

**Senator Luz Escamilla** proposes the following substitute bill:

**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 Service 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:



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

27 (1) As used in this section:

28 (a) "Eligible facility" means any of the following that has obtained an acknowledgment  
29 from a American Indian or Alaskan Native tribe to designate an individual as a traditional  
30 healing provider in accordance with the tribe's traditional healing practices:

31 (i) an Indian Health Service facility;

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

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

35 (iv) a facility operated by a person that contracts with an organization described in  
36 Subsection (1)(a)(iii).

37 (b) "Traditional healing provider" means an individual who is recognized by an eligible  
38 facility to provide a traditional healing service.

39 (c) "Traditional healing services" means a system of culturally appropriate healing  
40 methods for physical, mental, and emotional healing.

41 (2) On or before January 1, 2025, the department shall apply for a Medicaid waiver to  
42 reimburse for traditional healing services provided by an eligible facility to an enrollee who is  
43 an Indian Health Service or tribal beneficiary.

44 (3) A service under this section may not be reimbursed if:

45 (a) the traditional healing provider is restricted from providing the service;

46 (b) the service is contraindicated by a medical provider due to the potential to cause  
47 harm; or

48 (c) the service is not part of the patient's plan of care.

49 (4) The department may further define and limit services described in this section.

50 Section 2. **Effective date.**

51 This bill takes effect on May 1, 2024.