

NATIVE AMERICAN HEALTH AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Christine F. Watkins

LONG TITLE

General Description:

This bill requires the Department of Health and Human Services (department) to apply for a Medicaid waiver related to traditional healing services.

Highlighted Provisions:

This bill:

- defines terms; and
- requires the department to apply for a Medicaid waiver to reimburse traditional healing services under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26B-3-230, Utah Code Annotated 1953

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

Section 1. Section **26B-3-230** is enacted to read:

26B-3-230 . **Traditional healing services waiver.**

(1) As used in this section:

(a) "Eligible facility" means any of the following:

(i) an Indian Health Service facility;

(ii) a tribal health program designated under the Indian Self-Determination and Education Assistance Act, Pub. L. No. 93-638;

(iii) an urban Indian organization as that term is defined in 25 U.S.C. Sec. 1603; or

- 29 (iv) a facility operated by a person that contracts with an organization described in
30 Subsection (1)(a)(iii).
- 31 (b) "Traditional healing provider" means an individual who provides traditional healing
32 services in a manner that is recognized by an American Indian or Alaskan Native
33 tribe as being consistent with the tribe's traditional healing practices.
- 34 (c) "Traditional healing services" means a system of culturally appropriate healing
35 methods for physical, mental, and emotional healing.
- 36 (2) On or before January 1, 2025, the department shall apply for a Medicaid waiver to
37 reimburse for traditional healing services provided by a traditional healing provider in an
38 eligible facility to an enrollee who is a member of an American Indian or Alaskan
39 Native tribe.
- 40 (3) A service under this section may not be reimbursed if:
- 41 (a) the traditional healing provider is restricted from providing the service;
42 (b) the service is contraindicated by a medical provider due to the potential to cause
43 harm; or
- 44 (c) the service is not part of the patient's plan of care.
- 45 (4) The department may further define and limit services described in this section.
- 46 Section 2. **Effective date.**
- 47 This bill takes effect on May 1, 2024.