TO: RESOLUTION FILE
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Off Agenda Items from September 17, 2002
Resolution No. 02-352, 02-353, 02-354, -02-355, and 02-356

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on September 17, 2002

ACTION AND VOTE:

Off agenda items: Supervisor Pickard advised of request for off-agenda action to approve letters supporting AB 1282/health care services, and AB2630/airport project funding. Supervisor Stewart advised of request for off-agenda action to approve letters relative to S.2640/YARTS, advising that he had scheduled this matter for September 24th; however, he just found out that a hearing was scheduled for Congress this week on this matter. Supervisor Balmain advised of a request for off-agenda action to approve a letter opposing SB1828/Native American tribe’s veto power over the use of non-tribal lands. (M)Pickard, (S)Balmain, the Board waived rules requiring 72 hours agenda noticing to consider these requests, finding action is a matter of timeliness as the legislation is pending consideration of the Governor and Congress. Discussion was held relative to the request to waive the rules. Supervisor Reilly expressed concern with taking action to waive the rules to consider these matters as the legislation has been in process since January, and she feels it should be noticed to the public. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

- Supervisor Pickard initiated discussion relative to AB1282 (Cardoza), which would require the Department of Managed Health Care to adopt regulations that establish an extended geographic accessibility standard for access of health care providers served by a health care service plan in counties with a population of less than 500,000, and would require a health service plan to hold a public meeting if it intends to withdraw coverage from that county. Trudy Williams, speaking as a citizen, urged the Board to support this legislation as the health insurance situation affects the citizens, and has personally affected her family’s coverage. (M)Pickard, (S)Balmain, Res. 02-352 was adopted supporting AB1282, with direction for a letter to be sent to the Governor/Ayes: Unanimous.

- Supervisor Pickard initiated discussion relative to AB2630 (Cogdill), which may be able to assist the County in further developing our rural airport security projects through the Federal Aviation Administration.
Grant Funds. (M)Pickard, (S)Balmain, Res. 02-353 was adopted supporting AB2630, with direction for a letter to be sent to the Governor/Ayes: Unanimous.

- Supervisor Stewart initiated discussion relative to S.2640 (Feinstein), which would allow Yosemite National Park the same funding considerations for transportation systems as those allowed Zion National Park. Supervisor Reilly noted that this legislation is also for the school funding which the Board previously took action on. (M)Reilly, (S)Pickard, Res. 02-354 was adopted supporting S.2640, with direction for letters to be sent to Senator Murkowski and Senator Bingaman/Ayes: Reilly, Balmain, Stewart, Pickard; Abstained: Parker.

- Supervisor Balmain initiated discussion relative to SB1828 (Burton), which would provide Native American tribes veto power over the use of non-tribal lands. (M)Parker, (S)Balmain, Res. 02-355 was adopted opposing SB1828, with direction for a letter to be sent to the Governor requesting his veto of this bill/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

- Supervisor Balmain advised of request for another off-agenda item to approve a letter supporting AB1776, which would give local governments in specified small counties the ability to fill vacancies on their Board of Supervisors by appointment or special election 180 days after the date the vacancy occurred if the Governor has not made an appointment. (M)Balmain, (S)Pickard, Board waived rules requiring 72 hours agenda noticing to consider this matter finding action is a matter of timeliness as this legislation is pending the Governor’s consideration/Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly. Discussion was held relative to the request to waive the rules. Supervisor Reilly expressed concern with waiving the rules to consider this matter. Motion by Balmain to support AB1776, was held for the following input. Trudy Williams, speaking as a constituent, stated she feels that as a voter and as a taxpayer of the County, the best way is to hold an election. However, she questioned how expensive that would be. She further stated that speaking as a private citizen, she does not support the legislation. (M)Balmain, (S)Pickard, Res. 02-356 was adopted supporting AB1776, with direction for a letter to be sent to the Governor. Supervisor Reilly expressed concern that the legislation goes beyond providing for an opportunity for a special election. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

cc: File
September 20, 2002

The Honorable Gray Davis  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

Re: Request for Signature on AB 1282 (Cardoza)

Dear Governor Davis:

The Mariposa County Board of Supervisors is writing to you in support of AB 1282. With the declining access to affordable health care in Mariposa and other rural counties, we see AB 1282 as an opportunity to access medical care that might not otherwise be available. Mariposa County, like other rural counties, is geographically isolated and often times means we as residents have to travel further for services than do our urban counterparts.

AB 1282 would require the Department of Managed Health Care to adopt regulations that establish an extended geographic accessibility standard for access to health care providers served by a health care service plan in counties with a population of less than 500,000. The bill would also require a health care service plan to hold a public meeting in a county of 500,000 or less if the plan intends to withdraw coverage from that county.

For these reasons, the Mariposa County Board of Supervisors urges your approval of this important legislation. Thank you for your thoughtful consideration in this matter.

Sincerely,

Robert C. Stewart  
Chairman

cc: Mariposa County Board of Supervisors  
Assembly Member Dennis Cardoza  
Senator Chuck Poochigian  
Assembly Member Dave Cogdill  
Brent Harrington, RCRC
BILL NUMBER: AB 1282  ENROLLED

BILL TEXT

PASSED THE ASSEMBLY  AUGUST 4, 2002
PASSED THE SENATE  AUGUST 12, 2002
AMENDED IN SENATE  AUGUST 5, 2002
AMENDED IN SENATE  APRIL 1, 2002
AMENDED IN SENATE  FEBRUARY 20, 2002
AMENDED IN ASSEMBLY  JANUARY 24, 2002
AMENDED IN ASSEMBLY  JANUARY 22, 2002
AMENDED IN ASSEMBLY  JANUARY 9, 2002

INTRODUCED BY  Assembly Member Cardoza
            (Principal coauthor: Assembly Member Matthews)
            (Coauthor: Senator Soto)

FEBRUARY 23, 2001

An act to add Section 1366.1 to the Health and Safety Code, relating to health care service plans.

LEGISLATIVE COUNSEL’S DIGEST

AB 1282, Cardoza. Health care service plans.
Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act's provisions a crime.

This bill would require the department to adopt regulations that establish an extended geographic accessibility standard for access to health care providers served by a health care service plan in counties with a population of 500,000 or less that have 2 or fewer health care service plans providing coverage to the entire county in the commercial market. The bill would also require a health care service plan to hold a public meeting in a county with a population of 500,000 or less if the plan intends to withdraw coverage from that county or a portion thereof.

Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1366.1 is added to the Health and Safety Code, to read:
1366.1. (a) The department shall adopt regulations on or before July 1, 2003, that establish an extended geographic accessibility standard for access to health care providers served by a health care service plan in counties with a population of 500,000 or less, and that, as of January 1, 2002, have two or fewer health care service plans providing coverage to the entire county in the commercial market.
(b) This section shall not apply to specialized health care service plans or health care service plan contracts that provide benefits to enrollees through any of the following:
(1) Preferred provider contracting arrangements.
(2) The Medi-Cal program.
(3) The Healthy Families program.
(c) (1) At least 30 days before a health care service plan files for modification of its license with the department in order to withdraw from a county with a population of 500,000 or less, or a portion of that county, the health care service plan shall hold a public meeting in the county or portion of the county from which it intends to withdraw, and shall do all of the following:
(A) Provide notice announcing the public meeting at least 30 days prior to the public meeting to all affected enrollees, health care providers, advocates, public officials, and other interested parties.
(B) Provide notice announcing the public meeting at least 30 days prior to the public meeting in a newspaper of general circulation within the affected county or portion of the affected county.
(C) At the public meeting, allow testimony, which may be limited to a certain length of time by the health care service plan, of all interested parties.
(D) Send a summary of the comments received at the public meeting to the department.
(E) Send a summary of the comments received at the public meeting to the Centers for Medicare and Medicaid Services if the modification would affect Medicare beneficiaries.
(F) File with the department for review, no less than 30 days prior to the date of mailing or publication, the notices required under subparagraphs (A) and (B).
(2) A representative of the department shall attend the public meeting.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.