

2022 Regular Session

HOUSE BILL NO. 650

BY REPRESENTATIVE HILFERTY

MEDICAID: Provides for Medicaid coverage of prescription human milk

1 AN ACT

2 To enact Part IV of Chapter 8 of Title 46 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 46:977.31, relative to the medical assistance program of this state  
4 known as Medicaid; to provide for Medicaid coverage of pasteurized donor human  
5 milk when medically necessary; to provide relative to federal Medicaid waivers; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part IV of Chapter 8 of Title 46 of the Louisiana Revised Statutes of 1950,  
9 comprised of R.S. 46:977.31, is hereby enacted to read as follows:

10 PART IV. MEDICAID COVERAGE FOR DONOR HUMAN MILK

11 §977.31. Prescribed donor human milk; Medicaid outpatient coverage

12 A. The Louisiana Department of Health shall make available to persons who  
13 are eligible for Medicaid benefits under Title XIX of the Social Security Act, 42  
14 U.S.C. 1396 et seq., outpatient coverage benefits for medically necessary pasteurized  
15 donor human milk upon prescription of an infant's pediatrician stating that the infant  
16 Medicaid beneficiary is medically or physically unable to receive maternal human  
17 milk or participate in breastfeeding, or the infant's mother is medically or physically  
18 unable to produce maternal human milk in sufficient quantities. Medicaid shall only  
19 reimburse for outpatient donor human milk obtained from a member bank of the  
20 Human Milk Banking Association of North America.

- 1           B. The department may seek approval of a federal Medicaid waiver and  
2           state plan amendments as may be necessary to implement the provisions of this  
3           Section.
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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 650 Engrossed

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Hilferty

**Abstract:** Requires state Medicaid health plans to provide coverage benefits for medically necessary pasteurized donor human milk upon prescription of an infant's pediatrician and establishes reimbursement provisions.

Proposed law requires Medicaid health plans to provide coverage benefits for medically necessary pasteurized donor human milk upon prescription of an infant's pediatrician stating that the infant is medically or physically unable to receive maternal human milk or participate in breastfeeding, or the infant's mother is medically or physically unable to produce maternal human milk in sufficient quantities.

Proposed law authorizes the La. Dept. of Health to seek approval of a federal Medicaid waiver and state plan amendments in implementation of proposed law.

Proposed law provides that Medicaid shall reimburse only for outpatient donor human milk obtained from a member bank of the Human Milk Banking Association of North America.

(Adds R.S. 46:977.31)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Change all references from "breast milk" to "human milk".
2. Require Medicaid to reimburse only for outpatient donor human milk obtained from a member bank of the Human Milk Banking Association of North America.
3. Make technical corrections.