

ASSEMBLY BILL

No. 85

Introduced by Assembly Member Weber

December 16, 2022

An act to add Section 1367.37 to, and to add Article 4 (commencing with Section 127380) to Chapter 2 of Part 2 of Division 107 of, the Health and Safety Code, to add Section 10123.52 to the Insurance Code, and to add Section 14132.14 to the Welfare and Institutions Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

AB 85, as introduced, Weber. Social determinants of health: screening and outreach.

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, and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires health care service plans and health insurers to include coverage for screening for various conditions and circumstances, including adverse childhood experiences. Existing law provides for the Medi-Cal program, 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.

This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2024, to include coverage for screenings for social determinants of health, as defined. The bill would require a health care service plan or

health insurer to provide primary care providers with adequate access to community health workers in counties where the health care service plan or health insurer has enrollees or insureds, as specified. The bill would authorize the respective departments to adopt guidance to implement its provisions. Because a violation of the bill's requirements by a health care service plan would be a crime, the bill would impose a state-mandated local program. The bill would make social determinants of health screenings a covered benefit for Medi-Cal beneficiaries and would require the State Department of Health Care Services to provide reimbursement for those screenings.

Existing law establishes the Department of Health Care Access and Information, under the control of the Director of the Department of Health Care Access and Information, to administer programs relating to areas including health policy and planning.

This bill would require the department to convene a working group, with specified membership, to create a standardized model and procedures for connecting patients with community resources, to assess the need for a centralized list of accredited community providers, and to determine gaps in research and data to inform policies on system changes to address social determinants of health. The bill would require the working group, by January 1, 2025, to submit a report to the Legislature with recommendations on the topics addressed by the working group.

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.

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

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

- 1 SECTION 1. Section 1367.37 is added to the Health and Safety
- 2 Code, to read:
- 3 1367.37. (a) A health care service plan contract, except for a
- 4 specialized health care service plan, issued, amended, or renewed
- 5 on or after January 1, 2024, shall include coverage and provide
- 6 reimbursement to health care providers for social determinants of
- 7 health screenings.

1 (b) For purposes of this section, “social determinants of health”
2 means the conditions under which people are born, grow, live,
3 work, and age, including housing, food, transportation, utilities,
4 and personal safety.

5 (c) A health care service plan shall provide primary care
6 providers with adequate access to community health workers in
7 counties where the health care service plan has enrollees. The
8 health care service plan shall inform primary care providers of
9 how to access these community health workers.

10 (d) The department may adopt guidance for health care service
11 plans to implement this section.

12 SEC. 2. Article 4 (commencing with Section 127380) is added
13 to Chapter 2 of Part 2 of Division 107 of the Health and Safety
14 Code, to read:

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16 Article 4. Social Determinants of Health

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18 127380. (a) The department shall convene a working group
19 to create a standardized model and procedures for connecting
20 patients with community resources, to assess the need for a
21 centralized list of accredited community providers, and to
22 determine gaps in research and data to inform policies on system
23 changes to address social determinants of health. For purposes of
24 this section, “social determinants of health” means the conditions
25 under which people are born, grow, live, work, and age, including
26 housing, food, transportation, utilities, and personal safety.

27 (b) The working group shall include representatives from the
28 California Health and Human Services Agency and Covered
29 California, representatives of primary care physician specialties,
30 including, but not limited to, family medicine, and representatives
31 of health care service plans and health insurers, community-based
32 organizations, and consumer groups. The working group may
33 consult with other individuals, groups, or organizations for
34 additional insight or expertise on issues under consideration by
35 the working group.

36 127381. (a) On or before January 1, 2025, the working group
37 shall submit a report to the Legislature with recommendations on
38 the topics addressed in subdivision (a) of Section 127380.

1 (b) (1) A report submitted pursuant to subdivision (a) shall be
2 submitted in compliance with Section 9795 of the Government
3 Code.

4 (2) Pursuant to Section 10231.5 of the Government Code, the
5 requirement to submit a report pursuant to paragraph (1) is
6 inoperative on January 1, 2029.

7 SEC. 3. Section 10123.52 is added to the Insurance Code, to
8 read:

9 10123.52. (a) A health insurance policy issued, amended, or
10 renewed on or after January 1, 2024, shall include coverage and
11 provide reimbursement to health care providers for social
12 determinants of health screenings.

13 (b) For purposes of this section, “social determinants of health”
14 means the conditions under which people are born, grow, live,
15 work, and age, including housing, food, transportation, utilities,
16 and personal safety.

17 (c) A health insurer shall provide primary care providers with
18 adequate access to community health workers in counties where
19 the health insurer has insureds. The health insurer shall inform
20 primary care providers of how to access these community health
21 workers.

22 (d) The department may adopt guidance for health insurers to
23 implement this section.

24 SEC. 4. Section 14132.14 is added to the Welfare and
25 Institutions Code, to read:

26 14132.14. (a) Social determinants of health screenings for
27 Medi-Cal beneficiaries is a covered benefit and the department
28 shall provide reimbursement to a Medi-Cal provider who renders
29 this service.

30 (b) For purposes of this section, “social determinants of health”
31 means the conditions under which people are born, grow, live,
32 work, and age, including housing, food, transportation, utilities,
33 and personal safety.

34 SEC. 5. No reimbursement is required by this act pursuant to
35 Section 6 of Article XIII B of the California Constitution because
36 the only costs that may be incurred by a local agency or school
37 district will be incurred because this act creates a new crime or
38 infraction, eliminates a crime or infraction, or changes the penalty
39 for a crime or infraction, within the meaning of Section 17556 of
40 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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