

Initiative 25-0002

March 20, 2025

Office of the Attorney General
Initiative Coordinator
1300 I Street
Sacramento California 95814

RECEIVED

Mar 26 2025

Re Initiative

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attention Anabel:

I am providing this letter in response to the request for further information from your office.

I request that the Attorney General prepare a circulating title along with a summary of the chief purpose and points of the proposed measure. I would request that the title be: "the Luigi Mangioni Access to Health Care Act" as set forth in the text of the proposed initiative

I may be contacted by mail at 11121 Queensland Street, #H37, Los Angeles, California 90034. My email address is pauldeisner@gmail.com. [REDACTED]


Paul Eisner

PROPOSED CALIFORNIA INITIATIVE
HEALTH & SAFETY CODE SECTION 15300
DIVISION 123 - RIGHT TO HIGHEST STANDARD OF MEDICAL CARE

In order to insure patients receive the highest possible standards of medical care, the People of the State of California enact this initiative as Health & Safety Code Section 15300, to be known as the Luigi Mangioni Access to Health Care Act.

(a) As used in this section, the term “physician” means a person licensed to practice medicine in the State of California by either:

- (1) the California Medical Board, or
- (2) the California Osteopathic Medical Board,

and who is both active and in good standing.

(b) No insurer may delay, deny or modify any medical procedure or medication (or reduce or deny payment for any medical procedure or medication) recommended by a treating or attending physician where the delay, denial or modification could result in disability, death, amputation, permanent disfigurement, loss or reduction of any bodily function.

(c) Any decision by an insurer to either delay, or deny or modify any medication or medical procedure (or reduce, delay, or deny payment for any medical procedure or medication) recommended by a patient’s treating or attending physician can only be made on behalf of any insurer by a physician.

(d) If any insurer delays, denies, or modifies any medical procedure or medication (or delays, reduces or denies payment for any medical procedure or medication), requested by a treating or attending, physician, in the event a lawsuit is filed, any insurer, and any person acting on behalf of any insurer, who sought to delay, deny or modify approval of any medication or medical treatment, (or reduce, delay or deny payment for any medical procedure or medication) has the burden to prove by clear and convincing evidence that such medication or medical procedure is unnecessary or will not result disability, death, amputation, permanent disfigurement, or the loss or reduction of any bodily function, the insurer is liable for treble damages and attorney fees.

(e) Any employment of, or conspiracy to employ, any person who is not a physician to review a decision made by a treating or attending physician shall be a felony.

(f) Nothing in this section shall prohibit either the California Medical Board or the California Osteopathic Medical Board from imposing discipline where appropriate.