

From: [DMHC Licensing eFiling](#)

Subject: APL 22-024 - New and Amended Annual Network Report Forms for Reporting Year 2023, Resulting from SB 221 and AB 457

Date: Thursday, October 27, 2022 4:39 PM

Attachments: [APL 22-024 - New and Amended ANR Report Forms \(10.27.22\).pdf](#)
[Mental Health Professional and Mental Health Facility Report Form \(Form No. 40-268\) Instructions.pdf](#)
[Mental Health Professional and Mental Health Facility Report Form \(Form No. 40-268\) Instructions \(With Track Changes\).pdf](#)
[Telehealth Report Form \(Form No. 40-271\) Instructions.pdf](#)
[Telehealth Report Form \(Form No. 40-271\) Instructions \(With Track Changes\).pdf](#)
[Third-Party Corporate Telehealth Provider Report Form Instructions.pdf](#)

Dear Health Plan Representative:

Please find attached All Plan Letter (APL) 22-024 and attachments regarding the new and amended report forms for the reporting year (RY) 2023 Annual Network Report submission, based on recent changes to the law resulting from Senate Bill (SB) 221 and Assembly Bill (AB) 457.

Thank you.



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ALL PLAN LETTER

DATE: October 27, 2022

TO: All Health Care Service Plans

FROM: Nathan Nau
Deputy Director, Office of Plan Monitoring

SUBJECT: APL 22-024 - New and Amended Annual Network Report Forms for Reporting Year 2023, Resulting from SB 221 and AB 457

The Department of Managed Health Care (DMHC) issues this All Plan Letter (APL) to inform health care service plans (health plans) of the new and amended report forms for the reporting year 2023 Annual Network Report submission, based on recent changes to the law.

Background

Health plans are required to submit an Annual Network Report to the DMHC on an annual basis.¹ Required report forms for Annual Network Reporting are incorporated in Rule 1300.67.2.2 (effective April 1, 2022). The field instructions for these forms are within the Timely Access and Annual Network Submission Instruction Manual (Instruction Manual), incorporated in Rule 1300.67.2.2.

The DMHC has added new and amended report forms for the Reporting Year (RY) 2023 Annual Network Report submission, as a result of new law enacted by Senate Bill (SB) 221 (Wiener, Chap. 724, Stats. 2021), and Assembly Bill (AB) 457 (Santiago, Chap. 439, Stats. 2021).² SB 221 provides an exemption from the Administrative

¹ See California Code of Regulations, title 28, section 1300.67.2.2 and Health and Safety Code sections 1367.03, 1367.035 and 1371.31. The Knox-Keene Act is set forth in California Health and Safety Code sections 1340 et seq. References herein to “Section” are to sections of the Act. References to “Rule” refer to the California Code of Regulations, title 28.

² SB 221 is set forth in Sections 1367.03 and 1367.031. The reporting requirements in AB 457 are set forth in Section 1374.141.

Procedure Act (APA) to develop and adopt reporting methodologies until July 1, 2025.³ AB 457 includes annual requirements for reporting of Third-Party Corporate Telehealth Provider data as part of the Annual Network Report submission.

Required Report Forms for RY 2023 Annual Network Reporting

In accordance with Section 1367.03(f)(3), health plans shall use the following Annual Network Report Forms and accompanying field instructions for RY 2023. All RY 2023 Annual Network Report Forms and instructions are available to health plans on the Resources section of the Timely Access and Annual Network Reporting Web Portal.

RY 2023 New and Amended Annual Network Report Forms:

Attached to this APL are the new and amended final report form fields and field instructions for the listed Annual Network Report Forms.⁴ The final fields and field instructions hereby replace the relevant sections of the Instruction Manual incorporated in Rule 1300.67.2.2, as follows:

1. Mental Health Professional and Mental Health Facility Report Form Instructions (Form No. 40-268) (Amended). Replaces Section V.D. of the Instruction Manual for RY 2023.
2. Telehealth Report Form Instructions (Form No. 40-271) (Amended). Replaces Section V.G. of the Instruction Manual for RY 2023.
3. Third-Party Corporate Telehealth Provider Report Form Instructions (New). Adds Section V.J to the Instruction Manual for RY 2023.⁵

The amended report forms (Form Nos. 40-268 and 40-271, as amended) hereby replace the forms incorporated in Rule 1300.67.2.2. The new Third-Party Corporate Telehealth Provider Report Form is hereby incorporated in Rule 1300.67.2.2 as a standardized methodology for reporting pursuant to Sections 1367.03(f)(3) and 1367.035(a). Fillable versions of these report forms are available in the Web Portal.

³ Section 1367.03(f)(3). The DMHC disseminated the draft new and amended reporting methodologies and instructions for stakeholder review for RY 2023. The DMHC considered stakeholder feedback when drafting the final new and amended report form fields and instructions for RY 2023.

⁴ Amended report form fields and instructions are attached in both a final version, and a version with the amendments in track changes.

⁵ The Third-Party Corporate Telehealth Provider Report Form is not applicable to health plans that offer exclusively Medi-Cal products.

RY 2023 Existing Annual Network Report Forms:

Fillable versions of all other required Annual Network Report Forms are also available in the Web Portal. These include:

1. Network Service Area and Enrollment Report Form (Form No. 40-265)
2. PCP and PCP Non-Physician Medical Practitioner Report Form (Form No. 40-266)
3. Specialist and Specialist Non-Physician Medical Practitioner Report Form (Form No. 40-267)
4. Other Outpatient Provider Report Form (Form No. 40-269)
5. Hospital and Clinic Report Form (Form No. 40-270)
6. Timely Access and Network Adequacy Grievance Report Form (Form No. 40-272)
7. Out-of-Network Payment Report Form (Form No. 40-273)

RY 2023 Annual Network Submission Instruction Manual:

The RY 2023 Annual Network Submission Instruction Manual - Revised is available in the Timely Access and Annual Network Reporting Web Portal. This is a revised version of the Instruction Manual incorporated by reference in Rule 1300.67.2.2. It has been renamed and issued with redactions to adhere to reporting requirements in the law for Reporting Year 2023.

If you have questions about this APL, please contact the Office of Plan Monitoring at ANRTeam@dmhc.ca.gov.

Attachments:

- Mental Health Professional and Mental Health Facility Report Form (Form No. 40-268): Instructions
- Mental Health Professional and Mental Health Facility Report Form (Form No. 40-268): Instructions [With Track Changes]
- Telehealth Report Form (Form No. 40-271): Instructions
- Telehealth Report Form (Form No. 40-271): Instructions [With Track Changes]
- Third-Party Corporate Telehealth Provider Report Form: Instructions