

SB0133S01 compared with SB0133

~~deleted text~~ shows text that was in SB0133 but was deleted in SB0133S01.

inserted text shows text that was not in SB0133 but was inserted into SB0133S01.

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Senator Wayne A. Harper proposes the following substitute bill:

MODIFICATIONS TO POSTPARTUM MEDICAID COVERAGE

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: ~~_____~~ Cheryl K. Acton

LONG TITLE

General Description:

This bill addresses Medicaid for postpartum women.

Highlighted Provisions:

This bill:

- ▶ defines terms; ~~and~~
- ▶ requires the state Medicaid program to request a Medicaid waiver or state plan amendment from the Centers for Medicare and Medicaid Services to extend the duration of postpartum coverage for certain women ~~;~~ ;
- ▶ allows the coverage created in this bill to be funded through the Medicaid Expansion Fund.

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:

26B-3-201, Utah Code Annotated 1953

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

Section 1. Section 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;
 - (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.

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(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 expanded coverage for postpartum women authorized in Section 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 ~~26B-3-201~~². Section **26B-3-201** is enacted to read:

26B-3-201. Medicaid coverage for certain postpartum women.

(1) As used in this section:

(a) "Extended postpartum period" means the period after a woman's pregnancy ends ~~by way of birth, miscarriage, or stillbirth~~:

(i) beginning the day after the initial postpartum period; and

(ii) ending on the last day of the month that is 12 months after the day on which the woman's pregnancy ends ~~by way of birth, miscarriage, or stillbirth~~.

(b) "Initial postpartum period" means the period:

(i) beginning on the day on which a woman's pregnancy ends ~~by way of birth, miscarriage, or stillbirth~~; and

(ii) ending on the last day of the month that is 60 days after the day on which the woman's pregnancy ends ~~by way of birth, miscarriage, or stillbirth~~.

(c) "Miscarriage" means the spontaneous or accidental loss of a fetus, regardless of gestational age or the duration of the pregnancy.

(2) Before July 1, 2023, the division shall request a waiver or state plan amendment to:

(a) in accordance with 42 U.S.C. Sec. 1396a(e)(16), provide continuous Medicaid coverage during the woman's extended postpartum period if:

(i) the woman is eligible for Medicaid during the woman's pregnancy; and

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(ii) the woman's pregnancy ended by way of:

(A) birth~~;~~;

(B) miscarriage~~;~~ or;

(C) stillbirth; or

(D) an abortion that is permitted under Section 76-7a-201; and

(b) maximize the number of individuals under Subsection (2)(a) for whom the state may obtain enhanced federal financial participation under 42 U.S.C. Sec. 1396d(y) for enrolling an individual in the Medicaid expansion.