

SB 743 (Hernandez) Freedom of Choice in Family Planning

Purpose

SB 743 would ensure that Medi-Cal managed care enrollees can receive family planning services from their qualified provider of choice. SB 743 is co-sponsored by Essential Access Health and Planned Parenthood Affiliates of California.

Background

As mandatory Medicaid managed care enrollment began to grow in the 1980s, enrollees in Medicaid managed care plans sought family planning care from out-of-network, community-based providers instead of their managed care providers. This occurred for many reasons, including confidentiality concerns, familiarity with and confidence in family planning providers, and to avoid service delays. Out-of-network family planning and other community-based providers had to provide services at a cost to patients, provide services without reimbursement, or turn patients away. In order to ensure access to these essential, preventative services, in 1986 Congress passed a law allowing Medicaid managed care enrollees to obtain family planning services from any qualified, willing provider that accepts Medicaid patients. This “free choice of provider law” ensures that women can receive these sensitive services both within and outside of a managed care plan’s network. The Balanced Budget Act of 1997 further secured the ability of Medicaid managed care enrollees to go out of network for family planning services and have direct access to family planning providers.

The Problem

California has a long history of implementing the federal free choice of family planning provider provision. The hostile environment on the federal level toward reproductive rights has made the future of the federal provision uncertain.

The Solution: Preserve Freedom of Choice in Family Planning

To hold the line and ensure that Californians enrolled in Medi-Cal managed care plans do not lose the ability to receive family planning and related services from willing providers, SB 743 will codify the federal free choice of provider provision into California statute. SB 743 is a pathway for protecting reproductive health access and ensuring that Medi-Cal enrollees do not lose access to their preferred providers in the face of anticipated threats on the federal level.

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