

2025 -- H 5990

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE FOR
CHILDREN AND PREGNANT WOMEN

Introduced By: Representatives Stewart, Cruz, Alzate, Shallcross Smith, Kislak, Potter,
and McGaw

Date Introduced: February 28, 2025

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.3-3 of the General Laws in Chapter 42-12.3 entitled "Health
2 Care for Children and Pregnant Women" is hereby amended to read as follows:

3 **42-12.3-3. Medical assistance expansion for pregnancy/Rite Start.**

4 (a) The secretary of the executive office of health and human services is authorized to
5 amend its Title XIX state plan pursuant to Title XIX of the Social Security Act to provide Medicaid
6 coverage and to amend its Title XXI state plan pursuant to Title XXI of the Social Security Act to
7 provide medical assistance coverage through expanded family income disregards for pregnant
8 persons whose family income levels are between one hundred eighty-five percent (185%) and two
9 hundred fifty percent (250%) of the federal poverty level. The department is further authorized to
10 promulgate any regulations necessary and in accord with Title XIX [42 U.S.C. § 1396 et seq.] and
11 Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act necessary in order to implement
12 said state plan amendment. The services provided shall be in accord with Title XIX [42 U.S.C. §
13 1396 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act.

14 (b) The secretary of health and human services is authorized and directed to establish a
15 payor of last resort program to cover prenatal, delivery and postpartum care. The program shall
16 cover the cost of maternity care for any person who lacks health insurance coverage for maternity
17 care and who is not eligible for medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] and
18 Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act including, but not limited to, a

1 noncitizen pregnant person lawfully admitted for permanent residence on or after August 22, 1996,
2 without regard to the availability of federal financial participation, provided such pregnant person
3 satisfies all other eligibility requirements. The secretary shall promulgate regulations to implement
4 this program. Such regulations shall include specific eligibility criteria; the scope of services to be
5 covered; procedures for administration and service delivery; referrals for non-covered services;
6 outreach; and public education.

7 (c) The secretary of health and human services may enter into cooperative agreements with
8 the department of health and/or other state agencies to provide services to individuals eligible for
9 services under subsections (a) and (b) above.

10 (d) The following services shall be provided through the program:

11 (1) Ante-partum and postpartum care;

12 (2) Delivery;

13 (3) Cesarean section;

14 (4) Newborn hospital care;

15 (5) Inpatient transportation from one hospital to another when authorized by a medical
16 provider; and

17 (6) Prescription medications and laboratory tests.

18 (e) The secretary of health and human services shall provide enhanced services, as
19 appropriate, to pregnant persons as defined in subsections (a) and (b), as well as to other pregnant
20 persons eligible for medical assistance. These services shall include: care coordination; nutrition
21 and social service counseling; high-risk obstetrical care; childbirth and parenting preparation
22 programs; smoking cessation programs; outpatient counseling for drug-alcohol use; interpreter
23 services; mental health services; and home visitation. The provision of enhanced services is subject
24 to available appropriations. In the event that appropriations are not adequate for the provision of
25 these services, the executive office has the authority to limit the amount, scope, and duration of
26 these enhanced services.

27 (f) The executive office of health and human services shall provide for extended family
28 planning services for up to twenty-four (24) months postpartum. These services shall be available
29 to persons who have been determined eligible for RIte Start or for medical assistance under Title
30 XIX [42 U.S.C. § 1396 et seq.] or Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security
31 Act.

32 (g) Effective October 1, 2022, individuals eligible for RIte Start pursuant to this section or
33 for medical assistance under Title XIX or Title XXI of the Social Security Act while pregnant
34 (including during a period of retroactive eligibility), are eligible for full Medicaid benefits through

1 the last day of the month in which their twelve-month (12) postpartum period ends. This benefit
2 will be provided to eligible Rhode Island residents without regard to the availability of federal
3 financial participation. The executive office of health and human services is directed to ensure that
4 federal financial participation is used to the maximum extent allowable to provide coverage
5 pursuant to this section, and that state-only funds will be used only if federal financial participation
6 is not available.

7 (h) Any person eligible for services under subsections (a) and (b) of this section, or
8 otherwise eligible for medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI
9 [42 U.S.C. § 1397aa et seq.] of the Social Security Act, shall also be entitled to services for any
10 termination of pregnancy permitted under § 23-4.13-2; provided, however, that no federal funds
11 shall be used to pay for such services, except as authorized under federal law.

12 (i) Effective October 1, 2025, individuals eligible for RItE Start pursuant to subsection (g)
13 of this section shall also be eligible for services provided by licensed certified lactation counselors
14 within the scope of their practice. Eligibility shall be provided through the last day of the month
15 in which their twelve (12) month postpartum period ends. This benefit will be provided to eligible
16 Rhode Island residents without regard to the availability of federal financial participation. The
17 executive office of health and human services is directed to ensure that federal financial
18 participation is used to the maximum extent allowable to provide coverage pursuant to this section,
19 and that state-only funds will be used only if federal financial participation is not available.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE FOR
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1 This bill would extend eligibility for lactation counselor services to RItE Start recipients
2 starting October 1, 2025, through the end of their twelve (12) month postpartum period, with
3 coverage provided regardless of federal financial participation.

4 This act would take effect upon passage.

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