## State of California Office of Administrative Law

In re:

**Department of Health Care Services** 

**Regulatory Action:** 

Title 22, California Code of Regulations

Adopt sections:

Amend sections: 50273(c)

Repeal sections:

NOTICE OF APPROVAL OF CHANGES WITHOUT REGULATORY EFFECT

California Code of Regulations, Title 1, Section 100

OAL File No. 2013-0130-02 N

This change without regulatory effect is pursuant to the recent enactment of AB 396 (Chap. 394, Stats. 2011) which added sections 14053.8 and 14053.9 to the Welfare and Institutions Code. These new provisions require Medi-Cal eligibility to a juvenile inmate that is receiving inpatient hospital services at a medical institution off the grounds of the correctional facility.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, Title 1, section 100.

Date: 3/14/2013

Original Signed

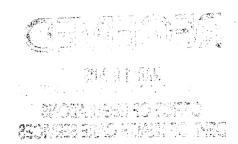
Elizabeth A. Heidig Senior Counsel

For:

DEBRA M. CORNEZ

Director

Original: Toby Douglas
Copy: Jasmin Delacruz



STD. 400 (REV. 01-2013)			revers		
OAL FILE NOTICE FILE NUMBE NUMBERS Z.	R REGULATORY AC	-0/30-0	EMERGENCY NUMBER	ENDORSED FILED IN THE OFFICE OF	
	For use by Office of Admi	inistrative Law (OAL)	only	2013 MAR   4 PM   1:50	
	2013 JAN 30 PM IZ: 51				
		OFFICE OF ADMINISTRATIVE LAW		Original Signed	
				SECRETARY OF STATE	
NOTICE REGULATIONS					
AGENCY WITH RULEMAKING AUTHORIT Department of Health Care				AGENCY FILE NUMBER (If any) DHCS-12-005	
A. PUBLICATION OF NOT	ICE (Complete for pu	blication in Notice	e Register)		
1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFEC	TED 2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE Notice re Proposed Regulatory Action Ot	4. AGENCY CO	DNTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	
OAL USE ACTION ON PROPOS ONLY Approved as Submitted	Approved as  Modified	Disapproved. Withdrawn	NOTICE REGISTER NUM	MBER PUBLICATION DATE	
B. SUBMISSION OF REGU			egulations)		
1a. SUBJECT OF REGULATION(S) Inpatient Hospital Services	for Juveniles In-Custody		1b. ALL PREVIOU	JS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIO	ONS TITLE(S) AND SECTION(S) (Including	g title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s)					
individually. Attach additional sheet if needed.)	50273(c)				
TITLE(S)	REPEAL	······	<del></del>		
3. TYPE OF FILING					
Regular Rulemaking (Gov. Code §11346)  Resubmittal of disapproved or	Certificate of Compliance: below certifies that this ac provisions of Gov. Code §		(Gov. Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)		
withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	before the emergency reg within the time period rec	gulation was adopted or	Print Only		
Emergency (Gov. Code, §11346.1(b))	Resubmittal of disapprove emergency filing (Gov. Co		Other (Specify)	<u> </u>	
4. ALL BEGINNING AND ENDING DATES OF A	VAILABILITY OF MODIFIED REGULATION	S AND/OR MATERIAL ADDED TO	THE RULEMAKING FILE (Cal. Code R	legs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, Effective January 1, April 1, July 1, c October 1 (Gov. Code §11343.4(a))		with §100 Change		·	
6. CHECK IF THESE REGULATIONS RE  Department of Finance (Form ST			OR CONCURRENCE BY, ANOTH Practices Commission	IER AGENCY OR ENTITY  State Fire Marshal	
Other (Specify) 7. CONTACT PERSON	· · · · · · · · · · · · · · · · · · ·	TELEPHONE NUMBER	FAX NUMBER (O	ptional) E-MAIL ADDRESS (Optional)	
Jasmin Delacruz		916-440-7688		jasmin.delacruz@dhcs.ca.gov	
of the regulation(s) id	hed copy of the regulation	at the information s	pecified on this form	For use by Office of Administrative Law (OAL) only  ENDORSED APPROVED	
				2/18/01/02/27/11/11/07/28	
is true and correct, an or a designee of the he	ead of the agency, and a				
or a designee of the he	<u>gned</u>	DATE	29/13	MAR 1 4 2013	

Des

## Regulation Text

- (1) Amend Section 50273(c) to read as follows:
- (c) The following individuals are not considered inmates of a public institution and shall be eligible for Medi-Cal provided that all other requirements for eligibility set out in this chapter are satisfied:

$$(1)(A) - (E) - No Changes$$

$$(2)-(7)$$
 – No Changes

$$(8)(A) - (C) - No Changes$$

$$(9) - (11) - No Changes$$

(12) An individual under 21 years of age, who is receiving <u>acute inpatient hospital</u> <u>services and/or</u> inpatient psychiatric hospital services while an inmate of a public institution.

NOTE: Authority cited: Section 20, Health and Safety Code; and Sections 10725 and 14124.5, Welfare and Institutions Code. Reference: Sections 11014, 11016, 14011.10, and 14053, 14053.8 and 14053.9, Welfare and Institutions Code; Sections 4011.1 and 4015, Penal Code; 42 U.S.C. Section 1396d(a)(29)(A); and 42 CFR Sections 435.1009 and 435.1010.