

2010 -- S 2649

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - HEALTHCARE FOR CHILDREN
AND PREGNANT WOMEN

Introduced By: Senators Perry, Miller, Sosnowski, and Pichardo

Date Introduced: March 04, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.3-3 of the General Laws in Chapter 42-12.3 entitled "Health
2 Care for Children and Pregnant Women" is hereby amended to read as follows:

3 **42-12.3-3. Medical assistance expansion for pregnant women/Rite Start.** -- (a) The
4 director of the department of human services is authorized to amend its title XIX state plan
5 pursuant to title XIX of the Social Security Act to provide Medicaid coverage and to amend its
6 title XXI state plan pursuant to Title XXI of the Social Security Act to provide medical assistance
7 coverage through expanded family income disregards for pregnant women whose family income
8 levels are between one hundred eighty-five percent (185%) and two hundred fifty percent (250%)
9 of the federal poverty level. The department is further authorized to promulgate any regulations
10 necessary and in accord with title XIX [42 U.S.C. section 1396 et seq.]and title XXI [42 U.S.C.
11 section 1397 et seq.]of the Social Security Act necessary in order to implement said state plan
12 amendment. The services provided shall be in accord with title XIX [42 U.S.C. section 1396 et
13 seq.]and title XXI [42 U.S.C. section 1397 et seq.]of the Social Security Act.

14 (b) The director of the department of human services is authorized and directed to
15 establish a payor of last resort program to cover prenatal, delivery and postpartum care. The
16 program shall cover the cost of maternity care for any woman who lacks health insurance
17 coverage for maternity care and who is not eligible for medical assistance under title XIX [42
18 U.S.C. section 1396 et seq.]and title XXI [42 U.S.C. section 1397 et seq.]of the Social Security

1 Act including, but not limited to, a non-citizen pregnant woman lawfully admitted for permanent
2 residence on or after August 22, 1996, without regard to the availability of federal financial
3 participation, provided such pregnant woman satisfies all other eligibility requirements. The
4 director shall promulgate regulations to implement this program. Such regulations shall include
5 specific eligibility criteria; the scope of services to be covered; procedures for administration and
6 service delivery; referrals for non-covered services; outreach; and public education. Excluded
7 services under this paragraph will include, but not be limited to, ~~induced abortion except to~~
8 ~~prevent the death of the mother~~ abortion, except when the procedure is necessary to preserve the
9 life of the mother, or in the case of pregnancies resulting from rape or incest.

10 (c) The department of human services may enter into cooperative agreements with the
11 department of health and/or other state agencies to provide services to individuals eligible for
12 services under subsections (a) and (b) above.

13 (d) The following services shall be provided through the program:

- 14 (1) Ante-partum and postpartum care;
- 15 (2) Delivery;
- 16 (3) Cesarean section;
- 17 (4) Newborn hospital care;
- 18 (5) Inpatient transportation from one hospital to another when authorized by a medical
19 provider;
- 20 (6) Prescription medications and laboratory tests;

21 (e) The department of human services shall provide enhanced services, as appropriate, to
22 pregnant women as defined in subsections (a) and (b), as well as to other pregnant women
23 eligible for medical assistance. These services shall include: care coordination, nutrition and
24 social service counseling, high risk obstetrical care, childbirth and parenting preparation
25 programs, smoking cessation programs, outpatient counseling for drug-alcohol use, interpreter
26 services, mental health services, and home visitation. The provision of enhanced services is
27 subject to available appropriations. In the event that appropriations are not adequate for the
28 provision of these services, the department has the authority to limit the amount, scope and
29 duration of these enhanced services.

30 (f) The department of human services shall provide for extended family planning
31 services for up to twenty-four (24) months postpartum. These services shall be available to
32 women who have been determined eligible for RIte Start or for medical assistance under title XIX
33 [42 U.S.C. section 1396 et seq.]or title XXI [42 U.S.C. section 1397 et seq.]of the Social Security
34 Act.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would provide funding, under the RIte Start Program, for abortions necessary to
- 2 preserve the life of the mother, or in the case of pregnancies resulting from rape or incest.
- 3 This act would take effect upon passage.

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