

SB 407-FN - AS INTRODUCED

2022 SESSION

22-3089

05/04

SENATE BILL **407-FN**

AN ACT relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor.

SPONSORS: Sen. Prentiss, Dist 5; Sen. Bradley, Dist 3; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Whitley, Dist 15; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Kahn, Dist 10; Rep. M. Murray, Hills. 22; Sen. Cavanaugh, Dist 16; Sen. Sherman, Dist 24; Sen. Gannon, Dist 23; Sen. D'Allesandro, Dist 20; Sen. Soucy, Dist 18; Rep. Nordgren, Graf. 12

COMMITTEE: Health and Human Services

ANALYSIS

This bill directs the department of health and human services to submit a state plan amendment to expand postpartum coverage under Medicaid, establishes a quarterly reporting requirement, and makes an appropriation to the department for the purpose of funding the postpartum health care services.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Title. This act shall be known and may be cited as the "Healthy Moms, Healthy Babies Act of
2 2022".

3 2 New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA
4 167:68 by inserting after paragraph III the following new paragraph:

5 IV.(a) Pursuant to the state option under the American Rescue Plan Act of 2021 to expand
6 maternity care under Medicaid and section 1902(e)(16) of the Social Security Act (42 U.S.C. section
7 1396a(e)), the commissioner of the department of health and human services shall submit, no later
8 than August 15, 2022, a Medicaid state plan amendment to the federal Centers for Medicare and
9 Medicaid Services to establish and implement 12 months of continuous coverage for the entire
10 postpartum period. This benefit shall be available to anyone who received medical assistance under
11 the state plan for all pregnancy-related and postpartum medical assistance available under the state
12 plan.

13 (b) The purpose of the program shall be, through ensuring continuous coverage for a 12-
14 month postpartum period, to increase identification and mitigation of preventable pregnancy related
15 and pregnancy associated morbidity and mortality, including those related to substance use disorder
16 and mental illness.

17 (c) The medical assistance provided for a pregnant or postpartum woman under this
18 section shall, consistent with Section 1902(e)(16) include all items and services covered under the
19 state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be
20 substantially equivalent, to the medical assistance available for an individual described in
21 subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month
22 period that begins on the last day of the individual's pregnancy and ends on the last day of the
23 month in which such 12-month period ends.

24 (d) On January 1, 2023, the commissioner shall begin submitting quarterly reports to
25 the oversight committee on health and human services, the legislative committees with jurisdiction
26 over health and human services, and the governor regarding the department's progress in obtaining
27 and implementing the state plan amendment. The quarterly reports shall include the department's
28 plans for reducing administrative burdens for enrollees and the department's efforts to expand
29 access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to

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1 subparagraph (a). Reports submitted under this paragraph shall also be posted on the department's
2 website.

3 (e) The department shall include in its biennial request for appropriations under RSA
4 9:4, not less than \$200,000 for each fiscal year, for the purpose of providing the postpartum health
5 care services required under this paragraph.

6 3 Appropriation. The sum of \$200,000 for the fiscal year ending June 30, 2022 is hereby
7 appropriated to the department of health and human services for the purpose of expanding
8 postpartum health care services under the state Medicaid plan as provided in section 2 of this act.
9 The governor shall determine if any discretionary funds appropriated in the American Rescue Plan
10 Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the
11 commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated
12 from the general fund. The governor is authorized to draw a warrant for the general fund portion of
13 such sum from any money in the treasury not otherwise appropriated.

14 4 Effective Date. This act shall take effect upon its passage.

SB 407-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$200,000	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable	\$200,000 - \$1,000,000 state general funds; indeterminable matching federal funds	\$200,000 - \$1,000,000 state general funds; indeterminable matching federal funds	\$200,000 - \$1,000,000 state general funds; indeterminable matching federal funds
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Federal matching funds			

METHODOLOGY:

This bill requires the Department of Health and Human Services to submit a state plan amendment expanding postpartum coverage under Medicaid. The Department notes that currently, the state provides Medicaid coverage to pregnant women with incomes up to 196 percent of the federal poverty level (FPL) for 60 days postpartum, which would be extended to 12 months under the bill. In addition, the Granite Advantage Program currently covers individuals with incomes up to 138 percent of the FPL. Accordingly, the Department states the bill will effectively provide 10 months' worth of postpartum coverage for those between 138 percent and 196 percent of the FPL. As of December 2021, the Department was awaiting guidance from the federal Centers for Medicare and Medicaid Services (CMS) regarding the availability of an enhanced Federal Medical Assistance Percentage (FMAP) for these services. Depending on the FMAP available and the number of individuals eligible for the extended coverage, the Department estimates an annual increase in state general fund expenditures of \$200,000 to \$1,000,000 per year.

This bill contains an appropriation of \$200,000 in FY 2022. If federal funds are available under the American Rescue Plan Act of 2021 (ARPA), those shall be used first, with state general funds used for the remainder.

AGENCIES CONTACTED:

Department of Health and Human Services