

NATIVE AMERICAN HEALTH AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Department of Health and Human Service to apply for a Medicaid waiver related to traditional healing services.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ requires the department to apply for a Medicaid waiver to reimburse traditional healing services under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26B-3-230, Utah Code Annotated 1953

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

Section 1. Section **26B-3-230** is enacted to read:

26B-3-230. Traditional healing services waiver.

(1) As used in this section:



28 (a) "Eligible facility" means any of the following that has obtained an acknowledgment
29 from a Native American tribe to designate an individual as a traditional healing provider in
30 accordance with the Native American tribe's traditional healing practices:

31 (i) an Indian Health Service facility;

32 (ii) a tribal health program designated under the Indian Self-Determination and
33 Education Assistance Act, Pub. L. No. 93-638;

34 (iii) a facility operated by an organization that provides or facilitates health care
35 services to Native American individuals in urban settings; or

36 (iv) a facility operated by a person that contracts with an organization described in
37 Subsection (1)(a)(iii).

38 (b) "Traditional healing provider" means an individual who is recognized by an eligible
39 facility to provide a traditional healing service.

40 (c) "Traditional healing services" means a system of culturally appropriate healing
41 methods for physical, mental, and emotional healing.

42 (2) On or before January 1, 2025, the department shall apply for a Medicaid waiver to
43 reimburse for traditional healing services provided by an eligible facility to an enrollee who is a
44 member of a Native American tribe.

45 (3) A service under this section may not be reimbursed if:

46 (a) the traditional healing provider is restricted from providing the service;

47 (b) the service is contraindicated by a medical provider due to the potential to cause
48 harm; or

49 (c) the service is not part of the patient's plan of care.

50 (4) The department may further define and limit services described in this section.

51 **Section 2. Effective date.**

52 This bill takes effect on May 1, 2024.