

## Union Calendar No. 565

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5789

**[Report No. 115-730]**

To amend title XIX of the Social Security Act to provide for Medicaid coverage protections for pregnant and post-partum women while receiving inpatient treatment for a substance use disorder, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2018

Mr. FOSTER (for himself and Mr. GUTHRIE) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

JUNE 12, 2018

Additional sponsors: Mrs. BLACKBURN, Mr. WALDEN, and Ms. HERRERA  
BEUTLER

JUNE 12, 2018

Reported with amendments, committed to the Committee of the Whole House  
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 15, 2018]

# **A BILL**

To amend title XIX of the Social Security Act to provide for Medicaid coverage protections for pregnant and postpartum women while receiving inpatient treatment for a substance use disorder, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GUIDANCE TO IMPROVE CARE FOR INFANTS**  
4 **WITH NEONATAL ABSTINENCE SYNDROME**  
5 **AND THEIR MOTHERS; GAO STUDY ON GAPS**  
6 **IN MEDICAID COVERAGE FOR PREGNANT AND**  
7 **POSTPARTUM WOMEN WITH SUBSTANCE USE**  
8 **DISORDER.**

9 *(a) GUIDANCE.—Not later than one year after the date*  
10 *of the enactment of this Act, the Secretary of Health and*  
11 *Human Services shall issue guidance to improve care for*  
12 *infants with neonatal abstinence syndrome and their moth-*  
13 *ers. Such guidance shall include—*

14 *(1) the types of services, including post-discharge*  
15 *services and parenting supports, for mothers and fa-*  
16 *thers of babies with neonatal abstinence syndrome*  
17 *that States may cover under the Medicaid program*  
18 *under title XIX of the Social Security Act;*

19 *(2) best practices from States with respect to in-*  
20 *novative or evidenced-based payment models that*  
21 *focus on prevention, screening, treatment, plans of*  
22 *safe care, and post-discharge services for mothers and*  
23 *fathers with substance use disorders and babies with*  
24 *neonatal abstinence syndrome that improve care and*  
25 *clinical outcomes;*

1           (3) recommendations for States on available fi-  
2           nancing options under the Medicaid program under  
3           title XIX of such Act and under the Children’s Health  
4           Insurance Program under title XXI of such Act for  
5           Children’s Health Insurance Program Health Services  
6           Initiative funds for parents with substance use dis-  
7           orders, infants with neonatal abstinence syndrome,  
8           and home visiting services; and

9           (4) guidance and technical assistance to State  
10          Medicaid agencies regarding additional flexibilities  
11          and incentives related to screening, prevention, and  
12          post-discharge services, including parenting supports,  
13          under contracts with medicaid managed care organi-  
14          zations.

15          (b) GAO STUDY.—Not later than one year after the  
16          date of the enactment of this Act, the Comptroller General  
17          of the United States shall conduct a study, and submit to  
18          Congress a report, addressing gaps in coverage for pregnant  
19          women with substance use disorder under the Medicaid pro-  
20          gram under title XIX of the Social Security Act, and gaps  
21          in coverage for postpartum women with substance use dis-  
22          order who had coverage during their pregnancy under the  
23          Medicaid program under such title.

Amend the title so as to read: “A bill to require the Secretary of Health and Human Services to issue guidance to improve care for infants with neonatal abstinence

syndrome and their mothers, and require the Comptroller General of the United States to conduct a study on gaps in Medicaid coverage for pregnant and postpartum women with substance use disorder.”.

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