

1 **RECREATIONAL THERAPY MEDICAID COVERAGE**

2 **AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: James A. Dunnigan**

6 Senate Sponsor: _____

7

LONG TITLE

8 **General Description:**

9 This bill enacts provisions relating to recreational therapy coverage under Medicaid.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms; and
- 13 ▶ requires the Department of Health and Human Services to apply for a Medicaid

14 waiver or state plan amendment to expand coverage for recreational therapy
15 services.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **26-18-430**, Utah Code Annotated 1953

23

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

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

25 **26-18-430. Recreational therapy -- Reimbursement.**



- 28 (1) As used in this section:
- 29 (a) "Assisted living facility" means the same as that term is defined in Section 26-21-2.
- 30 (b) "General acute hospital" means the same as that term is defined in Section 26-21-2.
- 31 (c) "Intermediate care facility" means the same as that term is defined in Section
- 32 58-15-101.
- 33 (d) "Physician" means an individual licensed to practice under Title 58, Chapter 67,
- 34 Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.
- 35 (e) "Qualified enrollee" means an individual who:
- 36 (i) is enrolled in the Medicaid program; and
- 37 (ii) has been referred for recreational therapy services by a physician.
- 38 (f) "Recreational therapy services" means the same as that term is defined in Section
- 39 58-40-102.
- 40 (g) "Skilled nursing facility" means the same as that term is defined in Section
- 41 58-15-101.
- 42 (h) "Substance use disorder agency" means the same as that term is defined in Section
- 43 58-60-502.
- 44 (i) "Youth residential treatment facility" means a facility that provides a 24-hour group
- 45 living environment for four or more individuals who are under 18 years old and who are
- 46 unrelated to the owner or provider of the facility.
- 47 (2) Before January 1, 2024, the department shall apply for a Medicaid waiver or a state
- 48 plan with CMS to allow for reimbursement for recreational therapy services provided:
- 49 (a) to a qualified enrollee;
- 50 (b) by an individual authorized to engage in the practice of recreation therapy under
- 51 Title 58, Chapter 40, Recreational Therapy Practice Act; and
- 52 (c) at a:
- 53 (i) general acute hospital;
- 54 (ii) youth residential treatment facility;
- 55 (iii) substance use disorder agency;
- 56 (iv) intermediate care facility;
- 57 (v) assisted living facility; or
- 58 (vi) skilled nursing facility.

59 (3) If the waiver or state plan amendment described in Subsection (2) is approved, the
60 Medicaid program shall provide coverage to a qualified enrollee for recreational therapy
61 services.