

**Representative Ashlee Matthews** proposes the following substitute bill:

**MATERNAL COVERAGE AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ashlee Matthews**

Senate Sponsor: Luz Escamilla

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**LONG TITLE**

**General Description:**

This bill requires the Public Employees' Benefit and Insurance Program to cover pregnancy and childbirth services.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires coverage of pregnancy and childbirth services by the Public Employees'

Benefit and Insurance Program, including:

- doula services;
- services by a licensed direct-entry midwife; and
- services at a free-standing birthing center;
- ▶ requires the program to report on its coverage of pregnancy and childbirth services to the Health and Human Services Interim Committee; and
- ▶ provides a repeal date.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63I-2-249**, as last amended by Laws of Utah 2021, Chapter 64

29 ENACTS:

30 **49-20-422**, Utah Code Annotated 195331 

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32 *Be it enacted by the Legislature of the state of Utah:*33 Section 1. Section **49-20-422** is enacted to read:34 **49-20-422. Coverage of pregnancy and childbirth services.**35 (1) As used in this section:36 (a) "Doula" means an individual who:37 (i) provides information and physical and emotional support:38 (A) to a pregnant or postpartum individual; and39 (B) related to the pregnant or postpartum individual's pregnancy; and40 (ii) is certified by one or more organizations approved by the program.41 (b) "Pregnancy and childbirth services" means services provided to a pregnant42 individual before, during, or shortly after childbirth:43 (i) by a doula for the services described in Subsections (1)(a)(i) and (ii); ~~and~~44 ~~and~~ ~~[(ii) by a direct-entry midwife licensed under Title 58, Chapter 77, Direct-Entry~~45 ~~Midwife Act, if the direct-entry midwife is engaged in the practice of direct-entry midwifery, as~~46 ~~defined in Section 58-77-102; or~~47 ~~— [(iii)] (ii) ~~at~~~~ at a birthing center that:48 (A) is licensed under Title 26, Chapter 21, Health Care Facility Licensing and49 Inspection Act ~~and~~ ~~], or accredited by the Commission for the Accreditation of Birth~~49a ~~Centers; and~~50 ~~and~~ ~~[(B) is accredited by the Commission for the Accreditation of Birth Centers.] (B) may~~50a ~~include services by a direct-entry midwife licensed under Title 58, Chapter 77, Direct-Entry~~50b ~~Midwife Act, if the direct-entry midwife is engaged in the practice of direct-entry midwifery,~~50c ~~as defined in Section 58-77-102.~~51 (c) "Qualified individual" means a covered individual who is:52 (i) within the state employees' risk pool; and53 (ii) (A) is pregnant; or54 (B) was pregnant within the past six months.55 (2) For a plan year that begins on or after July 1, 2023, and before July 1, 2026, the56 program shall cover pregnancy and childbirth services to a qualified individual.

57 (3) The program may establish limits for coverage under Subsection (2), including  
58 limits based on:

59 (a) the type or number of services provided; ~~and~~

60 (b) a qualified individual's physical or emotional condition ~~;~~ **and**

60a **(c) conditions for provider participation.** ~~and~~

61 (4) The program shall report to the Health and Human Services Interim Committee on  
62 or before October 1 of each year regarding coverage provided under Subsection (2), including:

63 (a) covered providers;

64 (b) covered services;

65 (c) provider payment rates;

66 (d) covered-individual cost sharing;

67 (e) total provider payments and covered-individual cost sharing; and

68 (f) any indicators of whether pregnancy and childbirth services covered under

69 Subsection (2) have:

70 (i) reduced pregnancy or postpartum coverage costs; or

71 (ii) improved pregnancy or postpartum care.

72 Section 2. Section **63I-2-249** is amended to read:

73 **63I-2-249. Repeal dates: Title 49.**

74 (1) Subsection 49-20-420(3), regarding a requirement to report to the Legislature, is  
75 repealed January 1, 2030.

76 (2) Section 49-20-422, regarding coverage for pregnancy and childbirth services, is  
77 repealed July 1, 2027.