

## HB0085S01 compared with HB0085

~~{deleted text}~~ shows text that was in HB0085 but was deleted in HB0085S01.

inserted text shows text that was not in HB0085 but was inserted into HB0085S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Rosemary T. Lesser proposes the following substitute bill:

### PREGNANCY MEDICAID COVERAGE AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rosemary T. Lesser**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill ~~{expands}~~extends eligibility for ~~{Medicaid coverage for certain }~~pregnant women under Medicaid.

##### 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}~~authorizes the Medicaid program to extend Medicaid coverage to pregnant women with a household income ~~{less than}~~at or ~~{equal to 200% of}~~below the ~~{federal poverty level}~~levels established in this bill.

##### Money Appropriated in this Bill:

None

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### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

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

ENACTS:

~~{26-18-430}~~ 26B-3-201, Utah Code Annotated 1953

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

Section 1. Section ~~{26-18-430}~~ is enacted to read:

~~26-18-430. Medicaid waiver for certain postpartum women.~~

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

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

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

~~{26-36b-208}~~ is amended to read:

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

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

(2) The fund consists of:

- (a) assessments collected under this chapter;
- (b) intergovernmental transfers under Section 26-36b-206;
- (c) savings attributable to the health coverage improvement program as determined by the department;
- (d) savings attributable to the enhancement waiver program as determined by the department;
- (e) savings attributable to the Medicaid waiver expansion as determined by the department;

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

(g) revenues collected from the sales tax described in Subsection 59-12-103(12);

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

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

(j) additional amounts as appropriated by the Legislature.

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

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

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

(i) the health coverage improvement program;

(ii) the enhancement waiver program;

(iii) a Medicaid waiver expansion; ~~and~~

(iv) the outpatient upper payment limit supplemental payments under Section 26-36b-210~~[-]; and~~

(v) the Medicaid ~~waiver~~ coverage for pregnant women described in Section ~~26-18-430~~ 26B-3-201.

(b) A state agency administering the provisions of this chapter may not use:

(i) funds described in Subsection (2)(b) to pay the cost of private outpatient upper payment limit supplemental payments; or

(ii) money in the fund for any purpose not described in Subsection (4)(a).

Section 2. Section 26B-3-201 is enacted to read:

26B-3-201. Medicaid coverage for pregnant women.

(1) (a) On or before July 1, 2023, the division shall request a Medicaid state plan amendment from CMS to provide Medicaid coverage to pregnant women with a household income less than or equal to 185% of the federal poverty level.

(b) On or before January 1, 2024, the division shall request a Medicaid waiver from CMS to provide Medicaid coverage to pregnant women with a household income less than or equal to 200% of the federal poverty level.

(2) If a waiver or state plan amendment described in Subsection (1) is approved, the

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department shall implement the coverage as soon as practicable to the extent the waiver or state plan amendment is approved by CMS.

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