

HB 1683-FN - AS AMENDED BY THE HOUSE

21Mar2024... 0573h

2024 SESSION

24-2113

05/08

HOUSE BILL

1683-FN

AN ACT relative to coverage of circumcision under the state Medicaid plan.

SPONSORS: Rep. Phillips, Rock. 7; Rep. Santonastaso, Ches. 18; Rep. Osborne, Rock. 2; Rep. Yokela, Rock. 32; Rep. Cushman, Hills. 28; Rep. Soti, Rock. 35; Rep. Potenza, Straf. 19; Rep. Read, Rock. 10; Rep. Wheeler, Hills. 33

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill provides that the state Medicaid plan shall not include circumcision unless the child has a specific diagnosis for which the procedure is determined to be medically necessary.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Four

AN ACT relative to coverage of circumcision under the state Medicaid plan.

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

- 1 Title. This act shall be known as the "Children's Body Autonomy Act".
- 2 New Section; Circumcision under the State Medicaid Plan; Restrictions. Amend RSA 167 by
3 inserting after section 3-m the following new section:
4 167:3-n State Medicaid Plan; Circumcision.
- 5 I. In this section:
- 6 (a) "Health care provider" means a hospital, health care facility, physician, resident
7 physician, physician assistant, or registered nurse, practicing in the state of New Hampshire.
- 8 (b) "Newborn child" means a person under 1 year of age.
- 9 (c) "Child" or "minor" means a person who is under 18 years of age.
- 10 II. Medical assistance provided under the state Medicaid plan shall not include the
11 circumcision of children unless the procedure is medically necessary pursuant to paragraphs III or
12 IV.
- 13 III. Medically necessary circumcision for a newborn child shall be valid for the following
14 diagnoses:
- 15 (a) Congenital obstructive urinary tract anomalies.
- 16 (b) Neurogenic bladder.
- 17 (c) Spina bifida.
- 18 (d) Recurrent urinary tract infections.
- 19 IV. Medically necessary circumcision for a minor shall be valid for the following diagnoses:
- 20 (a) A documented prior history of recurrent urinary tract infections.
- 21 (b) Documented vesicoureteral reflux of at least a Grade III.
- 22 (c) Paraphimosis unresponsive to medical therapy.
- 23 (d) Recurrent balanoposthitis.
- 24 (e) Recurrent balanitis or balanitis xerotica obliterans.
- 25 (f) Congenital chordee.
- 26 (g) Phimosis after puberty which has been unresponsive to medical therapy.
- 27 (h) Secondary or acquired phimosis causing urinary obstruction, hematuria or preputial
28 pain unresponsive to medical therapy.
- 29 (i) Condyloma acuminatum.
- 30 (j) Malignant neoplasm of the prepuce.

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- 1 (k) Or any diagnosed condition for which a circumcision is deemed medically necessary
2 by a physician or other health care provider licensed in New Hampshire.
3 3 Effective Date. This act shall take effect January 1, 2025.

**HB 1683-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to coverage of circumcision under the state Medicaid plan.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures	\$0	\$22,500 general fund reduction; \$22,500 federal fund reduction	\$45,000 general fund reduction; \$45,000 federal fund reduction	\$45,000 general fund reduction; \$45,000 federal fund reduction
<i>Funding Source(s)</i>	General Fund Federal matching funds			
Appropriations	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ Yes
- Does this bill authorize new positions to implement this bill? ☒ No

METHODOLOGY:

This bill prevents the state Medicaid program from covering circumcision unless a child has a specific diagnosis for which the procedure is deemed medically necessary. The Department of Health and Human Services states that in FY23, the Medicaid program had total expenditures (50 percent general and 50 percent federal funds) of \$213,160 on circumcision-related services. Of that amount, \$90,560 was expended on encounters with a diagnosis code for elective circumcision. The Department cautions that it is unable to determine with precision the dollar amounts attributable to circumcisions that would or would not be covered under this bill. Nonetheless, it is assumed for the purposes of this fiscal note that the bill will result in a cost reduction of approximately \$90,000 per year, of which half will be general funds and half will be federal funds. The Department anticipates, however, that there may also be an indeterminable increase due to prior authorization requirements that may be necessary as a result of the bill.

As the bill has an effective date of January 1, 2025, the fiscal impact shown in the table above reflects six months in FY25.

AGENCIES CONTACTED:

Department of Health and Human Services