

**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

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**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

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*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:

29 (i) an Indian Health Service facility;

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

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

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

35 (b) "Traditional healing provider" means an individual who provides traditional healing  
36 services in a manner that is recognized by an American Indian or Alaskan Native tribe as being  
37 consistent with the tribe's traditional healing practices.

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

40 (2) On or before January 1, 2025, the department shall apply for a Medicaid waiver to  
41 reimburse for traditional healing services provided by a traditional healing provider in an  
42 eligible facility to an enrollee who is a member of an American Indian or Alaskan Native tribe.

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

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

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

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

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

49 Section 2. **Effective date.**

50 This bill takes effect on May 1, 2024.