

115TH CONGRESS
2D SESSION

S. 2922

To amend title XIX of the Social Security Act to help improve access to care for pregnant and postpartum women receiving substance use disorder treatment, including for opioid use disorders, in an institution for mental diseases.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2018

Ms. STABENOW (for herself, Mr. HELLER, Mr. BROWN, Mr. CARPER, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to help improve access to care for pregnant and postpartum women receiving substance use disorder treatment, including for opioid use disorders, in an institution for mental diseases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help for Moms and
5 Babies Act”.

1 **SEC. 2. MEDICAID COVERAGE PROTECTION FOR PREG-**
2 **NANT AND POSTPARTUM WOMEN SEEKING**
3 **CARE FOR SUBSTANCE USE DISORDER IN AN**
4 **INSTITUTION FOR MENTAL DISEASES.**

5 (a) **MEDICAID STATE PLAN.**—Section 1905(a) of the
6 Social Security Act (42 U.S.C. 1396d(a)) is amended by
7 adding at the end the following new sentence: “In the case
8 of a woman who is eligible for medical assistance on the
9 basis of being pregnant (including through the end of the
10 month in which the 60-day period beginning on the last
11 day of her pregnancy ends), who is a patient in an institu-
12 tion for mental diseases for purposes of receiving treat-
13 ment for a substance use disorder, and who was enrolled
14 for medical assistance under the State plan immediately
15 before becoming a patient in an institution for mental dis-
16 eases or who becomes eligible to enroll for such medical
17 assistance while such a patient, the exclusion from the def-
18 inition of ‘medical assistance’ set forth in the subdivision
19 (B) following paragraph (29) of the first sentence of this
20 subsection shall not be construed as prohibiting Federal
21 financial participation for medical assistance for items or
22 services that are provided to the woman outside of the in-
23 stitution.”.

24 (b) **EFFECTIVE DATE.**—

25 (1) **IN GENERAL.**—Except as provided in para-
26 graph (2), the amendment made by subsection (a)

1 shall take effect on the date of enactment of this
2 Act.

3 (2) RULE FOR CHANGES REQUIRING STATE
4 LEGISLATION.—In the case of a State plan under
5 title XIX of the Social Security Act which the Sec-
6 retary of Health and Human Services determines re-
7 quires State legislation (other than legislation appro-
8 priating funds) in order for the plan to meet the ad-
9 ditional requirements imposed by the amendment
10 made by subsection (a), the State plan shall not be
11 regarded as failing to comply with the requirements
12 of such title solely on the basis of its failure to meet
13 these additional requirements before the first day of
14 the first calendar quarter beginning after the close
15 of the first regular session of the State legislature
16 that begins after the date of the enactment of this
17 Act. For purposes of the previous sentence, in the
18 case of a State that has a 2-year legislative session,
19 each year of such session shall be deemed to be a
20 separate regular session of the State legislature.

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