

FAMILY PLANNING SERVICES AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Brian Zehnder

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

General Description:

This bill enacts provisions for family planning services within the state Medicaid program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Medicaid program to reimburse providers separately for the insertion of long-acting reversible contraception immediately after childbirth;
- ▶ requires the Division of Health Care Financing to apply for a Medicaid waiver or a state plan amendment to provide family planning services to certain low-income individuals;
- ▶ institutes a four-year pilot program for the provision of family planning services under the Medicaid waiver or state plan amendment described in this bill;
- ▶ creates a reporting requirement; and
- ▶ provides a sunset date for the Medicaid waiver or state plan amendment described in this bill.

Money Appropriated in this Bill:

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63I-1-226**, as last amended by Laws of Utah 2017, Chapters 177 and 443

33 ENACTS:

34 **26-18-24**, Utah Code Annotated 1953

35 **26-18-415**, Utah Code Annotated 1953



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **26-18-24** is enacted to read:

39 **26-18-24. Reimbursement for long-acting reversible contraception immediately**
40 **following childbirth.**

41 (1) As used in this section, "long-acting reversible contraception" means a
42 contraception method that requires administration less than once per month, including:

43 (a) an intrauterine device; and

44 (b) a contraceptive implant.

45 (2) The division shall separately identify and reimburse, from other labor and delivery
46 services within the Medicaid program, the provision and insertion of long-acting reversible
47 contraception immediately after childbirth.

48 Section 2. Section **26-18-415** is enacted to read:

49 **26-18-415. Limited family planning services for low-income individuals.**

50 (1) As used in this section:

51 (a) (i) "Family planning services" means family planning services that are provided
52 under the state Medicaid program, including:

53 (A) sexual health education and family planning counseling; and

54 (B) other medical diagnosis, treatment, or preventative care routinely provided as part
55 of a family planning service visit.

56 (ii) "Family planning services" do not include an abortion, as that term is defined in
57 Section **76-7-301**.

58 (b) "Low-income individual" means an individual who:

59 (i) has an income level that is equal to or below 95% of the federal poverty level; and
 60 (ii) does not qualify for full coverage under the Medicaid program.

61 (2) Before July 1, 2018, the division shall apply for a Medicaid waiver or a state plan
 62 amendment with the Centers for Medicare and Medicaid Services within the United States
 63 Department of Health and Human Services to:

64 (a) offer a four-year pilot program that provides family planning services to
 65 low-income individuals; and

66 (b) receive a federal match rate of 90% of state expenditures for family planning
 67 services provided under the waiver or state plan amendment.

68 (3) If the waiver or state plan amendment described in Subsection (2) is approved, the
 69 department shall report to the Health and Human Services Interim Committee each year before
 70 November 30 while the waiver or state plan amendment is in effect regarding:

71 (a) the number of qualified individuals served under the program;

72 (b) the cost of the program; and

73 (c) the effectiveness of the program, including:

74 (i) any savings to the state Medicaid program from reductions in enrollment;

75 (ii) any reduction in the number of abortions;

76 (iii) any reduction in the number of unintended pregnancies;

77 (iv) any reduction in the number of individuals requiring services from the Women,
 78 Infants, and Children Program established in 42 U.S.C. Sec. 1786; and

79 (v) any other costs and benefits as a result of the program.

80 Section 3. Section **63I-1-226** is amended to read:

81 **63I-1-226. Repeal dates, Title 26.**

82 (1) Section [26-1-40](#) is repealed July 1, 2019.

83 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
 84 1, 2025.

85 (3) Section [26-10-11](#) is repealed July 1, 2020.

86 (4) Section [26-18-415](#) is repealed on July 1, 2023.

87 [~~4~~] (5) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
 88 2024.

89 [~~5~~] (6) Title 26, Chapter 36a, Hospital Provider Assessment Act, is repealed July 1,

90 2019.
91 ~~[(6)]~~ (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
92 2021.
93 ~~[(7) Section 26-38-2.5 is repealed July 1, 2017.]~~
94 ~~[(8) Section 26-38-2.6 is repealed July 1, 2017.]~~
95 ~~[(9)]~~ (8) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed July 1, 2021.

Legislative Review Note
Office of Legislative Research and General Counsel