



OFFICE OF THE GOVERNOR

SEP 29 2022

To the Members of the California State Assembly:

I am returning Assembly Bill 1859 without my signature.

This bill would require health plans and health insurers to approve medically necessary treatment of a mental health or substance use disorder for individuals involuntarily detained under the Lanterman-Petris-Short (LPS) Act (a "5150 hold"). It would also require health plans and insurers to offer such individuals a timely follow-up appointment after release from a 5150 hold, whether in or out of the health plan or insurer's provider network, at the in-network cost-sharing amount.

While I support the author's efforts to connect individuals experiencing mental health or substance use disorder crises with prompt follow-up care, each of the requirements listed above is already in existing, recently enacted law. This bill also proposes to add provisions concerning provider and facility responsibilities in the Knox-Keene Act, which govern health plans, not providers. As a result, these provisions would be unenforceable and lead to undue confusion.

To improve care coordination for patients following an involuntary hold, I am signing AB 2242, which requires the Department of Health Care Services (DHCS) to convene a stakeholder workgroup to develop a model care coordination plan, which facilities would be required to adopt by August 2024.



For these reasons, I cannot sign this bill.

Sincerely

Gavin Newson

A handwritten signature in black ink, appearing to be 'Gavin Newson', written over the printed name. The signature is stylized and somewhat illegible due to overlapping strokes.