

SECOND REGULAR SESSION

# HOUSE BILL NO. 1065

97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE GRISAMORE.

4539H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the show-me healthy babies program.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.662, to read as follows:

- 208.662. 1. **There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 CFR 457.1.**
2. **For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **3. Coverage for an unborn child enrolled in the show-me healthy babies program**  
18 **shall include all prenatal care and pregnancy-related services that benefit the health of the**  
19 **unborn child and that promote healthy labor, delivery, and birth. Coverage need not**  
20 **include services that are solely for the benefit of the pregnant mother, that are unrelated**  
21 **to maintaining or promoting a healthy pregnancy, and that provide no benefit to the**  
22 **unborn child. However, the department may include pregnancy-related assistance as**  
23 **defined in 42 U.S.C. 1397ll.**

24           **4. There shall be no waiting period before an unborn child may be enrolled in the**  
25 **show-me healthy babies program. In accordance with the definition of child in 42 CFR**  
26 **457.10, coverage shall include the period from conception to birth. The department shall**  
27 **develop a presumptive eligibility procedure for enrolling an unborn child. There shall be**  
28 **verification of the pregnancy.**

29           **5. Coverage for the child shall continue for up to one year after birth, unless**  
30 **otherwise prohibited by law or unless otherwise limited by the general assembly through**  
31 **appropriations.**

32           **6. Pregnancy-related and postpartum coverage for the mother shall begin on the**  
33 **day the pregnancy ends and extend through the last day of the month that includes the**  
34 **sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless**  
35 **otherwise limited by the general assembly through appropriations. The department may**  
36 **include pregnancy-related assistance as defined in 42 U.S.C. 1397ll.**

37           **7. The department may provide coverage for an unborn child enrolled in the show-**  
38 **me healthy babies program through:**

39           **(1) Direct coverage whereby the state pays health care providers directly or by**  
40 **contracting with a managed care organization or with a group or individual health**  
41 **insurance provider;**

42           **(2) A premium assistance program whereby the state assists in payment of the**  
43 **premiums, co-payments, coinsurance, or deductibles for a person who is eligible for health**  
44 **coverage through an employer, former employer, labor union, credit union, church,**  
45 **spouse, other organizations, other individuals, or through an individual health insurance**  
46 **policy that includes coverage for the unborn child, when such person needs assistance in**  
47 **paying such premiums, co-payments, coinsurance, or deductibles;**

48           **(3) A combination of direct coverage, such as when the unborn child is first**  
49 **enrolled, and premium assistance, such as after the child is born; or**

50           **(4) Any other similar arrangement whereby there:**

51           **(a) Are lower program costs without sacrificing health care coverage for the**  
52 **unborn child or the child up to one year after birth;**

53           **(b) Are greater covered services for the unborn child or the child up to one year**  
54 **after birth;**

55           **(c) Is also coverage for siblings or other family members, including the unborn**  
56 **child's mother, such as by providing pregnancy-related assistance under 42 U.S.C. 1397ll,**  
57 **relating to coverage of targeted low-income pregnant women through the children's health**  
58 **insurance program (CHIP); or**

59           **(d) Will be an ability for the child to transition more easily to non-government or**  
60 **less government-subsidized group or individual health insurance coverage after the child**  
61 **is no longer enrolled in the show-me healthy babies program.**

62           **8. The department shall provide information about the show-me healthy babies**  
63 **program to maternity homes as defined in section 135.600, pregnancy resource centers as**  
64 **defined in section 135.630, and other similar agencies and programs in the state that assist**  
65 **unborn children and their mothers. The department shall consider allowing such agencies**  
66 **and programs to assist in the enrollment of unborn children in the program, and in making**  
67 **determinations about presumptive eligibility and verification of the pregnancy.**

68           **9. Within sixty days after the effective date of this section, the department shall**  
69 **submit a state plan amendment or seek any necessary waivers from the federal Department**  
70 **of Health and Human Services requesting approval for the show-me healthy babies**  
71 **program.**

72           **10. At least annually, the department shall prepare and submit a report to the**  
73 **governor, the speaker of the house of representatives, and the president pro tempore of the**  
74 **senate analyzing and projecting the cost savings and benefits, if any, to the state, counties,**  
75 **local communities, school districts, law enforcement agencies, correctional centers, health**  
76 **care providers, employers, other public and private entities, and persons by enrolling**  
77 **unborn children in the show-me healthy babies program. The analysis and projection of**  
78 **cost savings and benefits, if any, may include but need not be limited to:**

79           **(1) The higher federal matching rate for having an unborn child enrolled in the**  
80 **show-me healthy babies program versus the lower federal matching rate for a pregnant**  
81 **woman being enrolled in MO HealthNet or other federal programs;**

82           **(2) The efficacy in providing services to unborn children through managed care**  
83 **organizations, group or individual health insurance providers or premium assistance, or**  
84 **through other nontraditional arrangements of providing health care;**

85           **(3) The change in the proportion of unborn children who receive care in the first**  
86 **trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility,**  
87 **or by removal of other barriers, and any resulting or projected decrease in health problems**

88 and other problems for unborn children and women throughout pregnancy; at labor,  
89 delivery, and birth; and during infancy and childhood;

90 (4) The change in healthy behaviors by pregnant women, such as the cessation of  
91 the use of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or  
92 projected short-term and long-term decrease in birth defects; poor motor skills; vision,  
93 speech, and hearing problems; breathing and respiratory problems; feeding and digestive  
94 problems; and other physical, mental, educational, and behavioral problems; and

95 (5) The change in infant and maternal mortality, pre-term births and low birth  
96 weight babies and any resulting or projected decrease in short-term and long-term medical  
97 and other interventions.

98 11. The show-me healthy babies program shall not be deemed an entitlement  
99 program, but instead shall be subject to a federal allotment or other federal appropriations  
100 and matching state appropriations.

101 12. Nothing in this section shall be construed as obligating the state to continue the  
102 show-me healthy babies program if the allotment or payments from the federal  
103 government end or are not sufficient for the program to operate, or if the general assembly  
104 does not appropriate funds for the program.

105 13. Nothing in this section shall be construed as expanding MO HealthNet or  
106 fulfilling a mandate imposed by the federal government on the state.

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