

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.

## HOUSE ENROLLED ACT No. 1140

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AN ACT to amend the Indiana Code concerning Medicaid.

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

SECTION 1. IC 12-15-2-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 11. A qualified pregnant woman (as defined in 42 U.S.C. 1396d(n)(1)) is eligible to receive Medicaid:

SECTION 2. IC 12-15-2-13, AS AMENDED BY P.L.85-2017, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A pregnant woman

- (1) who is not described in 42 U.S.C. 1396a(a)(10)(A)(i); and
- (2) whose family income does not exceed the income level established in subsection (b)

is eligible to receive Medicaid **coverage under 42 CFR 435.116**.

(b) A pregnant woman described in this section is eligible to receive Medicaid, subject to ~~subsections~~ **subsection (c) and (d)** and 42 U.S.C. 1396a et seq., if her family income does not exceed two hundred **eight** percent (~~200%~~) (**208%**) of the federal income poverty level for the same size family.

(c) Medicaid made available to a pregnant woman described in this section is limited to medical assistance for services related to 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~~

HEA 1140 — Concur



**(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.
- (20) Services provided under IC 12-15-34 and IC 12-15-32.
- (21) Case management services provided to individuals described in ~~IC 12-15-2-11~~ and IC 12-15-2-13.
- (22) Any other type of remedial care recognized under Indiana law and specified by the United States Secretary of Health and



Human Services.

(23) Examinations required under IC 16-41-17-2(a)(10).

(24) Inpatient substance abuse detoxification services.

(25) Chronic pain management.

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



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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