



JENNIFER KENT  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

August 16, 2019

The Honorable Lorena Gonzalez, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, CA 95814

Dear Assemblymember Gonzalez:

**SENATE BILL 289 (AS AMENDED JULY 1, 2019) – OPPOSE**

The Department of Health Care Services (DHCS) must inform you of its opposition to Senate Bill (SB) 289, which would authorize a dependent child or spouse of an active duty military service member who is eligible for, enrolled in, or on the waiting list for the Home and Community-Based Alternatives (HCBA) Waiver, the Assisted Living Waiver (ALW), or the Home and Community Based Services for the Developmentally Disabled (HCBS-DD) 1915(c) waiver programs, to retain eligibility, reenroll, or restore their existing waiting list status if the dependent child or spouse meets specified conditions.

Additionally, this bill would allow a dependent child or spouse of an active duty service member, who resides outside of California, applying for the HCBA Waiver, the ALW, and/or, the HCBS-DD 1915(c) waiver programs to submit an application for these programs as soon as the military service member receives official military orders to transfer to California.

While DHCS commends the author's intent to expedite delays incurred by dependent children and spouses of active duty military service members in relation to Medi-Cal services and waiver programs, the creation of priority enrollment or re-enrollment would set a precedent not compatible with DHCS' current policies. This bill would prioritize enrollment based upon affiliation with a group, which could have future unintended consequences.

In addition, DHCS is concerned that allowing these individuals to retain eligibility, reenroll, or restore their existing waiting list status would conflict with the effectiveness of broad based access for all beneficiaries based on clinical needs. DHCS would be required to create new standards for processing waiting list applications that are inconsistent with state and federal requirements, and seek waiver amendments to the specified Medi-Cal 1915(c) waiver programs to create "reserved waiver capacity" that is not based on care needs.

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For these reasons, DHCS must oppose SB 289.

If you have any questions regarding our position, please feel free to contact me at (916) 440-7500.

Sincerely,

O/S Carol Gallegos

Carol Gallegos, Deputy Director  
Legislative & Governmental Affairs  
Department of Health Care Services

cc: The Honorable Senator Bob Archuleta  
State Capitol, Room 4066  
Sacramento, CA 95814

Vice Chair and Members, Assembly Appropriations Committee  
Assembly Republican Caucus  
Assembly Floor Analysis  
Department of Finance  
CHSA Legislative Unit  
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