

2021 -- S 0430

LC001962

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

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

Introduced By: Senator Maryellen Goodwin

Date Introduced: February 25, 2021

Referred To: Senate Health & Human Services

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

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

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

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

18 (1) Ante-partum and postpartum care;

19 (2) Delivery;

20 (3) Cesarean section;

21 (4) Newborn hospital care;

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

24 (6) Prescription medications and laboratory tests;

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

33 (f) The department of human services shall provide for extended family planning services
34 for up to twenty-four (24) months postpartum. These services shall be available to women who

1 have been determined eligible for RIte Start or for medical assistance under title XIX [42 U.S.C. §
2 1396 et seq.] or title XXI [42 U.S.C. § 1397 et seq.] of the Social Security Act.

3 (g) A woman who receives coverage under subsection (a) or (b) of this section shall remain
4 eligible for coverage commencing on the month after the month in which the baby is born and
5 ending twelve (12) months thereafter.

6 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 commencing for twelve (12) months after one month post-birth.
3 This act would take effect upon passage.

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