HOUSE BILL NO. 773

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INTRODUCED BY WYATT, BLAYLOCK, STICKNEY, BROOKE, DARKO, MCCORMICK, MCDONOUGH, STRIZICH, REAM, SQUIRES, O'CONNELL, BRADLEY

IN THE HOUSE

MARCH 11, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.

FIRST READING.

- MARCH 18, 1989 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
- MARCH 20, 1989 PRINTING REPORT.

SECOND READING, DO PASS.

- MARCH 21, 1989 ENGROSSING REPORT.
- MARCH 22, 1989 THIRD READING, PASSED. AYES, 94; NOES, 3.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 22, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.

FIRST READING.

IN THE HOUSE

APRIL 8, 1989 ON MOTION, RULES SUSPENDED TO ALLOW TRANSMITTAL AFTER 83RD DAY.

IN THE SENATE

- APRIL 15, 1989 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
- APRIL 18, 1989 SECOND READING, CONCURRED IN AS

AMENDED.

APRIL 19, 1989 THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

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IN THE HOUSE

APRIL 20, 1989

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SECOND READING, AMENDMENTS CONCURRED IN.

RECEIVED FROM SENATE.

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1592/01

HOUSE BILL NO. 173 1 INTRODUCED BY TUINT Black och Stiern Brask 2 Michael Ste A BILL FOR AN ACT ENTITLED: "THE MONTANA INITIATIVE FOR THE 4 ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT; ESTABLISHING 5 6 A MIAMI PROJECT TO ASSURE THAT MOTHERS AND CHILDREN RECEIVE 7 ACCESS TO QUALITY MATERNAL AND CHILD HEALTH SERVICES, TO 8 REDUCE INFANT MORTALITY AND THE NUMBER OF LOW BIRTHWEIGHT 9 BABIES, AND TO PREVENT THE INCIDENCE OF CHILDREN BORN WITH CHRONIC ILLNESSES, BIRTH DEFECTS, OR SEVERE DISABILITIES AS 10 A RESULT OF INADEQUATE PRENATAL CARE; PROVIDING MEDICAID 11 12 ELIGIBILITY TO PREGNANT WOMEN AND TO INFANTS WHOSE FAMILY 13 INCOME DOES NOT EXCEED THE FEDERAL POVERTY THRESHOLD; ALLOWING AMBULATORY PRENATAL CARE FOR PREGNANT WOMEN DURING 14 A PRESUMPTIVE ELIGIBILITY PERIOD; APPROPRIATING FUNDS: 15 AMENDING SECTIONS 53-6-101 AND 53-6-131, MCA; AND PROVIDING 16 17 AN EFFECTIVE DATE."

18

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

20 <u>NEW SECTION.</u> Section 1. Short title. [Sections 1 21 through 9] may be cited as "The Montana Initiative for the 22 Abatement of Mortality in Infants (MIAMI) Act".

23 <u>NEW SECTION.</u> Section 2. Purposes. The purposes of
24 [sections 1 through 9] are to:

25 (1) assure that mothers and children, in particular

ontana Legislative Council

1 those with low income or with limited availability of health
2 services, receive access to quality maternal and child
3 health services;

4 (2) reduce infant mortality and the number of low5 birthweight babies; and

6 (3) prevent the incidence of children born with 7 chronic illnesses, birth defects, or severe disabilities as 8 a result of inadequate prenatal care.

<u>NEW SECTION.</u> Section 3. Definitions. For purposes of
 [sections 1 through 9], the following definitions apply:

11 (1) "Council" means the MIAMI project advisory council

12 established in [section 5].

13 (2) "Department" means the department of health and14 environmental sciences provided for in 2-15-2101.

15 (3) "Low income" means, with respect to an individual 16 or family, income that does not exceed the official federal 17 poverty threshold as defined by the federal office of 18 management and budget and revised annually in accordance 19 with section 673(2) of the Omnibus Budget Reconciliation Act 20 of 1981.

21 (4) "Project" means the MIAMI project established in22 [section 4].

23 (5) "Service provider" means a person, agency, or
24 organization that has a contract to provide services under
25 the MIAMI project.

-2- INTRODUCED BILL HB773

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NEW SECTION. Section 4. MIAMI project. (1) There is a 1 1 2 MIAMI project established in the department. 2 3 (2) Under the project, the department shall provide 3 the following services: 4 4 (a) infant mortality review; 5 5 6 (b) low birthweight prevention; б (c) assistance to low-income women and infants in 7 7 gaining access to prenatal care, delivery, and postpartum ß 8 9 9 care; (d) referral of low-income women and children to other 10 10 programs to protect the health of women and children, 11 11 12 including: 12 (i) supplemental food programs for women, infants, and 13 13 14 children; 14 15 (ii) family planning services; and 15 (iii) other maternal and child health programs; 16 16 17 (e) public education and community outreach to inform 17 18 the public on: 18 (i) the importance of receiving early prenatal care; 19 19 (ii) the need for good health habits during pregnancy; 20 20 21 and 21 (iii) the availability of special services for pregnant 22 22 23 women and for children. 23 NEW SECTION. Section 5. MIAMI advisory project 24 24 council. (1) There is a MIAMI project advisory council. 25 25

(2) The council is composed of seven members appointed by the governor as follows: (a) one person from the department who is involved in providing preventative health services for women and children; (b) one person from the department of social and rehabilitation services who administers or supervises services under the Montana medicaid program; (c) one person from a local health department; (d) one person from among local service providers; (e) one person representing a nonprofit child health organization; (f) one private physician who specializes in obstetric or pediatric care; and (g) one person involved in children's issues or programs who is a representative of a parents' organization. (3) The council is allocated to the department for administrative purposes only as provided in 2-15-121. (4) The provisions of 2-15-122(5) through (8) apply to the council and its members. NEW SECTION. Section 6. Advisory council -- powers and duties. The council shall: (1) advise the department on matters relating to administration of the MIAMI project; (2) review and monitor activities conducted under the

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1 project;

2 (3) gather information relating to infant mortality3 and low birthweight babies;

4 (4) identify problems in the quality and availability 5 of maternal and child health services; and

6 (5) make recommendations to improve maternal and child
7 health services consistent with the purposes of [sections 1
8 through 9].

<u>NEW SECTION.</u> Section 7. Contracts for services. (1)
The department shall contract with service providers to
provide services under the MIAMI project.

12 (2) In selecting service providers, the department 13 shall take into consideration the past performance of the person, agency, or organization in providing similar 14 services, the demonstrated effectiveness of the service 15 provider in delivering comparable or related services, the 16 17 fiscal accountability of the service provider, and such 18 other factors as the department determines to be appropriate. 19

20 <u>NEW SECTION.</u> Section 8. Federal and other aid. (1)
21 The department may apply for and receive federal aid and
22 other funding available for the MIAMI project.

(2) Federal funds and other funding as may be
available are appropriated to the department for use in
administering the provisions of [sections 1 through 9].

NEW SECTION. Section 9. Coordination of programs. The 1 2 department shall coordinate services under the MIAMI project 3 with other services and programs in the state including: 4 (1) the early and periodic screening, diagnosis, and treatment services program under Title XIX of the federal 5 Social Security Act; 6 (2) the Montana medicaid program established in 7 8 53-6-101; and (3) programs administered with funds under the federal 9 10 Maternal and Child Health Services Block Grant Act, Public Law 97-35, as may be amended. 11 Section 10. Section 53-6-101, MCA, is amended to read: 12 13 "53-6-101. Definition-of--medical--assistance Montana 14 medicaid program -- authorization of services. (1) There is 15 a Montana medicaid program established for the purpose of 16 providing necessary medical services to eligible persons who 17 have need for medical assistance. The Montana medicaid 18 program is a joint federal-state program administered under 19 this chapter and in accordance with Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.), as may be 20 21 amended. The department of social and rehabilitation 22 services shall administer the Montana medicaid program. 23 (1)(2) The--definition--of--medical Medical assistance shall-include provided by the Montana medicaid program 24

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includes the following services:

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1	(a) inpatient hospital services;	1 (h) prescribed drugs, dentures, and prosthetic
2	(b) outpatient hospital services;	2 devices;
3	(c) other laboratory and x-ray services;	3 (i) eyeglasses prescribed by a physician skilled in
4	(d) skilled nursing home services;	• 4 diseases of the eye or by an optometrist, whichever the
5	(e) physicians' services, whether furnished in the	5 individual may select;
6	office, the patient's home, a hospital, a skilled nursing	6 (j) other diagnostic, screening, preventive,
7	home, or elsewhere; and	7 rehabilitative, chiropractic, and osteopathic services;
8	(f) services provided by nurse specialists, as	8 (k) ambulatory prenatal care for pregnant women during
9	specifically listed in 37-8-202(5), within the scope of	9 a presumptive eligibility period, as provided in 42 U.S.C.
10	their practice and that are otherwise directly reimbursed as	10 1396(a)(47) and 42 U.S.C. 1396r-1;
11	allowed under department rule to an existing provider.	<pre>11 (k)(1) any additional medical service or aid allowable</pre>
12	(2)(3) It Medical assistance provided by the Montana	12 under or provided by the federal Social Security Act."
13	medicaid program may, as provided by department rule, also	13 Section 11. Section 53-6-131, MCA, is amended to read:
14	include 7-although-not-necessarily-limited-to7 the following:	14 "53-6-131. Eligibility requirements. (1) Medical
15	(a) medical care or any other type of remedial care	15 assistance under the Montana medicaid program may be granted
16	recognized under state law, furnished by licensed	16 to a person who resides in the state of Montana, including a
17	practitioners within the scope of their practice as defined	17 resident temporarily absent from the state and who meets the
18	by state law;	18 requirements of one or more of the following categories:
19	(b) home health care services;	19 (a) he receives all or part of his income from
20	<pre>(c) private-duty nursing services;</pre>	20 federally funded supplemental security income assistance or
21	(d) dental services;	21 aid to families with dependent children;
22	(e) physical therapy and other related services;	22 (b) upon application, he would be eligible for
23	(f) clinic services;	23 financial assistance under any one of the federally aided
24	(g) services provided by social workers licensed under	24 programs referred to above;
25	Title 37, chapter 22;	25 (c) he would be entitled to financial assistance under
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one of the federally aided categories except that he does
 not meet the durational residence requirements or relative
 responsibility requirements of any of the public assistance
 programs above enumerated;

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(d) he is in a medical institution and if he were no
longer in such institution he would be eligible for
financial assistance under one of the above programs;

8 (e) he is under 21 years of age and meets the 9 conditions of eligibility in the state's plan for aid to 10 families with dependent children, other than with respect to 11 school attendance;

12 (f) he is under 21 years of age and in foster care 13 under the supervision of the state;

14 (g) he has income less than 133 1/3% of the amounts 15 specified as maximum income levels for federally aided 16 categories of assistance;

17 (h) he is under 21 years of age and medically needy,
18 as defined by the department of social and rehabilitation
19 services; or

20 (i) he is under 21 years of age, was in foster care
21 under the supervision of the state, and has been adopted as
22 a "hard-to-place" child.

23 (2) The department of social and rehabilitation
24 services may by rule establish more restrictive property
25 ownership eligibility criteria than required by federal law

(3) Notwithstanding any other provision of this 2 chapter, medical assistance must be provided to pregnant З women and infants whose family income does not exceed the 4 federal poverty threshold, as provided in 42 U.S.C. 5 6 1396(a)(10)(A)(ii)(IX)." NEW SECTION. Section 12. Appropriation. The following 7 8 amounts are appropriated from the general fund to the department of health and environmental sciences for the 9 10 purpose of administering the MIAMI project: 11 FY 1990 FY 1991 12 \$ 107,837 \$ 106,665 13 NEW SECTION. Section 13. Extension of authority. Any 14 existing authority to make rules on the subject of the 15 provisions of [this act] is extended to the provisions of 16 [this act]. 17 NEW SECTION. Section 14. Codification instruction.

for federally aided categories of public assistance.

17 <u>NEW SECTION.</u> Section 14. Conflication instruction.
18 [Sections 1 through 9] are intended to be codified as an
19 integral part of Title 50, chapter 19, and the provisions of
20 Title 50, chapter 19, apply to [sections 1 through 9].

21NEW SECTION.Section 15. Effective date. [This act]22is effective July 1, 1989.

-End-

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STATE OF MONTANA - FISCAL NOTE Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB773, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

The Montana initiative for the abatement of morality in infants act. ASSUMPTIONS:

- 1. There will be 238 new cases (low-income pregnant women and children under 1 year old) who will receive medicaid due to changes made by the federal medicare Catastrophic Coverage Act. Funds for these cases have been included in the executive budget and approved by the appropriations committees.
- 2. This bill (HB773) will allow an estimated additional 200 pregnant women to receive medicaid services for up to 45 days due to "presumptive eligibility." The additional 200 women will be presumed eligible to receive medicaid upon application, but will subsequently be determined to have income and resources above eligibility standards.
- 3. During the 45-day period before the 200 cases are determined to be ineligible for medicaid, each women will have received 2 doctor office visits, lab services and prescriptions for a cost of \$89.00.
- 4. The total cost to provide medicaid services to the 200 cases is \$17,800 per year.
- 5. The computerized eligibility and payment system (MMIS) will have to be changed to reflect the addition of presumptive eligibility. The computer programming costs for the change are \$60,000, 25% of which is state funded.
- 6. New medicaid forms will be printed for a total cost of \$2,000, 50% of which is state funded.
- 7. Current law reflects the executive request as approved by appropriations committees and the difference reflects the additional cost of HB773.
- 8. The Department of Health and Environmental Sciences would need 1.00 FTE, grade 16 to perform the infant mortality review.
- 9. Two new low birth weight prevention sites would be established, providing services to an additional 350 pregnant women.
- 10. The advisory committee will meet three times per year.

DATE 3/18/89

DAVE LEWIS. BUDGET DIRECTOR OFFICE OF BUDGET AND PROGRAM PLANNING

DATE 3/21/89

DIANA E. WYATT, PRIMARY SPONSOR

Fiscal Note for <u>HB773</u>, as introduced H (3 773

Fiscal Note Request, <u>HB773 as introduced</u> Form BD-15 Page 2

FISCAL IMPACT:

Expenditures:		FY90	FY91		
	Current Law	Proposed Law Difference	Current Law Proposed Law Difference		
Personal Services Operating Costs Benefits	\$0 0 <u>591,906</u>	\$ 31,600 \$ 31,600 138,237 138,237 609,706 17,800	\$ 0 \$ 31,600 \$ 31,600 0 75,065 75,065 753,746 771,546 17,800		
TOTAL	\$ 591,906	\$ 779,543 \$ 187,637	\$		
Funding: General Fund Federal Funds	\$ 170,646 421,260	\$ 299,615 \$ 128,969 479,928 53,668	\$ 216,476 \$ 328,253 \$ 111,777 537,270549,95812,688		
TOTAL	\$ 591,906	\$ 779,543 \$ 187,637	\$ 753,746 \$ 878,211 \$ 124,465		

51st Legislature

APPROVED BY COMMITTEE ON APPROPRIATIONS

HB 0773/02

1	HOUSE BILL NO. 773
2	INTRODUCED BY WYATT, BLAYLOCK, STICKNEY, BROOKE, DARKO,
3	MCCORMICK, MCDONOUGH, STRIZICH, REAM, SQUIRES,
4	O'CONNELL, BRADLEY

6 A BILL FOR AN ACT ENTITLED: "THE MONTANA INITIATIVE FOR THE 7 ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT; ESTABLISHING 8 A MIAMI PROJECT TO ASSURE THAT MOTHERS AND CHILDREN RECEIVE 9 ACCESS TO QUALITY MATERNAL AND CHILD HEALTH SERVICES, TO 10 REDUCE INFANT MORTALITY AND THE NUMBER OF LOW BIRTHWEIGHT 11 BABIES, AND TO PREVENT THE INCIDENCE OF CHILDREN BORN WITH 12 CHRONIC ILLNESSES, BIRTH DEFECTS, OR SEVERE DISABILITIES AS 13 A RESULT OF INADEQUATE PRENATAL CARE: PROVIDING MEDICAID 14 ELIGIBILITY TO PREGNANT WOMEN AND TO INFANTS WHOSE FAMILY 15 INCOME DOES NOT EXCEED THE FEDERAL POVERTY THRESHOLD; 16 ALLOWING AMBULATORY PRENATAL CARE FOR PREGNANT WOMEN DURING 17 A PRESUMPTIVE ELIGIBILITY PERIOD; APPROPRIATING FUNDS; 18 AMENDING SECTIONS 53-6-101 AND 53-6-131, MCA; AND PROVIDING 19 AN EFFECTIVE DATE AND A TERMINATION DATE."

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21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

22 <u>NEW SECTION.</u> Section 1. Short title. [Sections 1 23 through 9] may be cited as "The Montana Initiative for the 24 Abatement of Mortality in Infants (MIAMI) Act".

25 NEW SECTION. Section 2. Purposes. The purposes of

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1 [sections 1 through 9] are to:

2 (1) assure that mothers and children, in particular
3 those with low income or with limited availability of health
4 services, receive access to quality maternal and child
5 health services;

6 (2) reduce infant mortality and the number of low7 birthweight babies; and

8 (3) prevent the incidence of children born with
9 chronic illnesses, birth defects, or severe disabilities as
10 a result of inadequate prenatal care.

11 <u>NEW SECTION.</u> Section 3. Definitions. For purposes of 12 [sections 1 through 9], the following definitions apply:

13 (1) "Council" means the MIAMI project advisory council14 established in [section 5].

15 (2) "Department" means the department of health and16 environmental sciences provided for in 2-15-2101.

17 (3) "Low income" means, with respect to an individual 18 or family, income that does not exceed the official federal 19 poverty threshold as defined by the federal office of 20 management and budget and revised annually in accordance 21 with section 673(2) of the Omnibus Budget Reconciliation Act 22 of 1981.

23 (4) "Project" means the MIAMI project established in24 [section 4].

25 (5) "Service provider" means a person, agency, or

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SECOND READING

1 organization that has a contract to provide services under NEW SECTION. Section 5. MIAMI 1 2 the MIAMI project. council. (1) There is a MIAMI project advisory council. 2 з NEW SECTION. Section 4. MIAMI project. (1) There is a 3 4 MIAMI project established in the department. by the governor as follows: 4 5 (2) Under the project, the department shall provide 5 6 the following services: 6 7 (a) infant mortality review; 7 children; 8 (b) low birthweight prevention; 8 9 (c) assistance to low-income women and infants in 9 10 gaining access to prenatal care, delivery, and postpartum 10 11 care: 11 (d) referral of low-income women and children to other 12 12 13 programs to protect the health of women and children, 13 14 including: 14 organization; 15 (i) supplemental food programs for women, infants, and 15 16 children; 16 or pediatric care; and 17 (ii) family planning services; and 17 18 (iii) other maternal and child health programs; 18 19 (e) public education and community outreach to inform 19 20 the public on: 20 21 (i) the importance of receiving early prenatal care; 21 22 (ii) the need for good health habits during pregnancy; 22 23 and 23 24 (iii) the availability of special services for pregnant 24 25 women and for children. 25

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(2) The council is composed of seven members appointed (a) one person from the department who is involved in providing preventative health services for women and

(b) one person from the department of social and

rehabilitation services who administers or supervises services under the Montana medicaid program;

(c) one person from a local health department;

(d) one person from among local service providers;

(e) one person representing a nonprofit child health

(f) one private physician who specializes in obstetric

(g) one person involved in children's issues or programs who is a representative of a parents' organization.

(3) The council is allocated to the department for administrative purposes only as provided in 2-15-121.

(4) The provisions of 2-15-122(5) through (8) apply to the council and its members.

NEW SECTION. Section 6. Advisory council -- powers and duties. The council shall:

(1) advise the department on matters relating to

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advisory

project

1 administration of the MIAMI project;

2 (2) review and monitor activities conducted under the3 project;

4 (3) gather information relating to infant mortality
5 and low birthweight babies;

6 (4) identify problems in the quality and availability7 of maternal and child health services; and

8 (5) make recommendations to improve maternal and child
9 health services consistent with the purposes of [sections 1
10 through 9].

<u>NEW SECTION.</u> Section 7. Contracts for services. (1)
 The department shall contract with service providers to
 provide services under the MIAMI project.

14 (2) In selecting service providers, the department 15 shall take into consideration the past performance of the 16 agency, or organization in providing similar person, services, the demonstrated effectiveness of the service 17 18 provider in delivering comparable or related services, the 19 fiscal accountability of the service provider, and such 20 other factors as the department determines to be 21 appropriate.

NEW SECTION. Section 8. Federal and other aid. (1)
 The department may apply for and receive federal aid and
 other funding available for the MIAMI project.

25 (2) Federal funds and other funding as may be

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available are appropriated to the department for use in
 administering the provisions of [sections 1 through 9].

3 <u>NEW SECTION.</u> Section 9. Coordination of programs. The
4 department shall coordinate services under the MIAMI project
5 with other services and programs in the state including:

6 (1) the early and periodic screening, diagnosis, and
7 treatment services program under Title XIX of the federal
8 Social Security Act;

9 (2) the Montana medicaid program established in
10 53-6-101; and

(3) programs administered with funds under the federal
 Maternal and Child Health Services Block Grant Act, Public
 Law 97-35, as may be amended.

Section 10. Section 53-6-101, MCA, is amended to read: 14 *53-6-101. Befinition-of--medical--assistance Montana 15 medicaid program -- authorization of services. (1) There is 16 a Montana medicaid program established for the purpose of 17 providing necessary medical services to eligible persons who 18 19 have need for medical assistance. The Montana medicaid program is a joint federal-state program administered under 20 21 this chapter and in accordance with Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.), as may be 22 amended. The department of social and rehabilitation 23 services shall administer the Montana medicaid program. 24 25 (1)(2) The--definition--of--medical Medical assistance

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1	shall-include provided by the Montana medicaid program	1
2	includes the following services:	2
3	(a) inpatient hospital services;	3
4	(b) outpatient hospital services;	4
5	(c) other laboratory and x-ray services;	5
6	(d) skilled nursing home services;	6
7	(e) physicians' services, whether furnished in the	7
8	office, the patient's home, a hospital, a skilled nursing	8
9	home, or elsewhere; and	9
10	(f) services provided by nurse specialists, as	10
11	specifically listed in 37-8-202(5), within the scope of	11
12	their practice and that are otherwise directly reimbursed as	12
13	allowed under department rule to an existing provider.	13
14	(2)(3) It Medical assistance provided by the Montana	14
15	medicaid program may, as provided by department rule, also	15
16	include7-although-not-necessarily-limited-to7 the following:	16
17	(a) medical care or any other type of remedial care	17
18	recognized under state law, furnished by licensed	18
19	practitioners within the scope of their practice as defined	19
20	by state law;	20
21	<pre>(b) home health care services;</pre>	21
22	<pre>(C) private-duty nursing services;</pre>	22
23	(d) dental services;	23
24	(e) physical therapy and other related services;	24
25	(f) clinic services;	25
		21

(i) eyeglasses prescribed by a physician skilled in 5 diseases of the eye or by an optometrist, whichever the 6 individual may select; 7 8 (j) other diagnostic, screening. preventive, rehabilitative, chiropractic, and osteopathic services; 9 (k) ambulatory prenatal care for pregnant women during 0 1 a presumptive eligibility period, as provided in 42 U.S.C. 2 1396(a)(47) and 42 U.S.C. 1396r-1; 3 {k}(l) any additional medical service or aid allowable ۱4 under or provided by the federal Social Security Act." 15 Section 11. Section 53-6-131, MCA, is amended to read: *53-6-131. Eligibility requirements. (1) Medical 16 assistance under the Montana medicaid program may be granted 17 18 to a person who resides in the state of Montana, including a 19 resident temporarily absent from the state and who meets the 20 requirements of one or more of the following categories: (a) he receives all or part of his income from 21 federally funded supplemental security income assistance or 22 aid to families with dependent children; 23

Title 37, chapter 22;

devices;

(h) prescribed drugs,

(g) services provided by social workers licensed under

dentures,

and

(b) upon application, he would be eligible forfinancial assistance under any one of the federally aided

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programs referred to above;

2 (c) he would be entitled to financial assistance under 3 one of the federally aided categories except that he does 4 not meet the durational residence requirements or relative 5 responsibility requirements of any of the public assistance 6 programs above enumerated;

7 (d) he is in a medical institution and if he were no
8 longer in such institution he would be eligible for
9 financial assistance under one of the above programs;

10 (e) he is under 21 years of age and meets the 11 conditions of eligibility in the state's plan for aid to 12 families with dependent children, other than with respect to 13 school attendance;

14 (f) he is under 21 years of age and in foster care 15 under the supervision of the state;

16 (g) he has income less than 133 1/3% of the amounts 17 specified as maximum income levels for federally aided 18 categories of assistance;

(h) he is under 21 years of age and medically needy,
as defined by the department of social and rehabilitation
services; or

(i) he is under 21 years of age, was in foster care
under the supervision of the state, and has been adopted as
a "hard-to-place" child.

25 (2) The department of social and rehabilitation

-9-

services may by rule establish more restrictive property
ownership eligibility criteria than required by federal law
for federally aided categories of public assistance.
 (3) Notwithstanding any other provision of this
chapter, medical assistance must be provided to pregnant

6 women and infants whose family income does not exceed the 7 federal poverty threshold, as provided in 42 U.S.C.

8 <u>1396(a)(10)(A)(ii)(IX).</u>"

BV 1000

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9 <u>NEW SECTION.</u> Section 12. Appropriation. The following 10 amounts are appropriated from the general-fund <u>FUND SOURCES</u> 11 <u>DISCLOSED BELOW</u> to the department of health and 12 environmental sciences for the purpose of administering the 13 MIAMI project:

BV 1001

14	<u>FY 1990</u>	<u>FY 1991</u>
15	\$ 107,837 GENERAL FUND	\$ 106,665 GENERAL FUND
16	21,132 FEDERAL SPECIAL	5,112 FEDERAL SPECIAL
17	NEW SECTION. Section 13.	Extension of authority. Any
18	existing authority to make	rules on the subject of the
19	provisions of [this act] is ex	tended to the provisions of
20	[this act].	
21	NEW SECTION. Section 14.	Codification instruction.
22	[Sections 1 through 9] are int	ended to be codified as an

23 integral part of Title 50, chapter 19, and the provisions of
24 Title 50, chapter 19, apply to [sections 1 through 9].

25 NEW SECTION. SECTION 15. PROGRAM TERMINATION. THE

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1 PROVISIONS OF (THIS ACT) TERMINATE JUNE 30, 1991.

2 <u>NEW SECTION.</u> Section 16. Effective date. [This act]

3 is effective July 1, 1989.

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-End-

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HB 0773/02

		1	[sections 1 through 9] are to:
1	HOUSE BILL NO. 773	2	
2	INTRODUCED BY WYATT, BLAYLOCK, STICKNEY, BROOKE, DARKO,		(1) assure that mothers and children, in particular
3	MCCORMICK, MCDONOUGH, STRIZICH, REAM, SQUIRES,	3	those with low income or with limited availability of health
4	O'CONNELL, BRADLEY	4	services, receive access to guality maternal and child
5		5	health services;
6	A BILL FOR AN ACT ENTITLED: "THE MONTANA INITIATIVE FOR THE	6	(2) reduce infant mortality and the number of low
7	ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT; ESTABLISHING	7	birthweight babies; and
8	A MIAMI PROJECT TO ASSURE THAT MOTHERS AND CHILDREN RECEIVE	8	(3) prevent the incidence of children born with
9	ACCESS TO QUALITY MATERNAL AND CHILD HEALTH SERVICES, TO	9	chronic illnesses, birth defects, or severe disabilities as
10	REDUCE INFANT MORTALITY AND THE NUMBER OF LOW BIRTHWEIGHT	10	a result of inadequate prenatal care.
11	BABIES, AND TO PREVENT THE INCIDENCE OF CHILDREN BORN WITH	11	NEW SECTION. Section 3. Definitions. For purposes of
12	CHRONIC ILLNESSES; BIRTH DEFECTS, OR SEVERE DISABILITIES AS	12	[sections 1 through 9], the following definitions apply:
13	A RESULT OF INADEQUATE PRENATAL CARE; PROVIDING MEDICAID	13	(1) "Council" means the MIAMI project advisory council
14	ELIGIBILITY TO PREGNANT WOMEN AND TO INFANTS WHOSE FAMILY	14	established in [section 5].
15	INCOME DOES NOT EXCEED THE FEDERAL POVERTY THRESHOLD;	15	(2) "Department" means the department of health and
16	ALLOWING AMBULATORY PRENATAL CARE FOR PREGNANT WOMEN DURING	16	environmental sciences provided for in 2-15-2101.
17	A PRESUMPTIVE ELIGIBILITY PERIOD; APPROPRIATING FUNDS;	17	(3) "Low income" means, with respect to an individual
18	AMENDING SECTIONS 53-6-101 AND 53-6-131, MCA; AND PROVIDING	18	or family, income that does not exceed the official federal
19	AN EFFECTIVE DATE AND A TERMINATION DATE."	19	poverty threshold as defined by the federal office of
20		20	management and budget and revised annually in accordance
21	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	21	with section 673(2) of the Omnibus Budget Reconciliation Act
22	NEW SECTION. Section 1. Short title. [Sections 1	22	of 1981.
23	through 9] may be cited as "The Montana Initiative for the	23	(4) "Project" means the MIAMI project established in
24	Abatement of Mortality in Infants (MIAMI) Act".	24	[section 4].
25	NEW SECTION. Section 2. Purposes. The purposes of	25	(5) "Service provider" means a person, agency, or
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	Contanta Legislative Council		THIRD READING

1 organization that has a contract to provide services under NEW SECTION. Section 5. MIAMI project advisorv 1 the NIAMI project. 2 council. (1) There is a MIAMI project advisory council. 2 NEW SECTION, Section 4. MIAMI project. (1) There is a (2) The council is composed of seven members appointed з 3 4 MIAMI project established in the department. by the governor as follows: 4 (a) one person from the department who is involved in 5 (2) Under the project, the department shall provide 5 6 the following services: providing preventative health services for women and 6 7 (a) infant mortality review; 7 children: (b) one person from the department of social and 8 (b) low birthweight prevention; 8 9 (c) assistance to low-income women and infants in rehabilitation services who administers or supervises q services under the Montana medicaid program; 10 gaining access to prenatal care, delivery, and postpartum 10 (c) one person from a local health department; 11 care: 11 (d) one person from among local service providers; 12 (d) referral of low-income women and children to other 12 (e) one person representing a nonprofit child health programs to protect the health of women and children, 13 13 14 including: 14 organization; (f) one private physician who specializes in obstetric 15 (i) supplemental food programs for women, infants, and 15 16 children: 16 or pediatric care; and (g) one person involved in children's issues or 17 (ii) family planning services; and 17 programs who is a representative of a parents' organization. 18 (iii) other maternal and child health programs; 18 (3) The council is allocated to the department for (e) public education and community outreach to inform 19 19 administrative purposes only as provided in 2-15-121. 20 the public on: 20 (4) The provisions of 2-15-122(5) through (8) apply to 21 (i) the importance of receiving early prenatal care; 21 (ii) the need for good health habits during pregnancy; 22 22 the council and its members. 23 and NEW SECTION. Section 6. Advisory council -- powers 23 24 (iii) the availability of special services for pregnant 24 and duties. The council shall: women and for children. (1) advise the department on matters relating to 25 25

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1 administration of the MIAMI project; 2 (2) review and monitor activities conducted under the 3 project; 4 (3) gather information relating to infant mortality 5 and low birthweight babies; 6 (4) identify problems in the quality and availability 7 of maternal and child health services; and 8 (5) make recommendations to improve maternal and child 9 health services consistent with the purposes of [sections] 10 through 9]. 11 NEW SECTION. Section 7. Contracts for services. (1) 12 The department shall contract with service providers to 13 provide services under the MIAMI project. 14 (2) In selecting service providers, the department 15 shall take into consideration the past performance of the 16 person, agency, or organization in providing similar 17 services, the demonstrated effectiveness of the service 18 provider in delivering comparable or related services, the 19 fiscal accountability of the service provider, and such 20 other factors as the department determines to be 21 appropriate. 22 NEW SECTION. Section 8. Federal and other aid. (1) 23 The department may apply for and receive federal aid and

....

24 other funding available for the MIAMI project.

25 (2) Federal funds and other funding as may be

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available are appropriated to the department for use in
 administering the provisions of [sections 1 through 9].

3 <u>NEW SECTION.</u> Section 9. Coordination of programs. The 4 department shall coordinate services under the MIAMI project 5 with other services and programs in the state including:

6 (1) the early and periodic screening, diagnosis, and
7 treatment services program under Title XIX of the federal
8 Social Security Act;

9 (2) the Montana medicaid program established in
10 53-6-101; and

(3) programs administered with funds under the federal
 Maternal and Child Health Services Block Grant Act, Public
 Law 97-35, as may be amended.

14 Section 10. Section 53-6-101, MCA, is amended to read: 15 *53-6-101. Befinition-of--medical--assistance Montana 16 medicaid program -- authorization of services. (1) There is 17 a Montana medicaid program established for the purpose of 18 providing necessary medical services to eligible persons who 19 have need for medical assistance. The Montana medicaid 20 program is a joint federal-state program administered under this chapter and in accordance with Title XIX of the federal 21 22 Social Security Act (42 U.S.C. 1396, et seq.), as may be amended. The department of social and rehabilitation 23 24 services shall administer the Montana medicaid program. 25 tl+(2) The--definition--of--medical Medical assistance

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1 shall-include provided by the Montana medicaid program 1 (g) services provided by social workers licensed under 2 includes the following services: 2 Title 37, chapter 22: 3 (a) inpatient hospital services; 3 (h) prescribed drugs, dentures, and prosthetic 4 (b) outpatient hospital services: 4 devices; 5 (c) other laboratory and x-ray services; 5 (i) eyeqlasses prescribed by a physician skilled in 6 (d) skilled nursing home services; 6 diseases of the eye or by an optometrist, whichever the 7 (e) physicians' services, whether furnished in the 7 individual may select; 8 office, the patient's home, a hospital, a skilled nursing 8 (j) other diagnostic, screening, preventive, 9 home, or elsewhere; and rehabilitative, chiropractic, and osteopathic services; 9 10 (f) services provided by nurse specialists, as 10 (k) ambulatory prenatal care for pregnant women during 11 specifically listed in 37-8-202(5), within the scope of 11 a presumptive eligibility period, as provided in 42 U.S.C. 12 their practice and that are otherwise directly reimbursed as 12 1396(a)(47) and 42 U.S.C. 1396r-1; 13 allowed under department rule to an existing provider. 13 tk;(1) any additional medical service or aid allowable 14 {2}(3) #t Medical assistance provided by the Montana 14 under or provided by the federal Social Security Act." medicaid program may, as provided by department rule, also 15 15 Section 11. Section 53-6-131, MCA, is amended to read: 16 include7-sithough-not-necessarily-limited-to7 the following: 16 *53-6-131. Eligibility requirements. (1) Medical 17 (a) medical care or any other type of remedial care 17 assistance under the Montana medicaid program may be granted 18 recognized under state law, furnished by licensed to a person who resides in the state of Montana, including a 18 practitioners within the scope of their practice as defined 19 19 resident temporarily absent from the state and who meets the 20 by state law; 20 requirements of one or more of the following categories: 21 (b) home health care services; 21 (a) he receives all or part of his income from (c) private-duty nursing services; 77 22 federally funded supplemental security income assistance or (d) dental services; 23 23 aid to families with dependent children; 24 (e) physical therapy and other related services; (b) upon application, he would be eligible 24 25 (f) clinic services; financial assistance under any one of the federally aided 25

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for

programs referred to above;

2 (c) he would be entitled to financial assistance under
3 one of the federally aided categories except that he does
4 not meet the durational residence requirements or relative
5 responsibility requirements of any of the public assistance
6 programs above enumerated;

7 (d) he is in a medical institution and if he were no
8 longer in such institution he would be eligible for
9 financial assistance under one of the above programs;

10 (e) he is under 21 years of age and meets the 11 conditions of eligibility in the state's plan for aid to 12 families with dependent children, other than with respect to 13 school attendance;

14 (f) he is under 21 years of age and in foster care 15 under the supervision of the state;

16 (g) he has income less than 133 1/3% of the amounts
17 specified as maximum income levels for federally aided
18 categories of assistance;

(h) he is under 21 years of age and medically needy,
as defined by the department of social and rehabilitation
services; or

(i) he is under 21 years of age, was in foster care
under the supervision of the state, and has been adopted as
a "hard-to-place" child.

25 (2) The department of social and rehabilitation

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1 services may by rule establish more restrictive property ownership eligibility criteria than required by federal law 2 for federally aided categories of public assistance. 3 4 (3) Notwithstanding any other provision of this chapter, medical assistance must be provided to pregnant 5 6 women and infants whose family income does not exceed the 7 federal poverty threshold, as provided in 42 U.S.C. 8 1396(a)(10)(A)(ii)(IX)." 9 NEW SECTION. Section 12. Appropriation. The following 10 amounts are appropriated from the general-fund FUND SOURCES DISCLOSED BELOW to the department of health and 11 12 environmental sciences for the purpose of administering the 13 MIAMI project: 14 FY 1990 FY 1991 \$ 107,837 GENERAL FUND 15 \$ 106,665 GENERAL FUND 21,132 FEDERAL SPECIAL 16 5,112 FEDERAL SPECIAL NEW SECTION. Section 13. Extension of authority. Any 17 18 existing authority to make rules on the subject of the 19 provisions of [this act] is extended to the provisions of 20 [this act]. 21 NEW SECTION. Section 14. Codification instruction. [Sections 1 through 9] are intended to be codified as an 22

24 Title 50, chapter 19, apply to [sections 1 through 9].

25 NEW SECTION. SECTION 15. PROGRAM TERMINATION. THE

integral part of Title 50, chapter 19, and the provisions of

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1 PROVISIONS OF [THIS ACT] TERMINATE JUNE 30, 1991.

2 NEW SECTION. Section 16. Effective date. [This act]

3 is effective July 1, 1989.

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-End-

SENATE STANDING COMMITTEE REPORT

April 15, 1989

MR. PRESIDENT:

We, your committee on Finance and Claims, having had under consideration HB 773 (third reading copy -- blue), respectfully report that HB 773 be amended and as so amended be concurred in:

Sponsor: Wyatt (Jacobson)

1. Title, line 17. Strike: "APPROPRIATING FUNDS;"

2. Page 10, lines 9 through 16. Following: "Appropriation" on line 9 Strike: the remainder of section 12 in its entirety Insert: "coordination -- void without appropriation. [This act] is void unless an appropriation for the administration of [this act] is specifically made to the department of health and environmental sciences in House Bill No. 100."

AND AS AMENDED BE CONCURRED IN

Signed: Pete Story, Chaipman

SENATE HB 773

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 17, 1989 12:39 pm

Mr. Chairman: I move to amend HB 773 (third reading copy -- blue) as follows:

1. Page 8, line 12. Strike: "<u>(a)(47)</u>" Insert: "a(a)(47)"

2. Page 10, line 8. Strike: "(a)(10)(A)(ii)(IX)" Insert: "a(a)(10)(A)(ii)(IX)"

ADOPT

REJECT

Signed: Judy Jacobsen Jacobson

Senate 773 cwhb773.417

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HB 0773/03

1	HOUSE BILL NO. 773	1	[sections 1 through 9] are to:
2	INTRODUCED BY WYATT, BLAYLOCK, STICKNEY, BROOKE, DARKO,	2	(1) assure that mothers and children, in particular
3	MCCORMICK, MCDONOUGH, STRIZICH, REAM, SQUIRES,	3	those with low income or with limited availability of health
4	O'CONNELL, BRADLEY	4	services, receive access to quality maternal and child
5		5	health services;
6	A BILL FOR AN ACT ENTITLED: "THE MONTANA INITIATIVE FOR THE	6	(2) reduce infant mortality and the number of low
7	ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT; ESTABLISHING	7	birthweight babies; and
8	A MIAMI PROJECT TO ASSURE THAT MOTHERS AND CHILDREN RECEIVE	8	(3) prevent the incidence of children born with
9	ACCESS TO QUALITY MATERNAL AND CHILD HEALTH SERVICES, TO	9	chronic illnesses, birth defects, or severe disabilities as
10	REDUCE INFANT MORTALITY AND THE NUMBER OF LOW BIRTHWEIGHT	10	a result of inadequate prenatal care.
11	BABIES, AND TO PREVENT THE INCIDENCE OF CHILDREN BORN WITH	11	NEW SECTION. Section 3. Definitions. For purposes of
12	CHRONIC ILLNESSES, BIRTH DEFECTS, OR SEVERE DISABILITIES AS	12	[sections 1 through 9], the following definitions apply:
13	A RESULT OF INADEQUATE PRENATAL CARE; PROVIDING MEDICAID	13	(1) "Council" means the MIAMI project advisory council
14	ELIGIBILITY TO PREGNANT WOMEN AND TO INFANTS WHOSE FAMILY	14	established in {section 5}.
· 15	INCOME DOES NOT EXCEED THE FEDERAL POVERTY THRESHOLD;	15	(2) "Department" means the department of health and
16	ALLOWING AMBULATORY PRENATAL CARE FOR PREGNANT WOMEN DURING	16	environmental sciences provided for in 2-15-2101.
17	A PRESUMPTIVE ELIGIBILITY PERIOD; APPROPRIATINGPUNDS;	17	(3) "Low income" means, with respect to an individual
18	AMENDING SECTIONS 53-6-101 AND 53-6-131, MCA; AND PROVIDING	18	or family, income that does not exceed the official federal
19	AN EFFECTIVE DATE AND A TERMINATION DATE."	19	poverty threshold as defined by the federal office of
20		20	management and budget and revised annually in accordance
21	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	21	with section 673(2) of the Omnibus Budget Reconciliation Act
22	NEW SECTION. Section 1. Short title. [Sections 1	22	of 1981.
23	through 9] may be cited as "The Montana Initiative for the	23	(4) "Project" means the MIAMI project established in
24	Abatement of Mortality in Infants (MIAMI) Act".	24	[section 4].
25	NEW SECTION. Section 2. Purposes. The purposes of	25	(5) "Service provider" means a person, agency, or
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1 organization that has a contract to provide services under NEW SECTION. Section 5. MIAMI 1 2 the MIAMI project. council. (1) There is a MIAMI project advisory council. 2 NEW SECTION. Section 4. MIAMI project. (1) There is a 3 (2) The council is composed of seven members appointed з MIAMI project established in the department. 4 4 by the governor as follows: (2) Under the project, the department shall provide 5 5 (a) one person from the department who is involved in 6 the following services: providing preventative health services for women and 6 7 (a) infant mortality review; 7 children: 8 (b) low birthweight prevention; (b) one person from the department of social and 8 9 (c) assistance to low-income women and infants in rehabilitation services who administers or supervises 9 10 gaining access to prenatal care, delivery, and postpartum services under the Montana medicaid program; 10 11 (c) one person from a local health department; care; 11 12 (d) referral of low-income women and children to other 12 (d) one person from among local service providers; programs to protect the health of women and children, 13 (e) one person representing a nonprofit child health 13 14 including: 14 organization; 15 (i) supplemental food programs for women, infants, and 15 (f) one private physician who specializes in obstetric 16 children; 16 or pediatric care; and (ii) family planning services; and (g) one person involved in children's issues or 17 17 programs who is a representative of a parents' organization. (iii) other maternal and child health programs; 18 18 (e) public education and community outreach to inform 19 19 (3) The council is allocated to the department for 20 the public on: 20 administrative purposes only as provided in 2-15-121. 21 (i) the importance of receiving early prenatal care; (4) The provisions of 2-15-122(5) through (8) apply to 21 22 (ii) the need for good health habits during pregnancy; 22 the council and its members. 23 and NEW SECTION. Section 6. Advisory council -- powers 23 (iii) the availability of special services for pregnant 24 24 and duties. The council shall: 25 women and for children. (1) advise the department on matters relating to 25

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administration of the MIAMI project; 1 (2) review and monitor activities conducted under the 2 project; 3 (3) gather information relating to infant mortality 4 and low birthweight babies; -5 (4) identify problems in the quality and availability 6 of maternal and child health services; and 7 (5) make recommendations to improve maternal and child 8 health services consistent with the purposes of [sections 1] 9 10 through 9]. NEW SECTION. Section 7. Contracts for services. (1) 11 The department shall contract with service providers to 12 provide services under the MIAMI project. 13 (2) In selecting service providers, the department 14 shall take into consideration the past performance of the 15 agency, or organization in providing similar 16 person. services, the demonstrated effectiveness of the service 17 provider in delivering comparable or related services, the 18 fiscal accountability of the service provider, and such 19 other factors as the department determines to be 20 appropriate. 21 NEW SECTION, Section 8. Federal and other aid. (1) 22 The department may apply for and receive federal aid and 23

24 other funding available for the MIAMI project.

25 (2) Federal funds and other funding as may be

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available are appropriated to the department for use in
 administering the provisions of [sections 1 through 9].

<u>NEW SECTION.</u> Section 9. Coordination of programs. The
 department shall coordinate services under the MIAMI project
 with other services and programs in the state including:

6 (1) the early and periodic screening, diagnosis, and
7 treatment services program under Title XIX of the federal
8 Social Security Act;

9 (2) the Montana medicaid program established in 10 53-6-101; and

(3) programs administered with funds under the federal
 Maternal and Child Health Services Block Grant Act, Public
 Law 97-35, as may be amended.

Section 10. Section 53-6-101, MCA, is amended to read: 14 15 "53-6-101. Definition-of--medical--assistance Montana 16 medicaid program -- authorization of services. (1) There is 17 a Montana medicaid program established for the purpose of providing necessary medical services to eligible persons who 18 have need for medical assistance. The Montana medicaid 19 program is a joint federal-state program administered under 20 23 this chapter and in accordance with Title XIX of the federal 22 Social Security Act (42 U.S.C. 1396, et seq.), as may be 23 amended. The department of social and rehabilitation 24 services shall administer the Montana medicaid program. 25 (1)(2) The--definition--of--medical Medical assistance

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shall-include provided by the Montana medicaid program	1	(g) services provided by social workers licensed under
includes the following services:	2	Title 37, chapter 22;
(a) inpatient hospital services;	3	(h) prescribed drugs, dentures, and prosthetic
<pre>(b) outpatient hospital services;</pre>	4	devices;
(c) other laboratory and x-ray services;	5	(i) eyeglasses prescribed by a physician skilled in
<pre>(d) skilled nursing home services;</pre>	6	diseases of the eye or by an optometrist, whichever the
(e) physicians' services, whether furnished in the	7	individual may select;
office, the patient's home, a hospital, a skilled nursing	8	(j) other diagnostic, screening, preventive,
home, or elsewhere; and	9	rehabilitative, chiropractic, and osteopathic services;
(f) services provided by nurse specialists, as	10	(k) ambulatory prenatal care for pregnant women during
specifically listed in 37-8-202(5), within the scope of	11	a presumptive eligibility period, as provided in 42 U.S.C.
their practice and that are otherwise directly reimbursed as	12	1396(a)(47) A(A)(47) and 42 U.S.C. 1396r-1;
allowed under department rule to an existing provider.	13	<pre>{k}(1) any additional medical service or aid allowable</pre>
<pre>t2;(3) #t Medical assistance provided by the Montana</pre>	14	under or provided by the federal Social Security Act."
medicaid program may, as provided by department rule, also	15	Section 11. Section 53-6-131, MCA, is amended to read:
include ,-although-not-necessarily-limited-to , the following:	16	*53-6-131. Eligibility requirements. (1) Medical
(a) medical care or any other type of remedial care	17	assistance under the Montana medicaid program may be granted
recognized under state law, furnished by licensed	18	to a person who resides in the state of Montana, including a
practitioners within the scope of their practice as defined	19	resident temporarily absent from the state and who meets the
by state law;	20	requirements of one or more of the following categories:
(b) home health care services;	21	(a) he receives all or part of his income from
(c) private-duty nursing services;	22	federally funded supplemental security income assistance or
(d) dental services;	23	aid to families with dependent children;
(e) physical therapy and other related services;	24	(b) upon application, he would be eligible for
(f) clinic services;	25	financial assistance under any one of the federally aided
	 includes the following services: (a) inpatient hospital services; (b) outpatient hospital services; (c) other laboratory and x-ray services; (d) skilled nursing home services; (e) physicians' services, whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; and (f) services provided by nurse specialists, as specifically listed in 37-8-202(5), within the scope of their practice and that are otherwise directly reimbursed as allowed under department rule to an existing provider. f27[3] ft Medical assistance provided by the Montana medicaid program may, as provided by department rule, also include;-although-not-necessarily-limited-to, the following: (a) medical care or any other type of remedial care recognized under state law, furnished by licensed practitioners within the scope of their practice as defined by state law; (b) home health care services; (c) private-duty nursing services; (d) dental services; (e) physical therapy and other related services; 	includes the following services: 2 (a) inpatient hospital services; 3 (b) outpatient hospital services; 4 (c) other laboratory and x-ray services; 5 (d) skilled nursing home services; 6 (e) physicians' services, whether furnished in the 7 office, the patient's home, a hospital, a skilled nursing 8 home, or elsewhere; and 9 (f) services provided by nurse specialists, as 10 specifically listed in 37-8-202(5), within the scope of 11 their practice and that are otherwise directly reimbursed as 12 allowed under department rule to an existing provider. 13 their practice and that are otherwise directly reimbursed as 12 includer-atthough-not-necessarily-limited-to, the following: 16 includer-atthough-not-necessarily-limited-to, the following: 16 (a) medical care or any other type of remedial care 17 recognized under state law, furnished by licensed 18 practitioners within the scope of their practice as defined 19 by state law: 20 (b) home health care services; 21 (c) private-duty nursing services; 22

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programs referred to above;

2 (c) he would be entitled to financial assistance under
3 one of the federally aided categories except that he does
4 not meet the durational residence requirements or relative
5 responsibility requirements of any of the public assistance
6 programs above enumerated;

7 (d) he is in a medical institution and if he were no
8 longer in such institution he would be eligible for
9 financial assistance under one of the above programs;

10 (e) he is under 21 years of age and meets the 11 conditions of eligibility in the state's plan for aid to 12 families with dependent children, other than with respect to 13 school attendance;

14 (f) he is under 21 years of age and in foster care 15 under the supervision of the state;

16 (g) he has income less than 133 1/3% of the amounts 17 specified as maximum income levels for federally aided 18 categories of assistance;

(h) he is under 21 years of age and medically needy,
as defined by the department of social and rehabilitation
services: or

(i) he is under 21 years of age, was in foster care
under the supervision of the state, and has been adopted as
a "hard-to-place" child.

25 (2) The department of social and rehabilitation

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6 women and infants whose family income does not exceed the federal poverty threshold, as provided in 42 U.S.C. 7 8 1396+a)+10++A)+11++++ A(A)(10)(A)(II)(IX)." NEW SECTION. Section 12. Appropriation. The following 9 10 amounts--are-appropriated-from-the general-fund PUND-SOURCES BISCLOSEB--BELOW to---the---department---of---health---and 11 12 environmental--sciences-for-the-purpose-of-administering-the 13 MEAME-project: 14 PY-1990 PY-1991 15 \$-1077837 GENERAL-FUND \$-106,665 GENERAL-FUND 16 217132 FEBERAS-SPECIAL 57112 PEDERA5-SPECTA5 17 COORDINATION -- VOID WITHOUT APPROPRIATION. [THIS ACT] IS 18 VOID UNLESS AN APPROPRIATION FOR THE ADMINISTRATION OF [THIS

ACT] IS SPECIFICALLY MADE TO THE DEPARTMENT OF HEALTH AND
 ENVIRONMENTAL SCIENCES IN HOUSE BILL NO. 100.

services may by rule establish more restrictive property

ownership eligibility criteria than required by federal law

chapter, medical assistance must be provided to pregnant

(3) Notwithstanding any other provision of this

for federally aided categories of public assistance.

21 <u>NEW SECTION.</u> Section 13. Extension of authority. Any 22 existing authority to make rules on the subject of the 23 provisions of [this act] is extended to the provisions of 24 [this act].

25 <u>NEW SECTION.</u> Section 14. Codification instruction.

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1 [Sections 1 through 9] are intended to be codified as an

2 integral part of Title 50, chapter 19, and the provisions of

3 Title 50, chapter 19, apply to [sections 1 through 9].

4 NEW SECTION. SECTION 15. PROGRAM TERMINATION. THE

5 PROVISIONS OF [THIS ACT] TERMINATE JUNE 30, 1991.

6 NEW SECTION. Section 16. Effective date. [This act]

7 is effective July 1, 1989.

-End-

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