

## DMHC Public Notice on California's Essential Health Benefits and Updating the Benchmark Plan

The Affordable Care Act requires individual and small group plans to cover ten broad categories of “essential health benefits,” including primary care, hospital services, prescription drugs, and emergency and urgent care service. Within these ten broad categories, a state can decide what specific services plans must cover. The state identifies those services by adopting a “benchmark plan.” California adopted its current benchmark plan in 2015 and is now working on an update to that plan.

As part of that work, California consulted with an actuary to identify the cost and scope of new benefits that could be added. The DMHC then held two public meetings—one in June 2024 and one in January 2025—to hear from stakeholders about the types of additional benefits California should add to a new benchmark plan. In February 2025, the Legislature held a joint hearing to obtain further stakeholder input regarding adopting a new benchmark plan for California.

Based on this work, the Administration and Legislature have preliminarily identified the following benefits which fit within the limitations identified by the actuary to add to California's current benchmark plan:

- Hearing aids for children and adults
- Additional durable medical equipment (DME), including mobility devices (such as power wheelchairs and scooters), augmented communication devices, portable oxygen, and CPAP machines. (General DME and Augmented Communication Devices described on Slide #17 in the [January 28, 2025 Public Meeting Presentation](#) excluding neuromodulators)
- Infertility services, including egg and sperm retrieval and storage, embryo creation and storage, invitro fertilization, and medical costs related to surrogacy. (Pathway C on Slide # 18 and 19 in the [January 28, 2025 Public Meeting Presentation](#))

California must submit the final proposal for a new benchmark plan to the federal government by early May. Prior to submission, the DMHC will share the draft proposal with stakeholders and will hold a written comment period during which stakeholders may submit additional comments and feedback. The DMHC anticipates beginning this comment period in late March. Notification on the start of the comment period will be shared via this email listserv and on the DMHC's website.

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### **About DMHC:**

The DMHC protects the health care rights of 29.8 million Californians and ensures a stable health care delivery system. The Department has helped 2.9 million Californians resolve health plan problems through the Help Center. Information and assistance is available at [www.DMHC.ca.gov](http://www.DMHC.ca.gov) or by calling 1-888-466-2219.