

# Denti-Cal California Medi-Cal Dental Bulletin

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## This Issue:

p1 Managed Pharmacy Care, et al  
v. Kathleen Sebelius, et al

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## Managed Pharmacy Care, et al v. Kathleen Sebelius, et al

On June 14, 2013, the United States Court of Appeals for the Ninth Circuit denied the plaintiffs' motion for a stay of its mandate in this [case](#), clearing the way for California to implement Medi-Cal provider 10% payment reductions.

The specific implementation dates for the reductions and recoupments are still under development. DHCS will provide more definitive implementation dates as soon as they are known.

### Background

On May 24, 2013, the Ninth Circuit denied the plaintiffs' request to rehear a December 2012 federal appellate court decision that lifted four preliminary injunctions against payment reductions for certain Medi-Cal providers. The injunctions had prevented DHCS from implementing [Assembly Bill 97 \(AB 97\)](#) payment reductions for services rendered on or after the date injunctions were issued. The four injunctions impacted AB 97 payment reductions for the following services:

- ◆ **Emergency and Non-Emergency Medical Transportation**
- ◆ **Pharmacy**
- ◆ **Durable Medical Equipment**
- ◆ **Medical Supplies**
- ◆ **Physician and Clinic Services for Adults**
- ◆ **Dental Services**
- ◆ **Distinct Part Nursing Facilities Level B (DP/NF-Bs)**

Please note that the 10% reduction for DP/NF-Bs is calculated based upon payment rates that were in effect in 2008-2009.

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