NOTICE OF PROPOSED CHANGES TO THE TEXT OF EMERGENCY REGULATIONS REGARDING

MANAGED CARE INFORMATION SHARING
(CCR Title 22) (DHCS-14-030E)

Pursuant to Government Code Section 11346.8, notice is hereby given that the Department of Health Care Services (Department) is proposing changes to the text of the subject emergency regulations. A copy of the regulation text with the proposed changes clearly indicated is attached. The Department is making these proposed changes available for review during a 15-day public comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her duly authorized representative may submit written comments to the Department. *Only the proposed changes to the emergency regulation text, as described in this notice, are subject to comment.*

Please label any comments as pertaining to Managed Care Information Sharing, DHCS-14-030E and submit using any of the following methods:

Mail Delivery: Department of Health Care Services
Office of Regulations, MS 0015
P.O. Box 997413
Sacramento, CA 95899-7413

Hand Delivery: Department of Health Care Services
Office of Regulations
1501 Capitol Avenue, Suite 5084
Sacramento, CA 95814

FAX: (916) 440-5748

Email: regulations@dhcs.ca.gov

The Department will accept written comments from **December 7, 2015** through **December 22, 2015**]. Any written comments, regardless of the method of transmittal must be received by the Office of Regulations by 5:00 pm on **December 22, 2015**, for consideration and response by the Department in the Final Statement of Reasons.

Written comments should include the author's contact information so the Department can provide notification of any further changes to the regulation proposal.

METHOD OF INDICATING CHANGES

The proposed changes to emergency regulations, currently in effect for Managed Care Information Sharing (DHCS-14-030E), are shown by using double strikeout for deletions (~~double strikeout for deletions~~) and double underline for additions (double underline for additions.)

SUMMARY OF PROPOSED CHANGES

The Department proposes the following amendments to California Code of Regulations Title 22 §50188:

Subsection (a): As a result of public comment, including the phrase, "or their authorized representative,." This amendment is necessary to provide the opportunity for a beneficiary to have an authorized representative act on their behalf in providing updated information.

Subsections (a), (b), and (c): Upon further consideration, excluding the phrase "Department and." This amendment is necessary because the Department receives updates to beneficiary contact information automatically through updates to the Medi-Cal Eligibility Data System (MEDS.) Therefore, including a requirement to report these changes to the Department through this process is not necessary.

Subsection (b): Upon further consideration, including the phrase "described in subsection (c)." This amendment is necessary to clarify that the information described in subsections (b) and (c) have different purposes.

Subsection (b): As a result of public comment, including the phrase, ", along with the beneficiary's Client Identification Number, date of birth, former address, and, if reporting a name change, the beneficiary's former name." This amendment is necessary to specify the additional information, which can be used by the county department to identify the appropriate beneficiary case file to be updated.

Subsection (b): Upon further consideration, excluding the phrase, "to them." This amendment is necessary to simplify this provision and to avoid any potential confusion regarding who is being provided this information.

Subsection (d)(1): Upon further consideration, excluding the word, "beneficiary's." This amendment is necessary to reduce redundancy in this subsection.

Subsection (d)(2)(A): As a result of public comment and upon further consideration, changing the term, "may" to "shall." This amendment is necessary to require county departments to attempt to contact a beneficiary to verify this updated beneficiary contact information. This mandate was determined to be necessary to ensure all county departments follow the same procedure of contacting the beneficiary and verifying the information prior to updating the beneficiary's case file. Also under this subsection, including a new designation of (A) to more clearly organize this subsection to include a new paragraph (B), as described below.

Subsection (d)(2)(A): Upon further consideration, excluding the phrase, “a method has been.” This amendment is necessary to simplify this provision.

Subsection (d)(2)(B): As a result of public comment and upon further consideration, including a new paragraph (B) to read, “If the county department is unable to verify the updated beneficiary contact information pursuant to paragraph (2)(A), the county department shall not include the information reported by the Medi-Cal Managed Care plan in the beneficiary’s case file.” This provision is necessary to ensure that incorrect contact information is not added to a beneficiary’s case file.

Subsection (d)(3): Upon further consideration, changing subsection (d) paragraph (3) to subsection (e). This amendment is necessary to appropriately organize the information and clarify that the information of this subsection applies to the entire regulation section and not just subsection (d).

CONTACT PERSONS

Inquiries regarding the proposed changes to the emergency regulations described in this notice may be directed to Chase George of the Health Care Reform Unit, at (916) 552-9542.

All other inquiries concerning the regulatory action described in this notice may be directed to Jordan Espey, of the Office of Regulations, at (916) 445-1514, or to the designated backup contact person, Jasmin Delacruz, at (916) 440-7688.

ASSISTIVE SERVICES

The Department can also provide assistive services such as the conversion of written materials into Braille, large print, audiocassette, or computer disk. To request these assistive services, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email – regulations@dhcs.ca.gov, or write to the Office of Regulations at the address noted above.

AVAILABILITY OF MATERIAL REGARDING THE REGULATORY ACTION

Materials regarding the regulatory action described in this notice (including this public notice and the proposed changes to the emergency regulations) are posted to the Department’s Internet site at: http://www.dhcs.ca.gov/formsandpubs/laws/regs/Pages/14-030E.aspx