

**DEPARTMENT OF HEALTH CARE SERVICES
NOTICE OF GENERAL PUBLIC INTEREST
RELEASE DATE: AUGUST 11, 2021**

PROPOSED STATE PLAN AMENDMENT TO EXTEND THE SUPPLEMENTAL PAYMENTS FOR FAMILY PLANNING, ACCESS, CARE AND TREATMENT (FAMILY PACT) PROGRAM PROVIDERS USING PROPOSITION 56 TOBACCO TAX FUNDS

This notice is to provide information of public interest about a proposed State Plan Amendment (SPA) by the Department of Health Care Services (DHCS). The proposed SPA 21-0033 will seek to extend the supplemental payments under the Family PACT program for Evaluation and Management (E&M) office visits rendered for the purpose of comprehensive family planning services starting January 1, 2022. DHCS requests input from beneficiaries, providers, and other interested stake-holders concerning the proposed SPA 21-0033, which is attached.

On November 8, 2016, California voters approved the California Healthcare, Research and Prevention Tobacco Tax Act (commonly known as Proposition 56) to increase the excise tax rate on cigarettes and tobacco products. The Budget Act of 2020 continued the appropriation of a specified portion of the revenue to DHCS for use as the nonfederal share of health care expenditures in accordance with the annual state budget process.

The Budget Act of 2020 includes funds to be allocated for the continuance of supplemental payments, at a rate equal to 150 percent of the current Family PACT rates, to providers under Family PACT. The supplemental payments will be given to Family PACT providers for E&M office visits rendered for comprehensive family planning services. SPA 21-0033 continues the supplemental payments for the following E&M codes and amounts:

E&M Code	Family PACT Supplemental Payment Amount
99201*	\$81.18
99202	\$121.59
99203	\$202.77
99204	\$244.26
99211	\$42.56
99212	\$64.17
99213	\$85.08
99214	\$132.95

* Beginning January 1, 2021, changes to the Current Procedural Terminology (CPT) code structure for E&M services took effect. As a result, CPT code 99201 is no longer valid for dates of service on or after January 1, 2021.

DHCS estimates the budgetary impact of approximately \$98 million Total Fund (annual cost of approximately \$23 million General Fund) for Fiscal Year 2021-22 and ongoing.

The effective date of the proposed SPA is January 1, 2022. All proposed SPAs are subject to approval by the Federal Centers for Medicare and Medicaid Services (CMS).

PUBLIC REVIEW AND COMMENTS

Upon submission to CMS, a copy of the proposed SPA 21-0033 will be published at the following internet address:

[Pending State Plan Amendments 2021](#)

If you would like to view the SPA in person once it becomes available, please visit your local county welfare department. You may also request a copy of proposed SPA 21-0033 using the mailing or email addresses listed below.

Written comments may be sent to the following address:

Department of Health Care Services
Office of Family Planning
Attn: Christina Moreno
P.O. Box 997413, MS 8400
Sacramento, California 95899-7417

Comments may also be emailed to PublicInput@dhcs.ca.gov. Please indicate SPA 21-0033 in the subject line or message.

A copy of submitted public comments to SPA 21-0033 may be requested in writing to the mailing or email addresses identified above.