

2023 -- H 5787

LC000073

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 22, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.3-8 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 **42-12.3-8. Enhanced services for children.**

4 (a) The department of human services shall develop a panel of enhanced services to be  
5 available as appropriate to RIte Track and medical assistance recipients under the age of ~~eighteen~~  
6 ~~(18)~~ twenty-six (26), who are considered at risk, as defined by department of human services  
7 regulations. These services shall include, but not be limited to: care coordination, home visitation,  
8 nutrition counseling, parenting skills education. These services may be performed through a fee for  
9 service, contractual arrangement, or capitated rate as determined by the department of human  
10 services. The provision of enhanced services is subject to available appropriations; in the event that  
11 appropriations are not adequate for the provision of these services, the department has the authority  
12 to limit the amount, scope, and duration of these enhanced services, ~~and to limit eligibility for~~  
13 ~~enhanced services to children under the age of eight (8)~~. Nothing in this section shall prohibit the  
14 department of human services from providing enhanced services to a medical assistance recipient,  
15 within existing appropriations.

16 (b) Except as provided in subsection (c) below, the department of human services shall also  
17 provide pediatric palliative care services to eligible children under the age of ~~nineteen (19)~~ twenty-  
18 six (26) years who have a terminal illness, provided that such services qualify for federal financial  
19 participation. These services shall be designed to achieve an improved quality of life and to meet

1 the physical and emotional needs experienced by the patient during the course of the terminal illness  
2 and death. The services offered shall be determined by the department and may include, but are not  
3 limited to, consultations for pain and symptom management, case management and assessment,  
4 social services, counseling, volunteer support services, and respite services. The services shall be  
5 provided by licensed health care facilities that meet the criteria established by regulations  
6 promulgated by the department. The department is further authorized to establish limits on the  
7 services provided under this section.

8 (c) The department shall be the payor of last resort with respect to services provided under  
9 subsection (b) above. With respect to children under the age of ~~nineteen (19)~~ twenty-six (26) years  
10 who are covered by an individual or family health insurance plan or program that provides payment  
11 in whole or in part for the type of pediatric palliative health care services listed in subsection (b)  
12 above, the department shall coordinate benefits with these primary payors, and provided further  
13 that payments by the department shall be in accordance with the department's fee schedules.

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

=====  
LC000073  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT

\*\*\*

1           This act would raise the maximum age of eligibility for pediatric palliative services from  
2 eighteen (18) to twenty-six (26) and would raise the age of eligibility for enhances services from  
3 age eight (8) to age twenty-six (26).

4           This act would take effect upon passage.

=====  
LC000073  
=====