

SECOND REGULAR SESSION

# HOUSE BILL NO. 1616

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WALKER (74).

5388H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 208.662, RSMo, and to enact in lieu thereof one new section relating to the show-me healthy babies program.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 208.662, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.662, to read as follows:

208.662. 1. There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 CFR 457.1.

2. For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

3. Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 and that promote healthy labor, delivery, and birth. Coverage need not include services that are  
19 solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a  
20 healthy pregnancy, and that provide no benefit to the unborn child. However, the department  
21 may include pregnancy-related assistance as defined in 42 U.S.C. Section 1397ll.

22 4. There shall be no waiting period before an unborn child may be enrolled in the  
23 show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10,  
24 coverage shall include the period from conception to birth. The department shall develop a  
25 presumptive eligibility procedure for enrolling an unborn child. There shall be verification of  
26 the pregnancy.

27 5. Coverage for the child shall continue for up to one year after birth, unless otherwise  
28 prohibited by law or unless otherwise limited by the general assembly through appropriations.

29 6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the  
30 pregnancy ends and extend through the last day of the month that includes the sixtieth day after  
31 the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the  
32 general assembly through appropriations. The department may include pregnancy-related  
33 assistance as defined in 42 U.S.C. Section 1397ll. **Postpartum coverage for the mother shall**  
34 **include substance abuse treatment, which shall extend through the last day of the twelfth**  
35 **month after the pregnancy ends.**

36 7. The department shall provide coverage for an unborn child enrolled in the show-me  
37 healthy babies program in the same manner in which the department provides coverage for the  
38 children's health insurance program (CHIP) in the county of the primary residence of the mother.

39 8. The department shall provide information about the show-me healthy babies program  
40 to maternity homes as defined in section 135.600, pregnancy resource centers as defined in  
41 section 135.630, and other similar agencies and programs in the state that assist unborn children  
42 and their mothers. The department shall consider allowing such agencies and programs to assist  
43 in the enrollment of unborn children in the program, and in making determinations about  
44 presumptive eligibility and verification of the pregnancy.

45 9. Within sixty days after August 28, 2014, the department shall submit a state plan  
46 amendment or seek any necessary waivers from the federal Department of Health and Human  
47 Services requesting approval for the show-me healthy babies program.

48 10. At least annually, the department shall prepare and submit a report to the governor,  
49 the speaker of the house of representatives, and the president pro tempore of the senate analyzing  
50 and projecting the cost savings and benefits, if any, to the state, counties, local communities,  
51 school districts, law enforcement agencies, correctional centers, health care providers, employers,  
52 other public and private entities, and persons by enrolling unborn children in the show-me

53 healthy babies program. The analysis and projection of cost savings and benefits, if any, may  
54 include but need not be limited to:

55 (1) The higher federal matching rate for having an unborn child enrolled in the show-me  
56 healthy babies program versus the lower federal matching rate for a pregnant woman being  
57 enrolled in MO HealthNet or other federal programs;

58 (2) The efficacy in providing services to unborn children through managed care  
59 organizations, group or individual health insurance providers or premium assistance, or through  
60 other nontraditional arrangements of providing health care;

61 (3) The change in the proportion of unborn children who receive care in the first  
62 trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility, or  
63 by removal of other barriers, and any resulting or projected decrease in health problems and other  
64 problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and  
65 during infancy and childhood;

66 (4) The change in healthy behaviors by pregnant women, such as the cessation of the use  
67 of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or projected  
68 short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing  
69 problems; breathing and respiratory problems; feeding and digestive problems; and other  
70 physical, mental, educational, and behavioral problems; and

71 (5) The change in infant and maternal mortality, preterm births and low birth weight  
72 babies and any resulting or projected decrease in short-term and long-term medical and other  
73 interventions.

74 11. The show-me healthy babies program shall not be deemed an entitlement program,  
75 but instead shall be subject to a federal allotment or other federal appropriations and matching  
76 state appropriations.

77 12. Nothing in this section shall be construed as obligating the state to continue the  
78 show-me healthy babies program if the allotment or payments from the federal government end  
79 or are not sufficient for the program to operate, or if the general assembly does not appropriate  
80 funds for the program.

81 13. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling  
82 a mandate imposed by the federal government on the state.

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