

Legislation Committee

September 9, 2021



California
Telehealth
Policy
Coalition

Agenda

| | |
|--|---------|
| Welcome and Introductions | 5 min. |
| Legislation Updates | 10 min. |
| DHCS Stakeholder Advisory Group Update | 10 min. |
| Policy Priorities Discussion | 15 min. |
| Report-Out from Guidance Subcommittee | 5 min. |
| Next Steps and Wrap-up | 5 min. |

Welcome to New Members



Coalition's key guiding principles (as outlined in our charter):

Promote access and coverage. Policies, legislation and activities should promote access to care through telehealth and coverage of telehealth services.

Enhance care coordination. Policies, legislation and activities should reinforce the patient-centered medical home model and reduce care fragmentation both within and among systems.


Promote provider and patient engagement. Policies, legislation and activities should promote the participation of providers in efforts that improve performance and patient health outcomes, and the involvement of patients in their health care.

Reinforce clinical quality. Policies, legislation and activities should reinforce desirable, measurable outcomes, specifically those used by regulators and produced by standard-setting organizations.

Ensure data privacy and security. Policies, legislation and activities should ensure data privacy and security, particularly as those standards are prescribed by law and industry standards.




California Legislative Developments (1/3)

Telehealth-Related Bills

| Bill No. | Coalition Support? | Recent Developments | Brief Description |
|---------------------------------------|---|--|--|
| SB 365 (Caballero) |  | Passed Asm. (9/1) Sent to Governor's Desk. | Requires Medi-Cal e-consult reimbursement |
| AB 457 (Santiago) | | Read third time and amended in Senate (9/3) | Creates Protection of Patient Choice in Telehealth Provider Act <i>Amended to remove from KKA/Ins. Code date provisions for contracts to impose payment parity; extends telehealth payment parity to affect all current contracts with providers</i> |
| AB 523 (Nazarian) | | Passed Senate (9/3) In Assembly. Concurrence in Senate amendments pending. May be considered on or after September 5 pursuant to Assembly Rule 77. | Requires DHCS to make all COVID PACE program changes permanent, including telehealth flexibilities |
| SB 801 (Roth) | | Ordered to third reading in Assembly (9/1) | For purposes of telehealth, defines health care provider to additionally include an associate clinical social worker and an associate professional clinical counselor <i>Amended to specify an associate or trainee may provide services via telehealth that are within scope of practice</i> |

California Legislative Developments (2/3)

Broadband Bills

| Bill No. | Coalition Support? | Recent Developments | Brief Description |
|--|---|---|---|
| AB 14 (Aguiar-Curry et al.) |  | Ordered to third reading in Senate (9/3) | Revises law regarding California Advanced Services Fund (CASF) <i>Amendments remove provisions related to definition of un/underserved areas (see standards in SB 156); make certain provisions effective only if SB 4 is passed; make bill an urgency statute.</i> |
| SB 4 (Gonzalez) |  | Ordered to third reading in Assembly (9/2) | Revises law regarding California Advanced Services Fund (CASF) <i>Amendments remove VOIP surcharge provisions and deaf and disabled telecoms provisions (see AB 14); makes bill effective only if AB 14 is passed.</i> |
| SB 28 (Caballero) |  | Ordered to third reading in Assembly (8/31) | Rural Broadband and Digital Infrastructure Video Competition Reform Act of 2021 <i>Amendments remove provisions requiring state agencies to identify resources for broadband networks; remove DIVCA provisions except for those related to collection of more granular franchisee data</i> |
| AB 537 (Quirk) | | Passed Senate (9/1) Assembly Rule 77 suspended. (Ayes 43. Noes 12.) Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 72. Noes 0.) (9/2) | Requires that the time period for city/county approval of collocation or siting applications for wireless telecommunications facilities be deemed approved if the city/county fails to approve within the standard set by the FCC <i>Amendments remove provisions related to judicial review.</i> |
| SB 378 (Gonzalez) | | Passed Asm. APPR (8/19) In Senate. Concurrence in Assembly amendments pending. (8/31) Assembly amendments concurred in. (Ayes 39. Noes 0.) Ordered to engrossing and enrolling. (9/2) | Broadband: methods of fiber installation <i>Amendments make slight changes to the definition of "reasonable fee"</i> |
| SB 556 (Dodd) | | Passed Asm. (9/1) Assembly amendments concurred in. (Ayes 27. Noes 6.) Ordered to engrossing and enrolling.(9/2) | Seeks to ensure local governments provide access and quickly permit approval of small wireless facility siting applications <i>Amendments clarify definition of "traffic signal pole," clarify reasons for denials; reasons for levying fees</i> |

California Legislative Developments (3/3)

Two-Year Bills

| Bill No. | Coalition Support? | Recent Developments | Brief Description |
|--|-------------------------------------|--|--|
| AB 32 (Aguiar Curry et al.) | <input checked="" type="checkbox"/> | Two-year bill | Makes permanent Covid-19 telehealth flexibilities |
| AB 34 (Muratsuchi) | | Held in Asm. Approps. Committee (5/20) | Authorizes the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law to support the 2022 Broadband for All Program |
| AB 1264 (Aguiar-Curry) | <input checked="" type="checkbox"/> | Two-year bill | Creates CHHS Agency Project ECHO grant program for children's hospitals |
| AB 410 (Fong) | | Two-year bill | Nurse Licensure Compact |
| AB 552 (Quirk-Silva) | | Two-year bill | Integrated School-Based Behavioral Health Partnership Program |
| AB 935 (Maienschein) | | Two-year bill | Requires health plans and insurers to provide access to a telephone mental health consultation program for children and pregnant/post-partum women |
| AB 1117 (Wicks) | | Two-year bill | Establishes Healthy Start: Toxic Stress and Trauma Resiliency for Children Program |
| AB 1131 (Wood) | | Two-year bill | Requires participation in statewide health information exchange network |
| AB 1252 (Chau) | | Two-year bill | Defines privacy protections for personal health record information |
| SB 371 (Caballero) | <input checked="" type="checkbox"/> | Two-year bill | Creates a Deputy Secretary for Health Information Technology to coordinate health information technology efforts regarding hie, broadband, and telehealth |
| SB 508 (Stern) | | Two-year bill | Authorizes a local education agency (LEA) to provide mental health services and includes telehealth as an approved modality |

DHCS publishes names of Advisory Group members

| | Applicant Name | Applicant Organization/Entity |
|------------------------------|--|--|
| Per Assembly Bill 133 | | |
| 1 | Amy Moy | Essential Health Access |
| 2 | Beth Malinowski | California Primary Care Association |
| 3 | David Ford | California Medical Association |
| 4 | Linnea Koopmans | Local Health Plans of California |
| 5 | Lisa Matsubara | Planned Parenthood Affiliates of California |
| 6 | Sarah Hesketh | California Association of Public Hospitals and Health Systems |
| 7 | Yvette Willock, LCSW | Los Angeles County Department of Mental Health |
| Others | | |
| 8 | Anna Leach-Proffer | Disability Rights of California |
| 9 | Anne Frunk | Shasta Community Health Center |
| 10 | Anthony Magit, MD | Rady Children's Hospital & Children's Specialty Care Coalition |
| 11 | Carol Yarbrough, MBA, CCA, CPC, OCS, CHC | University of California San Francisco Medical Center |
| 12 | Caroline Sanders | California Pan-Ethnic Health Network |
| 13 | Claire Ramsey | Justice in Aging |
| 14 | Claudia Page | California Children's Trust |
| 15 | Fabiola Carrion | National Health Law Program |
| 16 | Farid Hassanpour | CenCal Health |
| 17 | Flora Haus | American Association of Retired Persons California |
| 18 | James Marcin, MD, MPH | University of California, Davis Health |
| 19 | Jennifer Raymond, MD, MCR | Children's Hospital Los Angeles |
| 20 | Katie Heidorn | Insure the Uninsured Project |
| 21 | Leticia Alejandrez | California Emerging Technology Fund |
| 22 | Leticia Galyean | Seneca Family of Agencies |
| 23 | Lisa Harris | Indian Health Council, Inc. |
| 24 | Lisa Moore | University of California Health |
| 25 | Mandi Najera | Promesa Behavioral Health |
| 26 | Matt Lege | Service Employees International Union California State Council |
| 27 | Mei Wa Kwong | Center for Connected Health Policy |
| 28 | Nancy Netherland | Kids and Caregivers |
| 29 | Patricia A. Black | County of Los Angeles Department of Health Services |
| 30 | Paul Glassman | California Northstate University College of Dental Medicine |
| 31 | Rajiv Pramanik | Contra Costa Health Plan |
| 32 | Rebecca Picasso | Blue Shield of California |
| 33 | Reynaldo Vargas-Carvajal Jr | Downey Unified School District |
| 34 | Sarah Bridge | Association of California Healthcare Districts |

Scheduled meeting dates:

- Meeting # 1: September 22, 2021 (Wednesday; please hold 9:00 am – 1:00 pm)
- Meeting # 2: October 6, 2021 (Wednesday; please hold 9:00 am – 1:00 pm)
- Meeting # 3: October 20, 2021 (Wednesday; please hold 9:00 am – 1:00 pm)

DHCS has not yet indicate whether meetings will be open to the public

Find more information on the advisory group here:
<https://www.dhcs.ca.gov/provgovpart/Pages/TelehealthAdvisoryWorkgroup.aspx>

Policy Priorities for 2022

What should be the Coalition's priorities for 2022?

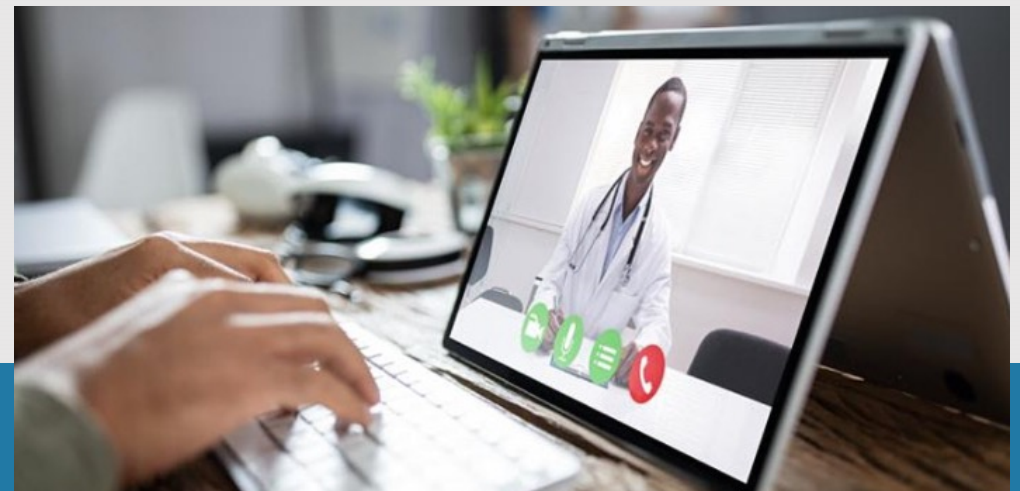
Proposed ideas, refined from 2021:

- Maintain and expand coverage of telehealth modalities
- Build the evidence base for telehealth in California
- Bridge the digital divide to ensure patient and provider access to internet access
- Ensure California maintains leadership at the state level on telehealth policy

Save the Dates!

- **Broadband Webinar: Tuesday, October 5, from 1:30-2:30 pm**
- **Annual Meeting Tuesday, November 2 from 9am-2pm**

Invitations to come out soon!



Closing Announcements

Save the Dates

Upcoming Meetings

Monthly Meeting

September 17: 1-2pm

Broadband Committee

September 21: 1-2pm

Education Committee

October 13: 2-3pm

Legislation Committee

October 14, 1-2pm

Please reach to staff if you have any questions

Mei Kwong: meik@cchpca.org

Amy Durbin: amyd@ccpca.org

Robby Franceschini:

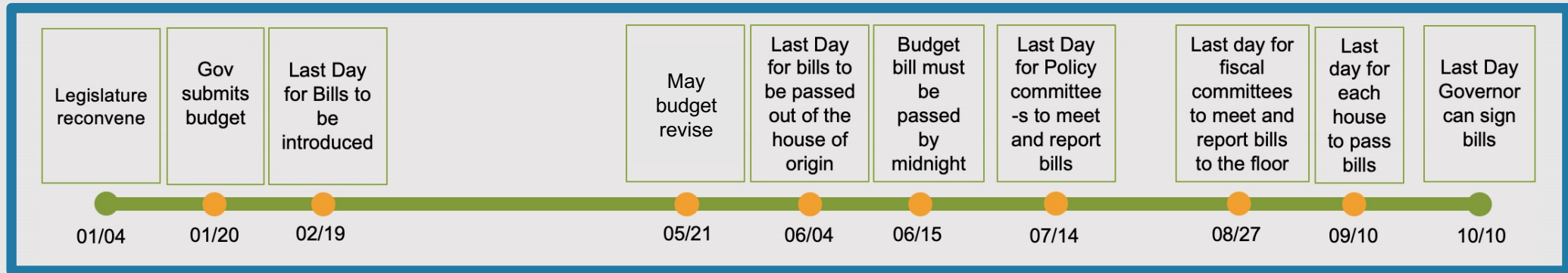
robby.franceschini@bluepathhealth.com

Veronica Collins: veronicac@cchpca.org



Appendix

Legislative Calendar 2021 and Workplan



| Status | Goals | Complete Date |
|--------------------------|--|----------------------|
| <input type="checkbox"/> | Support members in introducing legislation that supports our priorities (e.g. payment parity for Medi-Cal Managed care, remote patient monitoring coverage for medical and commercial plans, and continued FQHC/RHC coverage for telehealth) | February |
| <input type="checkbox"/> | Submit response letter to January budget proposal | February |
| <input type="checkbox"/> | Monitor state and federal telehealth bills | Ongoing |
| <input type="checkbox"/> | Analyze bills related to our priorities and rank our support for each bill | March |
| <input type="checkbox"/> | Reach out to bill authors and provide support and input for revisions | April |
| <input type="checkbox"/> | Submit response letter to the May budget revision | June |
| <input type="checkbox"/> | Submit support letters for the legislation we support | April through August |
| <input type="checkbox"/> | Discuss proposed Physician Fee Schedule Changes and craft response | July/August |
| <input type="checkbox"/> | Host Capitol Legislation Briefing | October |

Coalition Priorities for 2021

- Make temporary coverage expansions permanent and expand access to new modalities
- Build the evidence base for telehealth in California
- Bridge the digital divide and addressing health equity
- Advance state leadership on telehealth and health IT