

**FAMILY PLANNING SERVICES AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derek L. Kitchen**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill amends provisions for family planning services within the state Medicaid program.

**Highlighted Provisions:**

This bill:

- ▶ requires the Division of Health Care Financing to apply for a Medicaid waiver or a state plan amendment to extend family planning services to certain low-income individuals; and
- ▶ extends the sunset date for the current reporting requirement.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-18-417**, as last amended by Laws of Utah 2019, Chapter 393

**63I-1-226**, as last amended by Laws of Utah 2019, Chapters 67, 136, 246, 289, 455 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 246

---

---

*Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section ~~26-18-417~~ is amended to read:

29 **26-18-417. Limited family planning services for low-income individuals.**

30 (1) As used in this section:

31 (a) (i) "Family planning services" means family planning services that are provided  
32 under the state Medicaid program, including:

33 (A) sexual health education and family planning counseling; and

34 (B) other medical diagnosis, treatment, or preventative care routinely provided as part  
35 of a family planning service visit.

36 (ii) "Family planning services" do not include an abortion, as that term is defined in  
37 Section ~~76-7-301~~.

38 (b) "Low-income individual" means an individual who:

39 (i) has an income level that is equal to or below [~~95%~~] 250% of the federal poverty  
40 level; ~~and~~

40a **(ii) is 18 years old or older; and** ~~and~~

41 ~~(iii)~~ **(iii)** ~~and~~ does not qualify for full coverage under the Medicaid program.

42 (2) Before July 1, [~~2018~~] 2020, the division shall apply for a Medicaid waiver or a state  
43 plan amendment with CMS to:

44 (a) offer a program that provides family planning services to low-income individuals;  
45 and

46 (b) receive a federal match rate of 90% of state expenditures for family planning  
47 services provided under the waiver or state plan amendment.

48 (3) If the waiver or state plan amendment described in Subsection (2) is approved, the  
49 department shall report to the Health and Human Services Interim Committee each year before  
50 November 30 while the waiver or state plan amendment is in effect regarding:

51 (a) the number of qualified individuals served under the program;

52 (b) the cost of the program; and

53 (c) the effectiveness of the program, including:

54 (i) any savings to the state Medicaid program from reductions in enrollment;

55 (ii) any reduction in the number of abortions;

56 (iii) any reduction in the number of unintended pregnancies;

57 (iv) any reduction in the number of individuals requiring services from the Women,  
58 Infants, and Children Program established in 42 U.S.C. Sec. 1786; and

- 59 (v) any other costs and benefits as a result of the program.
- 60 Section 2. Section **63I-1-226** is amended to read:
- 61 **63I-1-226. Repeal dates, Title 26.**
- 62 (1) Section **26-1-40** is repealed July 1, 2022.
- 63 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
64 1, 2025.
- 65 (3) Section **26-10-11** is repealed July 1, 2020.
- 66 (4) Subsection **26-18-417(3)** is repealed July 1, [~~2020~~] 2025.
- 67 (5) Subsection **26-18-418(2)**, the language that states "and the Mental Health Crisis  
68 Line Commission created in Section **63C-18-202**" is repealed July 1, 2023.
- 69 (6) Section **26-18-419.1** is repealed December 31, 2019.
- 70 (7) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.
- 71 (8) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2024.
- 72 (9) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed  
73 July 1, 2024.
- 74 (10) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, 2024.
- 75 (11) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and  
76 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2023.
- 77 (12) Subsection **26-61a-108(2)(e)(i)**, related to the Native American Legislative  
78 Liaison Committee, is repealed July 1, 2022.
- 79 (13) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is repealed  
80 July 1, 2026.