

UPDATED INFORMATIVE DIGEST

The Informative Digest/Policy Statement Overview for this regulatory action was published in the Notice of Rulemaking After Emergency Adoption (Notice) on July 18, 2014, in the California Regulatory Notice Register; 2014, No. 29-Z.

As authorized by Government Code Section 11346.9(d), the Department of Health Care Services (Department) incorporates by reference the Informative Digest/Policy Statement Overview, as published in the Notice for this regulatory action with the following changes and additions discussed below.

CHANGES

A change to the Statement of Purpose/Problem was made to address the approval of a new California State Plan Amendment 13-038 during the course of the rulemaking process. The change is shown below in strikethrough for deletion ([begin strikethrough] ~~strikethrough for deletion~~[end strikethrough]) and underline for addition ([begin underline] underline for addition[end underline]).

Statement of Purpose/Problem

This regulatory action amends Title 22, CCR, Section 51341.1 to address abusive and fraudulent practices identified during the targeted field reviews and PSPP reviews conducted by the Department. The regulations also implement some of the recommendations contained in the “Drug Medi-Cal Program Limited Scope Review” and remove ambiguities from the regulations that have inhibited Department enforcement efforts in the past. Additionally, the amendments implement, interpret and make specific the DMC services, which are defined in WIC Section 14124.24(a) and (b) and described in the California State Medicaid Plan, State Plan Amendments [begin underline]13-038[end underline] [begin strikethrough]12-005 [end strikethrough] and 11-037b.

ADDITIONS

The Department proposed additional changes to the emergency regulations to be consistent with California State Plan Amendment 13-038. As a result, an addition was made to the list of accomplishments of this regulatory proposal, which is shown below in underline for addition ([begin underline] underline for addition[end underline]).

This emergency regulatory action amends Section 51341.1 to accomplish the following:

- [begin underline] Permit a therapist, physician assistant or nurse practitioner, acting within the scope of their respective practice, to evaluate and diagnose whether a beneficiary has a substance use disorder, subject to approval by a physician. [end underline]