

Federal Requirements Section 113 of the CAA		California Requirements HSC § 1373.96; INS § 10133.56	
Eligible conditions	Length of continuity of care	Eligible conditions	Length of continuity of care
A serious and complex condition—includes certain acute and chronic conditions:	<u>Period of Continued Transitional Care</u> The time to complete the same course of treatment by the provider had the termination not occurred	Acute condition:	As long as the condition lasts
		Serious chronic condition:	The time necessary to complete a course of treatment and to be transfer to another provider – but no more than 12 months from termination
Pregnant, undergoing course of treatment for the pregnancy:	<u>Period of Continued Transitional Care</u> The time to complete the same course of treatment by the provider had the termination not occurred	Pregnancy, including a mental health condition:	During the pregnancy and immediate post-partum period. The treatment for maternal mental health conditions not to exceed 12 months
Terminally ill:	<u>Federal Transitional Period</u> Either 90 days after termination or when the individual is no longer a Continuing Care Patient, whichever comes first	Terminal illness:	As long as the person lives
Care of child:	(No equivalent federal provision)	Care of child under 3:	Up to 12 months
Scheduled nonelective surgery from terminated Provider:	<u>Federal Transitional Period</u> Either 90 days after termination or when the individual is no longer a Continuing Care Patient, whichever comes first	An already scheduled surgery or other procedure:	Surgery or procedure must be scheduled to occur within 180 days of the termination

Full Definitions:

1. **Continuing Care Patient:** an individual who, with respect to a provider or facility—
 - a. is undergoing a course of treatment for a serious and complex condition from the provider or facility;
 - b. is undergoing a course of institutional or inpatient care from the provider or facility;
 - c. is scheduled to undergo nonelective surgery from the provide or facility, including receipt of postoperative care from such provider or facility with respect to such a surgery;
 - d. is pregnant and undergoing a course of treatment for the pregnancy from the provider or facility; or
 - e. is or was determined to be terminally ill (as determined under section 1861(dd)(3)(A) of the Social Security Act) and is receiving treatment for such illness from such provider or facility.
2. **Serious and Complex Condition:** the term means, with respect to a participant or beneficiary under a group health plan or group health insurance coverage
 - a. “(A) in the case of an acute illness, a condition that is serious enough to require specialized medical treatment to avoid the reasonable possibility of death or permanent harm; or
 - b. “(B) in the case of a chronic illness or condition, a condition that—
 - c. “(i) is life-threatening, degenerative, potentially disabling, or congenital; and
 - d. “(ii) requires specialized medical care over a prolonged period of time.
3. **Terminated:** The term includes, with respect to a contract, the expiration or nonrenewal of the contract, but does not include a termination of the contract for failure to meet applicable quality standards or for fraud.

4. **Continued Transitional Care:** includes the items and services available to an electing Continuing Care Patient under the same terms and conditions as would have applied had contract termination/expiration not occurred, with respect to the course of treatment furnished by the Provider to the Continuing Care Patient.
5. **Federal Transitional Period:** The term "Federal Transitional Period" includes the timeframe beginning when the Provider's contract is Terminated and continuing until the earlier of:
 - a. the end of the 90-day period beginning on such date; or
 - b. the date on which the individual is no longer a Continuing Care Patient.