AN ACT RELATING TO STATE AF--FAIRS AND GOVERNMENT--HEALTH CARE FOR CHILDREN AND PREGNANT WOMEN

Introduced By: Senators Goodwin, Cano, DiMario, Pearson, Miller, Coyne, Kallman, Euer, Quezada, and Murray
Date Introduced: February 08, 2022
Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. The executive office of health and human services is directed to ensure that federal financial participation is accessed to the maximum extent allowable to provide coverage to women eligible for coverage for twelve (12) continuous months beginning with the month after the month in which the baby is born and that state-only funds will be used only if financial participation is not available.

SECTION 2. Section 42-12.3-3 of the General Laws in Chapter 42-12.3 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 director of the department 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 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 secretary is further authorized to promulgate any regulations necessary and in accord with Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act necessary in order to implement said state plan amendment. The services provided shall be in accord with Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C. § 1397aa et seq.] of the...
Social Security Act.

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

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

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

(1) Ante-partum and postpartum care;
(2) Delivery;
(3) Cesarean section;
(4) Newborn hospital care;
(5) Inpatient transportation from one hospital to another when authorized by a medical provider; and

(6) Prescription medications and laboratory tests.

(e) The department of secretary of the executive office of health and human services shall provide enhanced services, as appropriate, to pregnant women as defined in subsections (a) and (b), as well as to other pregnant women eligible for medical assistance. These services shall include: care coordination, nutrition and social service counseling, high risk obstetrical care, childbirth and parenting preparation programs, smoking cessation programs, outpatient counseling for drug-alcohol use, interpreter services, mental health services, and home visitation. The provision of enhanced services is subject to available appropriations. In the event that appropriations are not adequate for the provision of these services, the department has the authority to limit the amount, scope and duration of these enhanced services.
(f) The department of secretary of the executive office of health and human services shall provide for extended family planning services for up to twenty-four (24) months postpartum. These services shall be available to women who have been determined eligible for Rite Start or for medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] or Title XXI [42 U.S.C. § 1397aa et seq.] of the Social Security Act.

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

SECTION 3. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE FOR CHILDREN AND PREGNANT WOMEN

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1 This act would extend the benefits given to eligible women under title XIX state plan through the last day of the month in which their twelve-month post-partum period ends.
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3 This act would take effect upon passage.

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