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**ARTICLE 10**

RELATING TO REPRODUCTIVE HEALTHCARE

SECTION 1. Section 36-12-2.1 of the General Laws in Chapter 36-12 entitled "Insurance Benefits" is hereby repealed.

~~36-12-2.1. Health insurance benefits—Coverage for abortions excluded.~~

~~(a) The state of Rhode Island shall not include in any health insurance contracts, plans, or policies covering employees, any provision which shall provide coverage for induced abortions (except where the life of the mother would be endangered if the fetus were carried to term, or where the pregnancy resulted from rape or incest). This section shall be applicable to all contracts, plans or policies of:~~

~~(1) All health insurers subject to title 27;~~

~~(2) All group and blanket health insurers subject to title 27;~~

~~(3) All nonprofit hospital, medical, surgical, dental, and health service corporations;~~

~~(4) All health maintenance organizations; and~~

~~(5) Any provision of medical, hospital, surgical, and funeral benefits and of coverage against accidental death or injury when the benefits or coverage are incidental to or part of other insurance authorized by the statutes of this state.~~

~~(b) Provided, however, that the provisions of this section shall not apply to benefits provided under existing collective bargaining agreements entered into prior to June 30, 1982.~~

~~(c) Nothing contained herein shall be construed to pertain to insurance coverage for complications as the result of an abortion.~~

SECTION 2. Chapter 42-12.3-3 of the General Laws in Chapter 42-12 entitled "Health Care for Children and Pregnant Women" is hereby amended to read as follows:

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

(a) The secretary of the executive office of health and human services is authorized to amend its Title XIX state plan pursuant to Title XIX of the Social Security Act to provide Medicaid coverage and to amend its Title XXI state plan pursuant to Title XXI of the Social Security Act to provide medical assistance coverage through expanded family income disregards for pregnant ~~women~~ persons whose family income levels are between one hundred eighty-five percent (185%) and two hundred fifty percent (250%) of the federal poverty level. The department is further

1 authorized to promulgate any regulations necessary and in accord with Title XIX [42 U.S.C. § 1396  
2 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act necessary in order to  
3 implement said state plan amendment. The services provided shall be in accord with Title XIX [42  
4 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act.

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

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

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

22 (1) Ante-partum and postpartum care;

23 (2) Delivery;

24 (3) Cesarean section;

25 (4) Newborn hospital care;

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

28 (6) Prescription medications and laboratory tests.

29 (e) The secretary of health and human services shall provide enhanced services, as  
30 appropriate, to pregnant ~~women~~ persons as defined in subsections (a) and (b), as well as to other  
31 pregnant ~~women~~ persons eligible for medical assistance. These services shall include: care  
32 coordination; nutrition and social service counseling; high-risk obstetrical care; childbirth and  
33 parenting preparation programs; smoking cessation programs; outpatient counseling for drug-  
34 alcohol use; interpreter services; mental health services; and home visitation. The provision of

1 enhanced services is subject to available appropriations. In the event that appropriations are not  
2 adequate for the provision of these services, the executive office has the authority to limit the  
3 amount, scope, and duration of these enhanced services.

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

9 (g) Effective October 1, 2022, individuals eligible for RIte Start pursuant to this section or  
10 for medical assistance under Title XIX or Title XXI of the Social Security Act while pregnant  
11 (including during a period of retroactive eligibility), are eligible for full Medicaid benefits through  
12 the last day of the month in which their twelve-month (12) postpartum period ends. This benefit  
13 will be provided to eligible Rhode Island residents without regard to the availability of federal  
14 financial participation. The executive office of health and human services is directed to ensure that  
15 federal financial participation is used to the maximum extent allowable to provide coverage  
16 pursuant to this section, and that state-only funds will be used only if federal financial participation  
17 is not available.

18 [\(h\) Any person eligible for services under subsections \(a\) and \(b\) of this section, or](#)  
19 [otherwise eligible for medical assistance under title XIX \[42 U.S.C. 1396 et seq.\] and title XXI \[42](#)  
20 [U.S.C. 1397aa et seq.\] of the Social Security Act, shall also be entitled to services for any](#)  
21 [termination of pregnancy permitted under 23-4.130-2; provided, however, that no federal funds](#)  
22 [shall be used to pay for such services, except as authorized under federal law.](#)

23 SECTION 3: This article shall take effect upon passage.