

PREGNANCY MEDICAID COVERAGE AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rosemary T. Lesser

Senate Sponsor: _____

LONG TITLE

General Description:

This bill expands eligibility for Medicaid coverage for certain pregnant women.

Highlighted Provisions:

This bill:

- requires the Division of Medicaid and Health Financing to request a Medicaid state plan amendment from Centers for Medicare and Medicaid Services to extend Medicaid coverage to pregnant women with a household income less than or equal to 200% of the federal poverty level.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-36b-208, last amended by Laws of Utah 2021, Chapter 367

ENACTS:

26-18-430, Utah Code Annotated 1953

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

Section 1. Section **26-18-430** is enacted to read:



28 **26-18-430. Medicaid waiver for certain postpartum women.**

29 (1) Before July 1, 2023, the division shall request a Medicaid state plan amendment
30 from Centers for Medicare and Medicaid Services to provide Medicaid coverage to pregnant
31 women with a household income less than or equal to 200% of the federal poverty level.

32 (2) If the coverage described in Subsection (1) is implemented, the department may
33 only pay the state portion of costs for the coverage under this section with appropriations from
34 the Medicaid Expansion Fund, created in Section [26-36b-208](#).

35 Section 2. Section **26-36b-208** is amended to read:

36 **26-36b-208. Medicaid Expansion Fund.**

37 (1) There is created an expendable special revenue fund known as the Medicaid
38 Expansion Fund.

39 (2) The fund consists of:

40 (a) assessments collected under this chapter;

41 (b) intergovernmental transfers under Section [26-36b-206](#);

42 (c) savings attributable to the health coverage improvement program as determined by
43 the department;

44 (d) savings attributable to the enhancement waiver program as determined by the
45 department;

46 (e) savings attributable to the Medicaid waiver expansion as determined by the
47 department;

48 (f) savings attributable to the inclusion of psychotropic drugs on the preferred drug list
49 under Subsection [26-18-2.4\(3\)](#) as determined by the department;

50 (g) revenues collected from the sales tax described in Subsection [59-12-103\(12\)](#);

51 (h) gifts, grants, donations, or any other conveyance of money that may be made to the
52 fund from private sources;

53 (i) interest earned on money in the fund; and

54 (j) additional amounts as appropriated by the Legislature.

55 (3) (a) The fund shall earn interest.

56 (b) All interest earned on fund money shall be deposited into the fund.

57 (4) (a) A state agency administering the provisions of this chapter may use money from
58 the fund to pay the costs, not otherwise paid for with federal funds or other revenue sources, of:

- 59 (i) the health coverage improvement program;
- 60 (ii) the enhancement waiver program;
- 61 (iii) a Medicaid waiver expansion; [~~and~~]
- 62 (iv) the outpatient upper payment limit supplemental payments under Section
- 63 [26-36b-210](#)[~~-~~]; and
- 64 (v) the Medicaid waiver for pregnant women described in Section [26-18-430](#).
- 65 (b) A state agency administering the provisions of this chapter may not use:
- 66 (i) funds described in Subsection (2)(b) to pay the cost of private outpatient upper
- 67 payment limit supplemental payments; or
- 68 (ii) money in the fund for any purpose not described in Subsection (4)(a).