



February 18, 2022

ENGROSSED

HOUSE BILL No. 1140

DIGEST OF HB 1140 (Updated February 17, 2022 10:41 am - DI 129)

Citations Affected: IC 12-15.

Synopsis: Medicaid coverage for pregnant women. Repeals the statute specifying Medicaid eligibility for qualified pregnant women. Increases the Medicaid income eligibility requirements for pregnant women. Removes the Medicaid limitation for pregnant women of medical assistance coverage only for pregnancy related services. Provides that the extension of postpartum Medicaid coverage for pregnant women shall be determined by the office of the secretary of family and social services and must be at least 60 days but not more than 12 months beginning on the last day of the pregnancy.

Effective: Upon passage.

**Vermilion, Olthoff, Ledbetter, Summers,
Negele, Fleming, Shackleford, Pack,
Hamilton, Boy, Klinker, Jackson, Pfaff,
Schaibley, Engleman, Ziemke, Pryor,
Hatcher, King, Rowray, Davis, Austin,
Bauer M, Mayfield, Errington**

(SENATE SPONSORS — BECKER, DONATO, BREAUX, LEISING, YODER,
FORD J.D., ALTING, QADDOURA)

January 6, 2022, read first time and referred to Committee on Public Health.

January 13, 2022, amended, reported — Do Pass.

January 18, 2022, read second time, ordered engrossed.

January 19, 2022, engrossed.

January 20, 2022, read third time, passed. Yeas 86, nays 1.

SENATE ACTION

February 1, 2022, read first time and referred to Committee on Health and Provider Services.

February 10, 2022, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 17, 2022, amended, reported favorably — Do Pass.

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Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1140

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-15-2-11 IS REPEALED [EFFECTIVE UPON
2 PASSAGE]. Sec. 11: A qualified pregnant woman (as defined in 42
3 U.S.C. 1396d(n)(1)) is eligible to receive Medicaid.
4 SECTION 2. IC 12-15-2-13, AS AMENDED BY P.L.85-2017,
5 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 UPON PASSAGE]: Sec. 13. (a) A pregnant woman
7 (1) who is not described in 42 U.S.C. 1396a(a)(10)(A)(i); and
8 (2) whose family income does not exceed the income level
9 established in subsection (b)
10 is eligible to receive Medicaid **coverage under 42 CFR 435.116**.
11 (b) A pregnant woman described in this section is eligible to receive
12 Medicaid, subject to ~~subsections~~ **subsection (c) and (d)** and 42 U.S.C.
13 1396a et seq., if her family income does not exceed two hundred **eight**
14 percent ~~(200%)~~ **(208%)** of the federal income poverty level for the
15 same size family.
16 (c) Medicaid made available to a pregnant woman described in this
17 section is limited to medical assistance for services related to

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pregnancy, including prenatal, delivery, and postpartum services, and to other conditions that may complicate pregnancy.

(d) (c) Medicaid is available to a pregnant woman described in this section for:

(1) the duration of the pregnancy; and for

(2) a period of time determined by the office of the secretary.

The postpartum period of time determined by the office of the secretary must be at least the sixty (60) day days but not more than twelve (12) months of a postpartum period that begins on the last day of the pregnancy, without regard to any change in income of the family of which she is a member during that time.

SECTION 3. IC 12-15-5-1, AS AMENDED BY P.L.149-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as provided in IC 12-15-2-12, IC 12-15-6, and IC 12-15-21, the following services and supplies are provided under Medicaid:

(1) Inpatient hospital services.

(2) Nursing facility services.

(3) Physician's services, including services provided under IC 25-10-1 and IC 25-22.5-1.

(4) Outpatient hospital or clinic services.

(5) Home health care services.

(6) Private duty nursing services.

(7) Physical therapy and related services.

(8) Dental services.

(9) Prescribed laboratory and x-ray services.

(10) Prescribed drugs and pharmacist services.

(11) Eyeglasses and prosthetic devices.

(12) Optometric services.

(13) Diagnostic, screening, preventive, and rehabilitative services.

(14) Podiatric medicine services.

(15) Hospice services.

(16) Services or supplies recognized under Indiana law and specified under rules adopted by the office.

(17) Family planning services except the performance of abortions.

(18) Nonmedical nursing care given in accordance with the tenets and practices of a recognized church or religious denomination to an individual qualified for Medicaid who depends upon healing by prayer and spiritual means alone in accordance with the tenets and practices of the individual's church or religious denomination.

(19) Services provided to individuals described in IC 12-15-2-8.



- 1 (20) Services provided under IC 12-15-34 and IC 12-15-32.
- 2 (21) Case management services provided to individuals described
- 3 in ~~IC 12-15-2-11~~ and IC 12-15-2-13.
- 4 (22) Any other type of remedial care recognized under Indiana
- 5 law and specified by the United States Secretary of Health and
- 6 Human Services.
- 7 (23) Examinations required under IC 16-41-17-2(a)(10).
- 8 (24) Inpatient substance abuse detoxification services.
- 9 (25) Chronic pain management.
- 10 **SECTION 4. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1140, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE UPON PASSAGE]".

Page 3, after line 5, begin a new paragraph and insert:

"SECTION 4. **An emergency is declared for this act.**".

and when so amended that said bill do pass.

(Reference is to HB 1140 as introduced.)

BARRETT

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1140, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1140 as printed January 13, 2022.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 9, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1140, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 3 through 7, begin a new paragraph and insert:

"~~(d)~~ (c) Medicaid is available to a pregnant woman described in this

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section for:

(1) the duration of the pregnancy; and ~~for~~

(2) **a period of time determined by the office of the secretary.**

The postpartum period of time determined by the office of the secretary must be at least the sixty (60) ~~day~~ days but not more than twelve (12) months of a postpartum period that begins on the last day of the pregnancy, without regard to any change in income of the family of which she is a member during that time."

and when so amended that said bill do pass.

(Reference is to EHB 1140 as printed February 11, 2022.)

MISHLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

