



LIZ ORTEGA

Assemblymember, District 20



AB 2446 FACT SHEET

Bill Summary

AB 2446 would ensure that medically necessary diapers are provided through Medi-Cal as mandated by the federal Early and Periodic Screening, Diagnostic and Treatment (EPSDT) program.

Additionally, AB 2446 would remove the current medical necessity restriction for prescription diapers in Medi-Cal stating that only children over 5 years old can have access, to better align California with the federal mandate under EPSDT.

Existing Law

Provides comprehensive screening and preventative healthcare services for children under the age of 21 who are enrolled in Medicaid through the federal Early and Periodic Screening, Diagnostic and Treatment (EPSDT) program. [Section 51184 - EPSDT: Cal. Code Regs. Tit. 22]

Allows participants in CalWORKs to be eligible for a \$30 per month benefit to assist with diaper costs for each child under 36 months of age. [Section 11323.2 of the Welfare and Institutions Code]

Background

EPSDT is a federal program under Medicaid that has a long-standing policy which provides comprehensive screening and preventative healthcare services for children under the age of 21 who are enrolled in Medicaid. EPSDT is key to ensuring that

children and adolescents receive appropriate preventive, dental, mental health, developmental, and specialty services. This would include medically necessary diapers for all children under Medi-Cal under 21 years of age. However, California currently deems diapers “medically necessary” only if a child over the age of five has a medical condition that causes incontinence. A prescription is needed from a doctor indicating the diagnosis and the type of incontinence.

According to the National Diaper Bank Network (NDBN), California has one of the most restrictive state definitions of “medically necessary,” which was established by outdated case law. This restrictive definition under Medi-Cal does not align with federal law and leaves children under 5 unable to access diapers when medically necessary.

Need for AB 2446

According to the National Diaper Bank Network, 47% of families in the United States reported not having enough diapers for their babies to stay clean without having to cut back on other basic necessities. The American Academy of Dermatology states that the inability to change a diaper once it is soiled causes painful conditions, like Urinary Tract Infections (UTIs), Diaper Dermatitis (an inflammatory reaction of the skin due to infections, friction from diapers, moisture from urine or feces), as well as serious mental health repercussions to both the parents and children, and behavioral problems.

Additionally, the inability to adequately diaper an infant or toddler has been found to increase rates of family hunger, lost wages when parents are not able to place their children into child care, and maternal depression.

AB 2446 will further expand access to diapers for low-income families by aligning California with federal law, and allowing children under the age of 5 covered under Medi-Cal to have access to prescription diapers when medically necessary.

Support

GRACE/End Child Poverty CA (co-sponsor)
California Association of Food Banks (co-sponsor)
4Cs of Alameda County
Alameda County Early Care & Education Planning Council
Association of Regional Center Agencies (ARCA)
California Association of Medical Product Suppliers (CAMPS)
California Child Care Resource & Referral Network (R&R Network)
GLIDE Foundation
Help A Mother Out (HAMO)
Humboldt County Food Bank
First 5 Alameda County
Food In Need of Distribution (FIND) Food Bank
Food Share
National Council of Jewish Women Los Angeles (NCJWLA)
National Health Law Program
Nurse-Family Partnership
Sacramento Food Bank & Family Services
San Diego Food Bank
Second Harvest Food Bank of Orange County
Yolo Food Bank
Western Center on Law & Poverty

Opposition

None on file.

For More Information

Stephanie Gerstle Esparza, Legislative Director
Office of Assemblymember Liz Ortega
916.319.2020
stephanie.gerstleesparza@asm.ca.gov