

ASSEMBLY BILL

No. 618

Introduced by Assembly Member Krell

February 13, 2025

An act to add Section 14021.36 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 618, as introduced, Krell. Medi-Cal: behavioral health: data sharing.

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, through fee-for-service or managed care delivery systems. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions.

Under existing Medi-Cal provisions, behavioral health services, including specialty mental health services and substance use disorder treatment, are provided under the Medi-Cal Specialty Mental Health Services Program, the Drug Medi-Cal Treatment Program, and the Drug Medi-Cal organized delivery system (DMC-ODS) program, as specified.

This bill would require each Medi-Cal managed care plan, county specialty mental health plan, Drug Medi-Cal certified program, and DMC-ODS program to electronically provide data for members of the respective entities to support member care. The bill would require the department to determine minimum data elements and the frequency and format of data sharing through a stakeholder process and guidance, with final guidance to be published by January 1, 2027, in compliance with privacy laws.

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

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

1 SECTION 1. Section 14021.36 is added to the Welfare and
2 Institutions Code, immediately following Section 14021.35, to
3 read:

4 14021.36. (a) It is the intent of the Legislature that this section
5 serve to improve the treatment and care coordination of individuals
6 receiving services from a Medi-Cal managed care plan, a county
7 specialty mental health plan, the Drug Medi-Cal Treatment
8 Program, or the Drug Medi-Cal organized delivery system
9 (DMC-ODS) program, in order to support the goals and objectives
10 of the California Advancing and Innovating Medi-Cal (CalAIM)
11 Act and the Behavioral Health Services Act.

12 (b) Effective 180 days after the issuance of the guidance
13 described in subdivision (c), each Medi-Cal managed care plan,
14 county specialty mental health plan, Drug Medi-Cal certified
15 program, and DMC-ODS program shall electronically provide
16 data for members of the respective entities to support member
17 care. The department shall determine minimum data elements and
18 the frequency and format of data sharing through a stakeholder
19 process and the guidance described in subdivision (c).

20 (c) (1) By March 1, 2026, the department shall consult with
21 representatives of Medi-Cal managed care plans, county specialty
22 mental health plans, Drug Medi-Cal certified programs, and
23 DMC-ODS programs to develop implementing guidance to assist
24 Medi-Cal managed care plans, county specialty mental health
25 plans, Drug Medi-Cal certified programs, and DMC-ODS programs
26 in meeting the requirements of this section. Final guidance shall
27 be published by January 1, 2027, and shall include requirements
28 for timely health information exchange, minimum data elements,
29 and data format as required to implement this section in a manner
30 that is compliant with all relevant privacy protections described
31 in subdivision (d).

32 (2) The department shall implement, interpret, or make specific
33 this section by means of all-county letters, plan letters, plan or
34 provider bulletins, or similar instructions that direct Medi-Cal
35 managed care plans, county specialty mental health plans, Drug

1 Medi-Cal certified programs, and DMC-ODS programs to
2 exchange information consistent with the requirements of this
3 section, including the recommendations developed under the
4 consultation of those entities as described in paragraph (1).

5 (d) (1) This section shall not be construed as diminishing or
6 undermining the privacy protections under federal laws, including,
7 but not limited to, the Health Insurance Portability and
8 Accountability Act (HIPAA) privacy rule (Parts 160 and 164 of
9 Title 45 of the Code of Federal Regulations) and the Confidentiality
10 of Substance Use Disorder Patient Records regulations (Part 2 of
11 Title 42 of the Code of Federal Regulations).

12 (2) Guidance developed pursuant to this section shall adhere to
13 state privacy rules for sharing of health care information, including
14 permissible uses for data exchange as outlined in subdivision (d)
15 of Section 14197.71.