



March 1, 2024

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# ENGROSSED HOUSE BILL No. 1426

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DIGEST OF HB 1426 (Updated February 29, 2024 12:44 pm - DI 120)

**Citations Affected:** IC 12-15.

**Synopsis:** Long acting reversible contraceptives. Requires a hospital that operates a maternity unit to ensure that a woman who is: (1) giving birth in the hospital; and (2) eligible for or receiving Medicaid assistance; has the option, if not medically contraindicated, of having a long acting reversible subdermal contraceptive implanted after delivery and before the woman is discharged. Allows a hospital to be  
(Continued next page)

**Effective:** July 1, 2024.

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## Fleming, Ledbetter, Bauer M, King

(SENATE SPONSOR — GLICK)

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January 16, 2024, read first time and referred to Committee on Public Health.  
January 30, 2024, amended, reported — Do Pass.  
February 1, 2024, read second time, amended, ordered engrossed.  
February 2, 2024, engrossed.  
February 5, 2024, read third time, passed. Yeas 94, nays 4.

SENATE ACTION

February 12, 2024, read first time and referred to Committee on Health and Provider Services.  
February 22, 2024, reported favorably — Do Pass; reassigned to Committee on Appropriations.  
February 29, 2024, amended, reported favorably — Do Pass.

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EH 1426—LS 7052/DI 147



## Digest Continued

exempt from the requirement if the hospital has a faith based objection. Requires the office of the secretary of family and social services to reimburse the hospital for the following provided to a Medicaid recipient: (1) A long acting reversible subdermal contraceptive, including the cost of stocking the long acting reversible subdermal contraceptive. (2) Placement of the long acting reversible subdermal contraceptive. Provides that the reimbursement must be separate from, and in addition to, the reimbursement for maternity services for the Medicaid recipient. Sunsets the provisions being added in the bill on June 30, 2025. Requires the office of the secretary of family and social services to develop a billing process that maximizes federal funding for purposes of the long acting reversible contraceptives reimbursement for a Medicaid recipient.

**EH 1426—LS 7052/DI 147**



March 1, 2024

Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1426

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-15-47-3 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]: **Sec. 3. (a) Except as provided in subsection (b), a hospital**  
4 **that is licensed under IC 16-21 and operates a maternity unit shall**  
5 **ensure that a woman who is:**  
6 **(1) giving birth in the hospital; and**  
7 **(2) either:**  
8 **(A) a Medicaid recipient; or**  
9 **(B) eligible for Medicaid;**  
10 **has the option, if not medically contraindicated, of having a long**  
11 **acting reversible subdermal contraceptive implanted after delivery**  
12 **and before the woman is discharged.**  
13 **(b) A hospital is exempt from the requirement in subsection (a)**  
14 **if the hospital notifies the Indiana department of health in writing**  
15 **that the hospital has a faith based objection to the requirement.**  
16 **(c) This section expires June 30, 2025.**  
17 SECTION 2. IC 12-15-47-4 IS ADDED TO THE INDIANA CODE

EH 1426—LS 7052/DI 147



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2024]: **Sec. 4. (a) The office of the secretary shall reimburse a**  
3 **hospital described in section 3 of this chapter for the following**  
4 **provided to a Medicaid recipient:**  
5 (1) A long acting reversible subdermal contraceptive,  
6 including the cost of stocking the long acting reversible  
7 subdermal contraceptive.  
8 (2) Placement of the long acting reversible subdermal  
9 contraceptive.  
10 (b) The reimbursement required under subsection (a)(1) and  
11 (a)(2) must be separate from, and in addition to, the  
12 reimbursement for maternity services for the Medicaid recipient.  
13 (c) Before September 1, 2024, the office of the secretary shall  
14 apply to the United States Department of Health and Human  
15 Services for a state plan amendment or waiver necessary to  
16 implement and administer this section.  
17 (d) The office of the secretary shall develop a billing process that  
18 maximizes federal funding for purposes of this section.  
19 (e) This section expires June 30, 2025.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1426, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 13, begin a new paragraph and insert:

"SECTION 1. IC 12-15-47-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 3. (a) Except as provided in subsection (b), a hospital that is licensed under IC 16-21 and operates a maternity unit shall ensure that a woman who:**

- (1) is giving birth in the hospital;**
- (2) has not received prenatal care; and**
- (3) is eligible for Medicaid;**

**has the option, if not medically contraindicated, of having a long acting reversible subdermal contraceptive implanted after delivery and before the woman is discharged.**

**(b) A hospital is exempt from the requirement in subsection (a) if the hospital notifies the Indiana department of health in writing that the hospital has a faith based objection to the requirement."**

Page 2, line 2, after "reversible" insert "**subdermal**".

Page 2, line 3, after "reversible" insert "**subdermal**".

Page 2, line 4, delete "Insertion or placement" and insert "**Placement**".

Page 2, line 4, after "reversible" insert "**subdermal**".

Page 2, delete lines 6 through 12, begin a new paragraph and insert:

**"(b) The reimbursement required under subsection (a)(1) and (a)(2) must be separate from, and in addition to, the reimbursement for maternity services for the Medicaid recipient."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1426 as introduced.)

BARRETT

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1426 be amended to read as follows:

Page 1, line 5, delete "who:" and insert "**who is:**".

Page 1, line 6, delete "is".

Page 1, line 6, after "hospital;" insert "**and**".

Page 1, delete lines 7 through 8, begin a new line block indented and insert:

**"(2) either:**

**(A) a Medicaid recipient; or**

**(B) eligible for Medicaid;"**

(Reference is to HB 1426 as printed January 30, 2024.)

KING

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1426 as reprinted February 2, 2024.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 8, Nays 2

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill No. 1426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective date in SECTIONS 1 through 2 with "[EFFECTIVE JULY 1, 2024]".

Page 1, between lines 15 and 16, begin a new paragraph and insert:

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**"(c) This section expires June 30, 2025."**

Page 2, line 12, delete "2025," and insert "2024,".

Page 2, after line 15, begin a new paragraph and insert:

**"(d) The office of the secretary shall develop a billing process that maximizes federal funding for purposes of this section.**

**(e) This section expires June 30, 2025."**

and when so amended that said bill do pass.

(Reference is to EHB 1426 as printed February 23, 2024.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 3.

