

2022 -- S 2470 SUBSTITUTE A

LC004924/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Senators Felag, Miller, Coyne, DiPalma, and Lombardo

Date Introduced: March 01, 2022

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.3-8 of the General Laws in Chapter 42-12.3 entitled "Health
2 Care for Children and Pregnant Women" is hereby amended to read as follows:

3 **42-12.3-8. Enhanced services for children.**

4 (a) The ~~department~~ executive office of health and human services (the "office") shall
5 develop a panel of enhanced services to be available as appropriate to RIte Track and medical
6 assistance recipients under the age of ~~eighteen (18)~~ twenty-six (26), who are considered at risk, as
7 defined by ~~department~~ executive office of health and human services regulations. These services
8 shall include, but not be limited to: care coordination, home visitation, nutrition counseling,
9 parenting skills education. These services may be performed through a fee for service, contractual
10 arrangement, or capitated rate as determined by the ~~department~~ executive office of health and
11 human services. The provision of enhanced services is subject to available appropriations; in the
12 event that appropriations are not adequate for the provision of these services, the ~~department~~ office
13 has the authority to limit the amount, scope, and duration of these enhanced services, ~~and to limit~~
14 ~~eligibility for enhanced services to children under the age of eight (8)~~. Nothing in this section shall
15 prohibit the ~~department~~ executive office of health and human services from providing enhanced
16 services to a medical assistance recipient, within existing appropriations.

17 (b) Except as provided in subsection (c) below, the ~~department~~ executive office of health
18 and human services shall also provide pediatric palliative care services to eligible children under
19 the age of ~~nineteen (19)~~ twenty-six (26) years who have a terminal illness, provided that such

1 services qualify for federal financial participation. These services shall be designed to achieve an
2 improved quality of life and to meet the physical and emotional needs experienced by the patient
3 during the course of the terminal illness and death. The services offered shall be determined by the
4 ~~department~~ office and may include, but are not limited to, consultations for pain and symptom
5 management, case management and assessment, social services, counseling, volunteer support
6 services, and respite services. The services shall be provided by licensed health care facilities that
7 meet the criteria established by regulations promulgated by the ~~department~~ office. The ~~department~~
8 office is further authorized to establish limits on the services provided under this section.

9 (c) The ~~department~~ office shall be the payor of last resort with respect to services provided
10 under subsection (b) above. With respect to children under the age of ~~nineteen (19)~~ twenty-six (26)
11 years who are covered by an individual or family health insurance plan or program that provides
12 payment in whole or in part for the type of pediatric palliative health care services listed in
13 subsection (b) above, the ~~department~~ office shall coordinate benefits with these primary payors,
14 and provided further that payments by the ~~department~~ office shall be in accordance with the
15 ~~department's~~ office's fee schedules.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would raise the maximum age of eligibility for pediatric palliative services from
2 eighteen (18) to twenty-six (26) and would raise the eligibility for enhanced services from age eight
3 (8) to age twenty-six (26).

4 This act would take effect upon passage.

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