

**FAMILY PLANNING SERVICES AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: Brian Zehnder

6	Cosponsors:	Sandra Hollins	Mark A. Wheatley
7	Patrice M. Arent	Karen Kwan	Mike Winder
8	Rebecca Chavez-Houck	Carol Spackman Moss	
9	Susan Duckworth	Marie H. Poulson	
10	Steve Eliason	Elizabeth Weight	

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**LONG TITLE**

**General Description:**

This bill enacts provisions for family planning services within the state Medicaid program.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Medicaid program to reimburse providers separately for the insertion of long-acting reversible contraception immediately after childbirth;
- ▶ requires the Division of Health Care Financing to apply for a Medicaid waiver or a state plan amendment to provide family planning services to certain low-income individuals;
- ▶ institutes a program for the provision of family planning services under the Medicaid waiver or state plan amendment described in this bill;
- ▶ creates a reporting requirement; and
- ▶ provides a sunset date for the reporting requirement created in this bill.

**Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63I-1-226**, as last amended by Laws of Utah 2017, Chapters 177 and 443

35 ENACTS:

36 **26-18-24**, Utah Code Annotated 1953

37 **26-18-415**, Utah Code Annotated 1953



39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section **26-18-24** is enacted to read:

41 **26-18-24. Reimbursement for long-acting reversible contraception immediately**  
42 **following childbirth.**

43 (1) As used in this section, "long-acting reversible contraception" means a  
44 contraception method that requires administration less than once per month, including:

45 (a) an intrauterine device; and

46 (b) a contraceptive implant.

47 (2) The division shall separately identify and reimburse, from other labor and delivery  
48 services within the Medicaid program, the provision and insertion of long-acting reversible  
49 contraception immediately after childbirth.

50 Section 2. Section **26-18-415** is enacted to read:

51 **26-18-415. Limited family planning services for low-income individuals.**

52 (1) As used in this section:

53 (a) (i) "Family planning services" means family planning services that are provided  
54 under the state Medicaid program, including:

55 (A) sexual health education and family planning counseling; and

56 (B) other medical diagnosis, treatment, or preventative care routinely provided as part

57 of a family planning service visit.

58 (ii) "Family planning services" do not include an abortion, as that term is defined in  
59 Section 76-7-301.

60 (b) "Low-income individual" means an individual who:

61 (i) has an income level that is equal to or below 95% of the federal poverty level; and

62 (ii) does not qualify for full coverage under the Medicaid program.

63 (2) Before July 1, 2018, the division shall apply for a Medicaid waiver or a state plan  
64 amendment with the Centers for Medicare and Medicaid Services within the United States  
65 Department of Health and Human Services to:

66 (a) offer a program that provides family planning services to low-income individuals;  
67 and

68 (b) receive a federal match rate of 90% of state expenditures for family planning  
69 services provided under the waiver or state plan amendment.

70 (3) If the waiver or state plan amendment described in Subsection (2) is approved, the  
71 department shall report to the Health and Human Services Interim Committee each year before  
72 November 30 while the waiver or state plan amendment is in effect regarding:

73 (a) the number of qualified individuals served under the program;

74 (b) the cost of the program; and

75 (c) the effectiveness of the program, including:

76 (i) any savings to the state Medicaid program from reductions in enrollment;

77 (ii) any reduction in the number of abortions;

78 (iii) any reduction in the number of unintended pregnancies;

79 (iv) any reduction in the number of individuals requiring services from the Women,  
80 Infants, and Children Program established in 42 U.S.C. Sec. 1786; and

81 (v) any other costs and benefits as a result of the program.

82 Section 3. Section **63I-1-226** is amended to read:

83 **63I-1-226. Repeal dates, Title 26.**

84 (1) Section **26-1-40** is repealed July 1, 2019.

- 85           (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
86 1, 2025.
- 87           (3) Section [26-10-11](#) is repealed July 1, 2020.
- 88           (4) Subsection [26-18-415\(3\)](#) is repealed on July 1, 2022.
- 89           ~~[(4)]~~ (5) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,  
90 2024.
- 91           ~~[(5)]~~ (6) Title 26, Chapter 36a, Hospital Provider Assessment Act, is repealed July 1,  
92 2019.
- 93           ~~[(6)]~~ (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,  
94 2021.
- 95           ~~[(7)]~~ Section [26-38-2.5](#) is repealed July 1, 2017.]
- 96           ~~[(8)]~~ Section [26-38-2.6](#) is repealed July 1, 2017.]
- 97           ~~[(9)]~~ (8) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed July 1, 2021.