maintain specified documentation on, and to ensure compliance by, that professional.

The bill would require the department to seek any federal approvals necessary to implement these provisions. The bill would be implemented only to the extent that federal financial participation is available and not otherwise jeopardized, and any necessary federal approvals have been obtained.

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

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

- + *SECTION 1. Section 14134.3 is added to the Welfare and*
- + *Institutions Code, immediately following Section 14134.25, to*
- + *read:*
- + *14134.3. (a) It is the intent of the Legislature that the State*
- + *Department of Health Care Services develop and implement*
- + *services targeted at reducing injury recidivism among violently*
- + *injured Medi-Cal beneficiaries, and provide direct reimbursement*
- + *to qualified violence prevention professionals for violence*
- + *preventive services in accordance with this section.*
- + *(b) No later than July 1, 2020, violence preventive services*
- + *provided by a qualified violence prevention professional are a*
- + *covered benefit, subject to utilization controls, for a Medi-Cal*
- + *beneficiary who meets both of the following conditions:*
- + *(1) The beneficiary has received medical treatment for a violent*
- + *injury, including, but not limited to, a gunshot wound, stabbing*
- + *injury, or any other form of violent injury.*
- + *(2) A licensed health care provider has determined that the*
- + *beneficiary is at elevated risk of violent reinjury or retaliation and*
- + *has referred the beneficiary to participate in a violence preventive*
- + *services program.*

Amendment 2

- + (c) For the purposes of this section, the following definitions
- + apply:
- + (1) "Prevention professional" has the same meaning as defined
- + by the National Uniform Claim Committee (NUCC) under NUCC
- + Code Number 405300000X or its successor.
- + (2) "Qualified violence prevention professional" means a
- + prevention professional who meets all of the following conditions:
- + (A) Possesses at least six months of full-time equivalent
- + experience in providing violence preventive services through
- + employment, volunteer work, or as part of an internship experience.
- + (B) Has successfully completed an accredited training and
- + certification program for violence prevention professionals, in
- + accordance with subdivision (d), or has been certified as a violence
- + prevention professional by the National Network of Hospital-Based
- + Violence Intervention Programs prior to the effective date of this
- + section.
- + (C) Successfully completes at least four hours of continuing
- + education annually in the field of violence preventive services.
- + (D) Satisfies any other requirements necessary to maintain
- + certification as a violence prevention professional.
- + (3) "Violence preventive services" means evidence-based,
- + trauma-informed, supportive, and nonpsychotherapeutic services
- + provided by a prevention professional for the purpose of promoting
- + improved health outcomes and positive behavioral change,
- + preventing injury recidivism, and reducing the likelihood that
- + violently injured individuals will commit or promote violence
- + themselves. Those services may be provided within or outside of
- + a clinical setting and may include the provision of peer support
- + and counseling, mentorship, conflict mediation, crisis intervention,
- + targeted case management, referrals, patient education, or
- + screening services to victims of interpersonal violence.
- + (d) The department shall approve at least one governmental or
- + nongovernmental accrediting body with expertise in violence
- + preventive services to review and approve training and certification
- + programs for violence prevention professionals, if that accrediting
- + body elects to do so. The accrediting body shall approve programs
- + that prepare individuals to provide violence preventive services
- + to victims of interpersonal violence, and that include at least 35
- + hours of training, collectively addressing all of the following:

PROPOSED AMENDMENTS

**RN 19 10340 04
02/20/19 02:24 PM
SUBSTANTIVE**

AB 166

— 4 —

- + (1) *The profound effects of trauma and violence and the basics of trauma-informed care.*
- + (2) *Violence prevention strategies, including, but not limited to, conflict mediation and retaliation prevention related to interpersonal violence.*
- + (3) *Case management and advocacy practices.*
- + (4) *Patient privacy and the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).*
- + (e) *An entity that employs or contracts with a qualified violence prevention professional to provide violence preventive services shall do both of the following:*
 - + (1) *Maintain documentation that the qualified violence prevention professional has met all of the conditions described in paragraph (2) of subdivision (c).*
 - + (2) *Ensure that the qualified violence prevention professional is providing violence preventive services consistent with paragraph (3) of subdivision (c).*
- + (f) *The department shall seek any federal approvals necessary to implement this section, including, but not limited to, any state plan amendments or federal waivers by the federal Centers for Medicare and Medicaid Services.*
- + (g) *This section shall be implemented only to the extent that federal financial participation is available and not otherwise jeopardized, and any necessary federal approvals have been obtained.*
- + (h) *This section does not alter the scope of practice for any health care professional and does not authorize the delivery of health care services in a setting or in a manner that is not authorized under any provision of the Business and Professions Code or the Health and Safety Code.*

Page 1

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation relating to Medi-Cal reimbursement for violence~~
3 ~~prevention counseling services.~~

Amendment 3

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