

2021 -- H 5714

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

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

Introduced By: Representatives Morales, Williams, Hull, Giraldo, Barros, Alzate, Tobon,  
Diaz, Kislak, and Kazarian

Date Introduced: February 24, 2021

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 42-12.3-4 and 42-12.3-15 of the General Laws in Chapter 42-12.3  
2 entitled "Health Care for Children and Pregnant Women" are hereby amended to read as follows:

3 **42-12.3-4. "RIte track" program.**

4 (a) There is hereby established a payor of last resort program for comprehensive health  
5 care for children until they reach nineteen (19) years of age, to be known as "RIte track." The  
6 department of human services is hereby authorized to amend its title XIX state plan pursuant to  
7 title XIX [42 U.S.C. § 1396 et seq.] and title XXI [42 U.S.C. § 1397 et seq.] of the Social Security  
8 Act as necessary to provide for expanded Medicaid coverage through expanded family income  
9 disregards for children, until they reach nineteen (19) years of age, whose family income levels are  
10 up to two hundred fifty percent (250%) of the federal poverty level. Provided, however, that  
11 healthcare coverage provided under this section shall also be provided without regard to availability  
12 of federal financial participation ~~in accordance to Title XIX of the Social Security Act, 42 U.S.C.~~  
13 ~~§ 1396 et seq.,~~ to a noncitizen child who is a resident of Rhode Island ~~lawfully residing in the~~  
14 ~~United States,~~ and who is otherwise eligible for such assistance. The department is further  
15 authorized to promulgate any regulations necessary, and in accord with title XIX [42 U.S.C. § 1396  
16 et seq.] and title XXI [42 U.S.C. § 1397 et seq.] of the Social Security Act as necessary in order to  
17 implement the state plan amendment. For those children who lack health insurance, and whose  
18 family incomes are in excess of two hundred fifty percent (250%) of the federal poverty level, the

1 department of human services shall promulgate necessary regulations to implement the program.  
2 The department of human services is further directed to ascertain and promulgate the scope of  
3 services that will be available to those children whose family income exceeds the maximum family  
4 income specified in the approved title XIX [42 U.S.C. § 1396 et seq.] and title XXI [42 U.S.C. §  
5 1397 et seq.] state plan amendment.

6 (b) The executive office of health and human services is directed to ensure that federal  
7 financial participation is assessed to the maximum extent allowable to provide coverage to children  
8 pursuant to this section, and that state-only funds will be used only if federal financial participation  
9 is not available.

10 **42-12.3-15. Expansion of RIte track program.**

11 (a) The Department of Human Services is hereby authorized and directed to submit to the  
12 United States Department of Health and Human Services an amendment to the "RIte Care" waiver  
13 project number 11-W-0004/1-01 to provide for expanded Medicaid coverage for children until they  
14 reach eight (8) years of age, whose family income levels are to two hundred fifty percent (250%)  
15 of the federal poverty level. Expansion of the RIte track program from the age of six (6) until they  
16 reach eighteen (18) years of age in accordance with this chapter shall be subject to the approval of  
17 the amended waiver by the United States Department of Health and Human Services. Healthcare  
18 coverage under this section shall also be provided to a noncitizen child who is a resident of Rhode  
19 Island ~~lawfully residing in the United States,~~ and who is otherwise eligible for such assistance under  
20 title XIX [42 U.S.C. § 1396 et seq.] or title XXI [42 U.S.C. § 1397 et seq.]

21 (b) The executive office of health and human services is directed to ensure that federal  
22 financial participation is assessed to the maximum extent allowable to provide coverage to children  
23 pursuant to this section, and that state-only funds will be used only if federal financial participation  
24 is not available.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

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- 1           This act would expand the Rite Track Program to provide health care coverage to children
- 2 up to age nineteen (19) funded by federal funds, if available, or if not available, by state funds.
- 3           This act would take effect upon passage.

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