

**Department of Health Care Services
Proposed Trailer Bill Legislation**

COVID-19 Medi-Cal Response

FACT SHEET

Issue Title: COVID-19 Medi-Cal Response. This proposal would clarify authority for the Department of Health Care Services (DHCS) to respond to the Novel Coronavirus Disease (COVID-19) Public Health Emergency in the Medi-Cal program.

Background: The Novel Coronavirus Disease (COVID-19) outbreak was declared a national emergency on March 13, 2020, and was previously declared a nationwide public health emergency on January 31, 2020 (retroactive to January 27, 2020). As a result, DHCS has sought approval for select waivers and flexibilities made available under federal Medicaid law to maintain and expand access to Medi-Cal services during the emergency.

Justification for the Change: This proposal would authorize DHCS to implement certain federally-approved changes to the Medi-Cal program in response to the public health emergency.

Specifically, this proposal would:

- Require DHCS to implement any federal Medicaid waiver or flexibility approved by the federal Centers for Medicare and Medicaid Services related to the COVID-19 public health emergency, and notwithstanding any existing State law to the contrary.
- Allow DHCS to extend coverage for COVID-19 to uninsured individuals for the duration of the COVID-19 emergency period pursuant to the option afforded to states in the federal Families First Coronavirus Response Act.
- Require DHCS to maximize federal financial participation for applicable Medi-Cal expenditures available to respond to the COVID-19 public health emergency, including the temporary increase in the Federal Medical Assistance Percentage granted under the federal Families First Coronavirus Response Act, and to comply with any conditions placed on receipt of such federal funds.
- Allow DHCS, in consultation with stakeholders, to seek federal approval for a temporary extension, or multiple temporary extensions, of all or select components of the California Medi-Cal 2020 Demonstration that will otherwise expire on December 31, 2020.
- Require DHCS to seek any federal approvals deemed necessary to implement these statutory changes or to maintain sufficient access to covered Medi-Cal benefits during the COVID-19 emergency period.

Summary of Arguments in support:

- Allows DHCS to be responsive to the COVID-19 public health emergency and codifies any related, federally-approved waivers or flexibilities into State law.

BCP or Estimate Issue # and Title: Regular PC 245 - COVID-19 Uninsured Eligibility Group; Regular PC 246 - COVID-19 Additional Impacts; Regular PC 247 - COVID-19 Utilization Impact; Regular PC 248 - COVID-19 Emergency FMAP - Other Depts; Regular PC

249 - COVID-19 Behavioral Health; Regular PC 250 - COVID-19 Emergency FMAP – DHCS;
Regular PC 251 - COVID-19 Caseload Impact; Other Admin PC 102 - COVID-19 Emergency
FMAP - Other Admin