

HOUSE BILL 2039

By Love

AN ACT to amend Tennessee Code Annotated, Title 4 and  
Title 71, relative to medicaid postpartum coverage.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-106, is amended by adding the following new subsection:

(s) In addition to the other categories of eligibility under this section, a woman is eligible for medical assistance if the woman, while pregnant, meets eligibility requirements for assistance under § 1902 of the Social Security Act (42 U.S.C. § 1396a), and continues to meet the requirements, except for income. The woman is eligible to receive assistance until twelve (12) months after the date pregnancy ends.

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following new section:

(a) Under both fee-for-service and managed care administration of medical assistance, the department of finance and administration shall adopt rules pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, amend any contract with a managed care organization, and apply for any medicaid state plan amendment or waiver as may be necessary to provide continuous medical assistance eligibility for a woman for a twelve-month postpartum period, if the woman applied for medical assistance coverage before the end of the woman's pregnancy, was determined eligible for medical assistance, and remains eligible for coverage during the month in which the woman's pregnancy ends.

(b) Any rule promulgated, contract amended, or state plan waiver sought pursuant to subsection (a) must ensure that the woman's eligibility for medical

assistance coverage continues during the twelve-month postpartum period beginning with the last day of the woman's pregnancy through the end of the month in which the twelve-month period ends, without regard to the basis for the woman's eligibility or changes in family income or resources, and in the same coverage group under which the woman received medical assistance coverage while pregnant, unless the woman qualifies for medical assistance under another coverage group once the pregnancy ends or the woman's eligibility is through the medically needy program.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.