



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 78

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H.P. 64

House of Representatives, January 15, 2019

### **An Act To Facilitate Access to the MaineCare Family Planning Benefit**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McCREIGHT of Harpswell.  
Cosponsored by Senator SANBORN, H. of Cumberland and  
Representatives: BERRY of Bowdoinham, HANDY of Lewiston, HYMANSON of York,  
KORNFIELD of Bangor, SCHNECK of Bangor, TEPLER of Topsham, TIPPING of Orono,  
Senator: FOLEY of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3173-G**, as enacted by PL 2015, c. 356, §1 and affected by §4,  
3 is repealed and the following enacted in its place:

4 **§3173-G. Medicaid coverage for reproductive health care and family planning**  
5 **services**

6 **1. Family planning benefit.** The department shall provide for the delivery of  
7 federally approved Medicaid services to a qualified adult or adolescent whose individual  
8 income is equal to or below 209% of the nonfarm income official poverty line for  
9 reproductive health care and family planning services, as described in 42 United States  
10 Code, Section 1396d(a)(4)(C), including pregnancy prevention, testing and treatment for  
11 sexually transmitted infection or cancer and access to contraception, in accordance with  
12 the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended  
13 by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-  
14 152.

15 **2. Presumptive eligibility.** If a MaineCare provider determines that an adult or  
16 adolescent is likely to be eligible for services under this section, the provider must be  
17 reimbursed for services provided under this section until the department determines that  
18 the adult or adolescent is not eligible.

19 **3. Automatic review of eligibility and enrollment.** If an individual applying for  
20 MaineCare eligibility under section 3174-G, subsection 1, paragraph A, C, D, E, F, G or  
21 H is determined ineligible under those paragraphs, the department shall make a  
22 determination of eligibility under this section and shall enroll an individual who is  
23 eligible for services under this section. The department shall automatically review an  
24 individual's eligibility for services under this section when an individual loses eligibility  
25 under section 3174-G, subsection 1, paragraph A due to the birth of a child or an increase  
26 in income and shall enroll an individual who is eligible under this section for services.

27 **4. Single application.** The department shall use a single application form for adults  
28 and adolescents applying for MaineCare eligibility under this section and for adults  
29 applying for MaineCare eligibility under section 3174-G, subsection 1, paragraph H.

30 **5. Rules.** The department shall adopt routine technical rules as defined by Title 5,  
31 chapter 375, subchapter 2-A to carry out the provisions of this section.

32 **SUMMARY**

33 This bill establishes presumptive eligibility for individuals who are likely to qualify  
34 for the family planning benefit under the Maine Revised Statutes, Title 22, section  
35 3173-G and requires the Department of Health and Human Services to provide for  
36 presumptive eligibility. It requires the department to automatically review an individual's  
37 eligibility for the family planning benefit if, upon application, the individual is found  
38 ineligible under Title 22, section 3174-G, subsection 1, paragraph A, C, D, E, F, G or H  
39 and to enroll the individual if found eligible for the family planning benefit. It requires

1 the department to automatically review an individual's eligibility for the family planning  
2 benefit after an individual loses eligibility for the MaineCare pregnancy benefit under  
3 Title 22, section 3174-G, subsection 1, paragraph A due to the birth of a child or an  
4 increase in income and to enroll the individual, if found eligible, for the family planning  
5 benefit. It also requires the department to use a single application form for individuals  
6 applying for eligibility for the family planning benefit under Title 22, section 3173-G and  
7 under the adult expansion provisions under Title 22, section 3174-G, subsection 1,  
8 paragraph H. The bill directs the Department of Health and Human Services to adopt  
9 rules to carry out these requirements.