

Date of Hearing: May 8, 2024

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 3149 (Garcia) – As Amended April 18, 2024

Policy Committee: Health

Vote: 16 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill requires the California Health and Human Services Agency (CalHHS) to convene the Promotores and Promotoras Advisory and Oversight Workgroup (workgroup) to provide perspective and guidance to changes in the health and human services delivery system.

Specifically, this bill:

- 1) Requires the workgroup to be convened by January 1, 2025, and until December 31, 2026.
- 2) Specifies the makeup of the workgroup to include at least 51% promotores or promotoras, among other criteria.
- 3) Specifies the duties of the workgroup, including advising on access to community health worker (CHW) services, cultural and linguistic appropriateness of training and outreach materials, outreach and awareness efforts, and providing input on other issues based on the workgroup members' lived experience.

FISCAL EFFECT:

Costs to CalHHS of \$319,000 for fiscal year (FY) 2024-25 and \$332,000 for FY 2025-26 and FY 2026-27 for two positions and contracting costs to convene the workgroup by January 1, 2025 (General Fund).

According to the Legislative Analyst's Office, the General Fund faces a structural deficit in the tens of billions of dollars over the next several fiscal years.

COMMENTS:

- 1) **Purpose.** Visión y Compromiso is the sponsor of this bill. According to the author:

Promotoras, as included under the state's definition of Community Health Workers, are a predominantly women-led Latina workforce, working with low-income and traditionally underserved communities to provide reliable information, connections to resources, public health, social services, education, housing, and legal systems. They provide effective connections to components recognized as social

determinants of health. Promotoras are trusted community ambassadors serving as vital resource links between our most vulnerable populations and traditional health systems to improve health outcomes. As California embarks on the important work to include Community Health Worker, Promotora, and Representatives as a Medi-Cal benefit and augment the workforce, we must integrate the voices and feedback of promotoras, our on the ground community health leaders, in the planning and decision-making.

2) **Background.**

CHWs in Medi-Cal. As of July 1, 2022, over half of states reported allowing Medicaid payment for services provided by CHWs. The Department of Health Care Services (DHCS) engaged stakeholders and experts on Medicaid coverage of CHW services in other states to inform policy and implementation of Medi-Cal's CHW benefit. DHCS added CHW services, including violence prevention services, as a Medi-Cal benefit starting July 1, 2022. The benefit was codified through AB 2697 (Aguiar-Curry), Chapter 488, Statutes of 2022. CHW services are defined to include those delivered by promotores, community health representatives (CHRs; professionals who work in a tribal setting), navigators, and other non-licensed health workers.

Department of Health Care Access and Information (HCAI) CHW Workforce Effort. The Budget Act of 2022 included approximately \$281.4 million over three years to support a new program to recruit, train, and certify 25,000 new CHWs by 2025. According to HCAI, the training requirements would align with Medi-Cal requirements for reimbursement. Although most of the funding has been delayed until FYs 2024-25 and 2025-26 fiscal years, the multi-year amount in the Governor's FY 2024-25 budget is still the same as originally proposed.

- 3) **Implementation Concern.** HCAI notes that if CalHHS delegated the implementation of this bill to HCAI, HCAI would not be able to request resources in time for a January 1, 2025 implementation.

4) **Related Legislation.**

- a) AB 2250 (Weber) requires Medi-Cal and commercial health plans and insurers to cover social determinants of health screenings, and requires commercial health plans and insurers to provide to physicians who provide primary care services with adequate access to peer support specialists, lay health workers, social workers, or CHWs. AB 2250 is pending in this committee.
- b) AB 85 (Weber), of the current legislative session, was similar to AB 2250 (Weber) and was vetoed by Governor Newsom, who stated it was premature and duplicative of existing efforts.

5) **Prior Legislation.**

- a) AB 2697 (Aguiar-Curry), Chapter 488, Statutes of 2022, codifies CHW services as a covered Medi-Cal benefit.

- b) SB 184 (Committee on Budget and Fiscal Review), Chapter 47, Statutes of 2022, the 2022 Health Trailer Bill, requires HCAI to develop statewide requirements for CHW certificate programs in consultation with stakeholders.

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