



OFFICE OF THE GOVERNOR

OCT 12 2019

To the Members of the California State Senate:

I am returning Senate Bill 382 without my signature.

This bill would require Medi-Cal managed care health plans (MCPs) to ensure that members who remain in a general acute care hospital continue to receive medically necessary post-acute care services at the general acute care hospital, during a Governor-declared state of emergency, if specified requirements are met.

While the intent of this bill to ensure the MCP members who are impacted by an emergency continue to receive medically necessary care is admirable, it is also unnecessary. MCPs are responsible for ensuring the delivery of medically necessary services, even if they are unable to locate a post-acute care facility to which the member could be transferred. As such, members of an MCP would continue to receive needed care in a general acute care hospital during a state of emergency should access to post-acute care services be unavailable elsewhere.

However, to the extent that there are scenarios where a MCP has not appropriately reimbursed a general acute care hospital, I encourage the Legislature to work with my administration to address any such issues.

Sincerely,

Gavin Newsom