

BY REPRESENTATIVE HILFERTY AND SENATORS BARROW, BOUDREAUX,
BOUIE, CARTER, HENSGENS, JACKSON, LUNEAU, FRED MILLS, MIZELL,
POPE, PRICE, SMITH, AND TALBOT

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____