AMENDED IN ASSEMBLY JULY 7, 1997

AMENDED IN SENATE MARCH 31, 1997

SENATE BILL No. 687

Introduced by Senator Hughes

February 25, 1997

An act to add Section 1374.14 to the Health and Safety Code, and to add Section 10123.86 to the Insurance Code, relating to health coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 687, as amended, Hughes. Health coverage: medical pain management services.

Existing law provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, a willful violation of any of these provisions is punishable as either a felony or a misdemeanor. Existing law also provides for the regulation of policies of disability insurance administered by the Insurance Commissioner.

Existing law requires that health care service plans and disability insurers provide coverage for certain benefits and services.

This bill would require every health care service plan contract and certain disability insurance policies issued, amended, delivered, or renewed on or after January 1, 1998, to provide current and prospective beneficiaries, enrollees, and subscribers of the plan or *prospective beneficiaries, policyholders, and insureds under a disability* policy with a

description of any limitations, reductions, exceptions, or exclusions to coverage for medical services for relief of pain during childbirth by the plan or *under the* ~~policy.~~. *policy.* A willful violation of the provisions applicable to health care service plans is a crime. Therefore, the bill would impose a state-mandated local program.

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.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares the following:

(a) Current and prospective beneficiaries, enrollees, ~~and subscribers~~ *subscribers, policyholders, and insureds* of health care service plans and *under* disability insurance policies do not always understand the medical services for relief of pain during childbirth, including spinal or epidural analgesic for obstetrical patients in labor, that will and will not be covered under the plan or policy.

(b) Health care service plans and disability insurance policies should be required to provide information regarding any medical benefits and services for relief of pain during childbirth excluded or limited under the plan or policy to current and potential beneficiaries, enrollees, ~~and subscribers~~ *subscribers, policyholders, and insureds*.

SEC. 2. Section 1374.14 is added to the Health and Safety Code, to read:

1374.14. ~~(a)~~ Every health care service plan contract that is issued, amended, renewed, or delivered on or after January 1, 1998, shall provide current and prospective beneficiaries, enrollees, and subscribers of the plan with a description of any limitations, reductions, exceptions, or

exclusions to coverage for medical services for relief of pain during childbirth by the plan.

SEC. 3. Section 10123.86 is added to the Insurance Code, to read:

10123.86. ~~(a)~~ Every individual or group policy of disability insurance *covering hospital, medical, or surgical expenses* that is issued, amended, renewed, or delivered on or after January 1, 1998, shall provide current and prospective beneficiaries, ~~enrollees, and subscribers of~~ *policyholders, and insureds under* the policy with a description of any limitations, reductions, exceptions, or exclusions to coverage for medical services for relief of pain during childbirth ~~by~~ *under* the policy.

SEC. 4. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 5. 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.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

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