

FAMILY PLANNING SERVICES AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derek L. Kitchen

House Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ requires the Medicaid program to apply for a waiver or a state plan amendment to extend family planning services to certain low-income individuals; and
- ▶ makes technical changes.

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 2020, Chapters 19, 154, 172, 181, 221, 232, 303, 347, and 429

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

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



28 **26-18-417. Limited family planning services for low-income individuals.**

29 (1) As used in this section:

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

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

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

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

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

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

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

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

42 (2) Before July 1, [~~2018~~] 2021, 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 Section 2. Section **63I-1-226** is amended to read:

49 **63I-1-226. Repeal dates, Title 26.**

50 (1) Subsection [26-1-7\(1\)\(f\)](#), related to the Residential Child Care Licensing Advisory
51 Committee, is repealed July 1, 2024.

52 (2) Subsection [26-1-7\(1\)\(h\)](#), related to the Primary Care Grant Committee, is repealed
53 July 1, 2025.

54 (3) Section [26-1-7.5](#), which creates the Utah Health Advisory Council, is repealed July
55 1, 2025.

56 (4) Section [26-1-40](#) is repealed July 1, 2022.

57 (5) Section [26-1-41](#) is repealed July 1, 2026.

58 (6) Section [26-7-10](#) is repealed July 1, 2025.

- 59 (7) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1,
60 2028.
- 61 (8) Section 26-7-14 is repealed December 31, 2027.
- 62 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
63 1, 2025.
- 64 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
65 is repealed July 1, 2026.
- 66 (11) Section 26-10-11 is repealed July 1, 2025.
- 67 (12) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
68 July 1, 2025.
- 69 (13) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,
70 2027.
- 71 [~~(14) Subsection 26-18-417(3) relating to a report to the Health and Human services~~
72 ~~Interim Committee is repealed July 1, 2020.~~]
- 73 [(15)] (14) Subsection 26-18-418(2), the language that states "and the Behavioral
74 Health Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.
- 75 [(16)] (15) Title 26, Chapter 18a, Kurt Oscarson Children's Organ Transplant
76 Coordinating Committee, is repealed July 1, 2021.
- 77 [(17)] (16) Section 26-33a-117 is repealed on December 31, 2023.
- 78 [(18)] (17) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
79 2024.
- 80 [(19)] (18) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July
81 1, 2024.
- 82 [(20)] (19) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
83 repealed July 1, 2024.
- 84 [(21)] (20) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July
85 1, 2024.
- 86 [(22)] (21) Section 26-39-201, which creates the Residential Child Care Licensing
87 Advisory Committee, is repealed July 1, 2024.
- 88 [(23)] (22) Section 26-40-104, which creates the Utah Children's Health Insurance
89 Program Advisory Council, is repealed July 1, 2025.

90 [~~(24)~~] (23) Section ~~26-50-202~~, which creates the Traumatic Brain Injury Advisory
91 Committee, is repealed July 1, 2025.

92 [~~(25)~~] (24) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
93 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

94 [~~(26)~~] (25) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
95 repealed July 1, 2026.

96 [~~(27)~~] (26) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed
97 July 1, 2026.