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THIRD READING

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Bill No: AB 1481  
Author: Boerner (D) and Bauer-Kahan (D), et al.  
Amended: 8/16/23 in Senate  
Vote: 21

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SENATE HEALTH COMMITTEE: 10-0, 7/12/23

AYES: Eggman, Glazer, Gonzalez, Hurtado, Limón, Menjivar, Roth, Rubio,  
Wahab, Wiener

NO VOTE RECORDED: Nguyen, Grove

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 66-1, 5/25/23 - See last page for vote

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**SUBJECT:** Medi-Cal: presumptive eligibility

**SOURCE:** Author

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**DIGEST:** This bill renames the “Presumptive Eligibility for Pregnant Women (PE4PW)” program the “Presumptive Eligibility for Pregnant People (PE4PP)” program. This bill requires the Department of Health Care Services to ensure that a pregnant person receiving coverage under PE4PP who applies for full-scope Medi-Cal benefits within the presumptive eligibility period to continue receiving presumptive eligibility services until their full-scope Medi-Cal application is approved or denied.

**ANALYSIS:** Existing federal law authorizes a state to include in its Medicaid state plan the provision of ambulatory prenatal care to a pregnant woman during a presumptive eligibility period. [42 USC §1396r-1]

Existing state law:

- 1) Establishes the Medi-Cal program, administered by the Department of Health Care Services (DHCS), under which qualified low-income individuals receive health care services. [WIC §14000, et seq.]

- 2) Requires DHCS to implement the federal option to grant presumptive eligibility for a Medi-Cal temporary benefits program, PE4PW, that covers prenatal services for pregnant women. [WIC §14148.7]
- 3) Requires a simplified form to determine eligibility for pregnant women under the PE4PW program to grant eligibility for temporary benefits when the woman visits a provider until such time a county can make the final eligibility determination for the Medi-Cal program. [WIC 14148.03]

This bill:

- 1) Renames the PE4PW program the PE4PP program and makes conforming changes replacing “woman” or “women,” with “person” or “people.”
- 2) Requires DHCS to ensure that a pregnant person receiving coverage under PE4PP who applies for full-scope Medi-Cal benefits at any time from the date of their presumptive eligibility determination through the last day of the subsequent calendar month to receive coverage under PE4PP until their full-scope Medi-Cal application is approved or denied.
- 3) Requires DHCS to require providers participating in the PE4PP program to provide information to pregnant persons enrolled in PE4PP on how to contact the person’s county to expedite the county’s determination of a Medi-Cal application.

## Comments

- 1) *Author’s statement.* According to the author, this bill requires DHCS to ensure a pregnant person is covered under the PE4PW program until that person has either enrolled in full-scope Medi-Cal or has received a written denial notice in response to their application for full-scope Medi-Cal if that person applied for full-scope Medi-Cal within 60 days of receiving a presumptive eligibility determination. This bill also renames the PE4PW program as the PE4PP program. The program provides coverage for all pregnant patients with low-incomes, regardless of gender. The current name can seem alienating to non-binary, transgender, and gender non-conforming pregnant people and does not accurately reflect the inclusiveness of the program.
- 2) *PE4PW.* According to DHCS, the PE4PW program allows qualified providers to grant immediate, temporary Medi-Cal coverage for ambulatory prenatal care (including abortion and miscarriage) and prescription drugs for conditions related to pregnancy to low-income, pregnant patients, pending their formal Medi-Cal application by submitting a simplified application through an online

portal. While most doctor, clinic, and emergency room visits are covered, PE4PW does not cover hospital labor and delivery care or other hospital in-patient care. Participants must file a full Medi-Cal application for coverage of these hospital services. The PE4PW program is designed for low-income California residents who believe they are pregnant and who do not have Medi-Cal coverage for prenatal care. Applicants must be California residents with a household income below 213% of the federal poverty level, and have not already used a presumptive eligibility period during the current pregnancy.

- 3) *California Future of Abortion Council (CA FAB Council)*. According to the CA FAB Council website, in September 2021 it convened to identify the most pressing barriers to care for patients seeking abortion services in California. More than 40 organizations representing sexual and reproductive health care providers, reproductive rights and reproductive justice advocacy organizations, legal and policy experts, researchers, and advocates, with the support of California policymakers, joined together to recommend policy proposals supporting equitable and affordable access to abortion care for Californians and all who seek care here. The CA FAB Council initially provided 45 policy recommendations, and published an addendum in December of 2022 updating on the progress of those recommendations and adding an additional 16 recommendations. This bill seeks to implement one of those updated recommendations, specifically to modernize the PE4PW program. The report stated that while the program does provide vital access to time sensitive services, some aspects of the program, including eligibility requirements, coverage limitations, and a web-based enrollment system that frequently experiences technical difficulties, must be updated to ensure that patients receive timely care, equitable access to services available for enrollees in full-scope Medi-Cal, and that providers are adequately reimbursed for services provided to PE4PW patients. This bill addresses one particular issue in that individuals who enroll in PE4PW sometimes experience a gap in coverage once the presumptive eligibility period ends and their Medi-Cal begins.
- 4) *Support if amended*. Maternal and Child Health Access write a support if amended letter expressing support for the intent of this bill in ensuring there are no gaps in coverage but stating that the bill should be expanded to include the Medi-Cal Access Program (MCAP). The Medi-Cal Access Program covers pregnant individuals with incomes between 213-322% of the poverty level. This would capture both those eligible for MCAP as well as those eligible for Medi-Cal but whose current income is verified at a higher income level due to outdated databases that are used to verify income electronically.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

**SUPPORT:** (Verified 8/22/23)

Attorney General Rob Bonta  
Office of Lieutenant Governor Eleni Kounalakis  
American College of Obstetricians and Gynecologists District IX  
American Federation of State, County, and Municipal Employees, AFL-CIO  
California Association of Public Hospitals & Health Systems  
California Health+ Advocates  
California Hospital Association  
California Nurse Midwives Association  
California State Council of Service Employees International Union  
NARAL Pro-Choice California  
Planned Parenthood Affiliates of California  
San Francisco City Attorney's Office

**OPPOSITION:** (Verified 8/22/23)

None received

**ARGUMENTS IN SUPPORT:** The California Hospital Association, California Nurse Midwives Association, NARAL Pro-Choice California and two unions express support for this bill. The California Hospital Association states that this bill would protect continuity of care by preventing gaps in coverage while a beneficiary who is enrolled through presumptive eligibility awaits their full eligibility determination and enrollment into the standard Medi-Cal program. The California Legislative Women's Caucus indicates many people are then left without coverage and either have to pay out of pocket for services, or forgo medical care entirely while they wait for their Medi-Cal determination. Supporters also indicate this bill would also update the program name to a gender-neutral term that is more inclusive to transgender and gender non-conforming Californians.

**ASSEMBLY FLOOR:** 66-1, 5/25/23

**AYES:** Addis, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Connolly, Davies, Dixon, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Garcia, Gipson, Grayson, Haney, Hart, Holden, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Pellerin, Petrie-Norris, Quirk-Silva,

Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Santiago,  
Schiavo, Soria, Ting, Valencia, Villapudua, Wallis, Ward, Weber, Wicks,  
Wilson, Wood, Zbur, Rendon

NOES: Gallagher

NO VOTE RECORDED: Aguiar-Curry, Chen, Megan Dahle, Essayli, Hoover,  
Lackey, Mathis, Papan, Jim Patterson, Joe Patterson, Sanchez, Ta, Waldron

Prepared by: Jen Flory / HEALTH / (916) 651-4111  
8/31/23 10:19:36

\*\*\*\* **END** \*\*\*\*