

Explanation of Changes Without Regulatory Effect

The Department of Health Care Services (also referred to as “Department” or “DHCS” throughout this document) proposes changes without regulatory effect to amend California Code of Regulations, title 22, section 51490.1(b). Specifically, the proposed amendments discussed in detail below, are in accordance with California Code of Regulations, title 1, sections 100(a)(4) and (6).

Background

The Department’s mission is to provide Californians with access to affordable, integrated, high-quality health care, including medical, dental, mental health, substance use treatment services, and long-term care. In support of this mission, the Department administers many health care programs, including the Drug Medi-Cal program that provides substance use disorder services.

Summary

The Department proposes to amend California Code of Regulations, title 22, section 51490.1 – Claim Submission Requirements for Counties and Providers of Drug Medi-Cal Substance Use Disorder Services. Specifically, the Department proposes to amend the number and revision date of the form, incorporated by reference under subsection (b), from “MC 7700 (10/12)” to “DHCS MC 6700 (Revised 6/2014).” This proposed change is in accordance with California Code of Regulations, title 1, section 100(a)(4), which allows for the revision of structure, syntax, cross-reference, grammar, or punctuation.

In addition to the form number and revision date changes, the Department proposes to amend the form by referencing “DHCS” (instead of “ADP”) at the bottom of the form, as the entity authorized to conduct an audit or site visit of the service facility. The former Department of Alcohol and Drug Programs (ADP) previously administered the Drug Medi-Cal program. However, Health and Safety Code Section 11750 transferred the duties and responsibilities of the former ADP to the Department effective July 1, 2013. This proposed change is in accordance with California Code of Regulations, title 1, section 100(a)(6) to make a regulatory provision consistent with a changed California statute since the regulatory provision is inconsistent with and superseded by the changed statute, and the adopting agency has no discretion to adopt a change which differs in substance from the one chosen.

These proposed amendments are changes without regulatory effect because the changes would not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations provision.