

HOUSE BILL NO. 1672

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

3392H.04I

DANA RADEMAN MILLER, Chief Clerk

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.

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Section A. Section 208.662, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.662, to read as follows: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 **or child under one year of age**. 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 **or child under one year of age** 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]~~ **or child under one year of age**.

3. For an unborn child **or child under one year of age to be enrolled in the show-me healthy babies program, the unborn child or child under one year of age** 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

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.

17 eligibility, the family shall include, in addition to other family members, the unborn child, or in
18 the case of a mother with a multiple pregnancy, all unborn children.

19 ~~[3-]~~ **4.** Coverage for an unborn child enrolled in the show-me healthy babies program
20 shall include all prenatal care and pregnancy-related services that benefit the health of the unborn
21 child and that promote healthy labor, delivery, and birth. Coverage need not include services that
22 are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting
23 a healthy pregnancy, and that provide no benefit to the unborn child. However, the department
24 may include pregnancy-related assistance as defined in 42 U.S.C. Section 1397ll.

25 ~~[4-]~~ **5.** There shall be no waiting period before an unborn child may be enrolled in the
26 show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10,
27 coverage shall include the period from conception to birth. The department shall develop a
28 presumptive eligibility procedure for enrolling an unborn child. There shall be verification of
29 the pregnancy. **Coverage shall be made available for care and services furnished in or after**
30 **the third month before the month in which the application was made, as required by 42**
31 **U.S.C. 1396a(a)(34).**

32 **6.** **There shall be no waiting period before a child under one year of age may be**
33 **enrolled in the show-me healthy babies program. The department shall develop a**
34 **presumptive eligibility procedure for enrolling a child under one year of age. Coverage**
35 **shall be made available for care and services furnished in or after the third month before**
36 **the month in which the application was made, as required by 42 U.S.C. 1396a(a)(34).**

37 ~~[5-]~~ **7.** Coverage for ~~the~~ **a child enrolled in the show-me healthy babies program**
38 **shall ~~continue for~~ include the period of** up to one year after birth, unless otherwise prohibited
39 by law or unless otherwise limited by the general assembly through appropriations. **A child or**
40 **mother does not need to be enrolled before the birth of the child to be eligible for coverage.**

41 ~~[6-]~~ **8.** Pregnancy-related and postpartum coverage for the mother shall begin on the day
42 the pregnancy ends and extend through the last day of the month that includes the sixtieth day
43 after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the
44 general assembly through appropriations. The department may include pregnancy-related
45 assistance as defined in 42 U.S.C. Section 1397ll.

46 ~~[7-]~~ **9.** The department shall provide coverage for an unborn child **or child under one**
47 **year of age** enrolled in the show-me healthy babies program in the same manner in which the
48 department provides coverage for the children's health insurance program (CHIP) in the county
49 of the primary residence of the mother.

50 ~~[8-]~~ **10.** The department shall provide information about the show-me healthy babies
51 program to maternity homes as defined in section 135.600, pregnancy resource centers as defined
52 in section 135.630, **nurse home visiting programs, parents as teachers,** and other similar

53 agencies and programs in the state that assist unborn children **or children under one year of age**
54 and their mothers. The department shall consider allowing such agencies and programs to assist
55 in the enrollment of unborn children **or children under one year of age** in the program, and in
56 making determinations about presumptive eligibility and verification of the pregnancy.

57 ~~[9-]~~ **11.** Within sixty days after August 28, 2014, the department shall submit a state plan
58 amendment or seek any necessary waivers from the federal Department of Health and Human
59 Services requesting approval for the show-me healthy babies program.

60 ~~[10-]~~ **12.** At least annually, the department shall prepare and submit a report to the
61 governor, the speaker of the house of representatives, and the president pro tempore of the senate
62 analyzing and projecting the cost savings and benefits, if any, to the state, counties, local
63 communities, school districts, law enforcement agencies, correctional centers, health care
64 providers, employers, other public and private entities, and persons by enrolling unborn children
65 **or children under one year of age** in the show-me healthy babies program. The analysis and
66 projection of cost savings and benefits, if any, may include but need not be limited to:

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

70 (2) The efficacy in providing services to unborn children **or children under one year**
71 **of age** through managed care organizations, group or individual health insurance providers or
72 premium assistance, or through other nontraditional arrangements of providing health care;

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

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

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

86 ~~[11-]~~ **13.** The show-me healthy babies program shall not be deemed an entitlement
87 program, but instead shall be subject to a federal allotment or other federal appropriations and
88 matching state appropriations.

89 ~~[12.]~~ **14.** Nothing in this section shall be construed as obligating the state to continue the
90 show-me healthy babies program if the allotment or payments from the federal government end
91 or are not sufficient for the program to operate, or if the general assembly does not appropriate
92 funds for the program.

93 ~~[13.]~~ **15.** Nothing in this section shall be construed as expanding MO HealthNet or
94 fulfilling a mandate imposed by the federal government on the state.

✓