

2022 -- H 7290

LC004433

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

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

Introduced By: Representatives Williams, Ajello, Vella-Wilkinson, Cassar, Speakman,
Knight, Kislak, Alzate, Tanzi, and Shallcross Smith

Date Introduced: February 02, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. The executive office of health and human services is directed to ensure that
2 federal financial participation is accessed to the maximum extent allowable to provide coverage to
3 women eligible for coverage for twelve (12) continuous months beginning with the month after the
4 month in which the baby is born and that state-only funds will be used only if financial participation
5 is not available.

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

8 **42-12.3-3. Medical assistance expansion for pregnant women/RItE Start.**

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

1 Social Security Act.

2 (b) The ~~director of the department of~~ secretary of the executive office of health and human
3 services is authorized and directed to establish a payor of last resort program to cover prenatal,
4 delivery and postpartum care. The program shall cover the cost of maternity care for any woman
5 who lacks health insurance coverage for maternity care and who is not eligible for medical
6 assistance under Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.]
7 of the Social Security Act including, but not limited to, a noncitizen pregnant woman lawfully
8 admitted for permanent residence on or after August 22, 1996, without regard to the availability of
9 federal financial participation, provided such pregnant woman satisfies all other eligibility
10 requirements. The ~~director~~ secretary shall promulgate regulations to implement this program. Such
11 regulations shall include specific eligibility criteria; the scope of services to be covered; procedures
12 for administration and service delivery; referrals for non-covered services; outreach; and public
13 education. Excluded services under this subsection will include, but not be limited to, induced
14 abortion except in cases of rape or incest or to save the life of the pregnant individual.

15 (c) The ~~department of~~ secretary of the executive office of health and human services may
16 enter into cooperative agreements with the department of health and/or other state agencies to
17 provide services to individuals eligible for services under subsections (a) and (b) above.

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

19 (1) Ante-partum and postpartum care;

20 (2) Delivery;

21 (3) Cesarean section;

22 (4) Newborn hospital care;

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

25 (6) Prescription medications and laboratory tests.

26 (e) The ~~department of~~ secretary of the executive office of health and human services shall
27 provide enhanced services, as appropriate, to pregnant women as defined in subsections (a) and (b),
28 as well as to other pregnant women eligible for medical assistance. These services shall include:
29 care coordination, nutrition and social service counseling, high risk obstetrical care, childbirth and
30 parenting preparation programs, smoking cessation programs, outpatient counseling for drug-
31 alcohol use, interpreter services, mental health services, and home visitation. The provision of
32 enhanced services is subject to available appropriations. In the event that appropriations are not
33 adequate for the provision of these services, the department has the authority to limit the amount,
34 scope and duration of these enhanced services.

1 (f) The ~~department of~~ secretary of the executive office of health and human services shall
2 provide for extended family planning services for up to twenty-four (24) months postpartum. These
3 services shall be available to women who have been determined eligible for RItE Start or for
4 medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] or Title XXI [42 U.S.C. § 1397aa
5 et seq.] of the Social Security Act.

6 (g) Individuals eligible for Rite Start pursuant to this section or for medical assistance under
7 Title XIX or Title XXI of the Social Security Act while pregnant (including during a period of
8 retroactive eligibility), are eligible for full Medicaid benefits through the last day of the month in
9 which their twelve-month postpartum period ends. This benefit will be provided to eligible Rhode
10 Island residents without regard to the availability of federal financial participation. The executive
11 office of health and human services is directed to seek a state plan amendment to ensure that federal
12 financial participation is used to the maximum extent allowable to provide coverage pursuant to
13 this section, and that state-only funds will be used only if federal financial participation is not
14 available.

15 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would extend the benefits given to eligible women under title XIX state plan
- 2 through the last day of the month in which their twelve-month post-partum period ends.
- 3 This act would take effect upon passage.

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