

2022 -- H 7443

LC004429

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 Cassar, Felix, Williams, Morales, Slater, Caldwell, Craven, Hull, McGaw, and Tanzi

Date Introduced: February 11, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

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

3 ~~CHAPTER 42-12.3~~

4 ~~Health Care for Children and Pregnant Women~~

5 CHAPTER 42-12.3

6 HEALTH CARE FOR CHILDREN AND PREGNANT PEOPLE

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

9 42-12.3-1. Short title.

10 This chapter shall be known as the "1993 Health Care Act for Children and Pregnant  
11 ~~Women~~ People".

12 ~~42-12.3-3. Medical assistance expansion for pregnant women/Rite Start Medical~~  
13 assistance expansion for pregnant people/Rite Start.

14 (a) The director of the department of human services is authorized to amend its Title XIX  
15 state plan pursuant to Title XIX of the Social Security Act to provide Medicaid coverage and to  
16 amend its Title XXI state plan pursuant to Title XXI of the Social Security Act to provide medical  
17 assistance coverage through expanded family income disregards for pregnant ~~women~~ people whose  
18 family income levels are between one hundred eighty-five percent (185%) and ~~two hundred fifty~~

1 ~~percent (250%)~~ four hundred percent (400%) of the federal poverty level. The department is further  
2 authorized to promulgate any regulations necessary and in accord with Title XIX [42 U.S.C. § 1396  
3 et seq.] and Title XXI [ 42 U.S.C. § 1397aa et seq.] of the Social Security Act necessary in order  
4 to implement said state plan amendment. The services provided shall be in accord with Title XIX  
5 [42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. § 1397aa et seq.] of the Social Security Act.

6 (b) The director of the department of human services is authorized and directed to establish  
7 a payor of last resort program to cover prenatal, delivery and postpartum care. The program shall  
8 cover the cost of maternity care for:

9 (1) ~~any woman~~ Any person who lacks health insurance coverage for maternity care and  
10 who is not eligible for medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI  
11 [ 42 U.S.C. § 1397aa et seq.] of the Social Security Act including, but not limited to, a noncitizen  
12 pregnant ~~woman~~ person lawfully admitted for permanent residence on or after August 22, 1996,  
13 without regard to the availability of federal financial participation, provided such pregnant ~~woman~~  
14 person satisfies all other eligibility requirements; or

15 (2) Any person whose private health insurance coverage fails to cover any portion of  
16 treatment related to their pregnancy as set forth in subsection (b)(3) of this section;

17 (3) The director shall promulgate regulations to implement this program. Such regulations  
18 shall include specific eligibility criteria; the scope of services to be covered; procedures for  
19 administration and service delivery; referrals for non-covered services; outreach; and public  
20 education. Excluded services under this subsection will include, but not be limited to, induced  
21 abortion except in cases of rape or incest or to save the life of the pregnant ~~individual~~ person.

22 (c) The department of human services may enter into cooperative agreements with the  
23 department of health and/or other state agencies to provide services to ~~individuals~~ any person  
24 eligible for services under subsections (a) and (b) above.

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

26 (1) Ante-partum and postpartum care;

27 (2) Delivery;

28 (3) Cesarean section;

29 (4) Newborn hospital care;

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

32 (6) Prescription medications and laboratory tests.

33 (e) The department of human services shall provide enhanced services, as appropriate, to  
34 pregnant ~~women~~ people as defined in subsections (a) and (b), as well as to other pregnant ~~women~~

1 [people](#) eligible for medical assistance. These services shall include: care coordination, nutrition and  
2 social service counseling, high risk obstetrical care, childbirth and parenting preparation programs,  
3 smoking cessation programs, outpatient counseling for drug-alcohol use, interpreter services,  
4 mental health services, and home visitation. The provision of enhanced services is subject to  
5 available appropriations. In the event that appropriations are not adequate for the provision of these  
6 services, the department has the authority to limit the amount, scope and duration of these enhanced  
7 services.

8 (f) The department of human services shall provide for extended family planning services  
9 for up to twenty-four (24) months postpartum. These services shall be available to ~~women~~ [people](#)  
10 who have been determined eligible for RIte Start or for medical assistance under Title XIX [42  
11 U.S.C. § 1396 et seq.] or Title XXI [ 42 U.S.C. § 1397aa et seq.] of the Social Security Act.

12 SECTION 3. 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 act would increase the coverage eligibility for any pregnant person for Medicaid from  
2 an income level of two hundred fifty percent (250%) of the federal poverty level to four hundred  
3 percent (400%) of the federal poverty level. This act would further ensure that any pregnant person  
4 would be afforded health insurance coverage for all pregnancy related treatment regardless of  
5 whether the person had private or Medicaid health insurance coverage.

6           This act would take effect upon passage.

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