

SB0181S01 compared with SB0181

~~deleted text~~ shows text that was in SB0181 but was deleted in SB0181S01.

inserted text shows text that was not in SB0181 but was inserted into SB0181S01.

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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

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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 that has obtained an acknowledgment from a ~~{Native}~~ American **Indian or Alaskan Native** tribe to designate an individual as a traditional healing provider in accordance with the ~~{Native American}~~ tribe's traditional healing practices:

(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) ~~{a facility operated by an}~~ **an urban Indian** organization **as** that ~~{provides or facilitates health care services to Native American individuals in urban settings}~~ **term is defined in 25 U.S.C. Sec. 1603;** or

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

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

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

(2) On or before January 1, 2025, the department shall apply for a Medicaid waiver to reimburse for traditional healing services provided by an eligible facility to an enrollee who is ~~{a member of a Native American tribe}~~ **an Indian Health Service or tribal beneficiary.**

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

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

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

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

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

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.