

2023 Regular Session

SENATE BILL NO. 135

BY SENATOR BARROW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MEDICAID. Provides relative to Medicaid reimbursement for services provided by a licensed midwife. (8/1/23)

1 AN ACT

2 To enact R.S. 46:451, relative to Medicaid reimbursement for midwifery services; to provide

3 for a minimum rate of reimbursement relative to physician reimbursement; to

4 provide for legislative findings; to provide for definitions; to provide for eligibility

5 requirements; to provide for approval by CMS; to provide for rulemaking; to provide

6 for prohibited decreases in certain reimbursements; and to provide for related

7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:451 is hereby enacted to read as follows:

10 **§451. Medicaid reimbursement; midwifery services**

11 **A. The legislature hereby finds and affirms all of the following:**

12 **(1) Licensed midwives are community-based practitioners who provide**

13 **comprehensive, holistic, individualized maternity care and alternative birthing**

14 **services to low-risk clients.**

15 **(2) Midwifery care is family-centered and individualized to consider the**

16 **unique cultural, ethnic, psychosocial, nutritional, and educational needs of the**

17 **client and supports healthy lifestyle habits that benefit the whole family.**

1 **(3) Midwives have made a tremendous contribution to the health and**
2 **welfare of mothers and the practice of midwifery continues to advance as a**
3 **profession as these providers comprise an increasing part of mainstream health**
4 **care.**

5 **B. The Louisiana Department of Health shall implement a Medicaid**
6 **reimbursement rate for midwifery services that is, at a minimum, ninety**
7 **percent of the amount reimbursed to licensed physicians for the provision of the**
8 **same health services in pregnancy and childbirth.**

9 **C. For purposes of this Section, "midwife" means a midwife licensed by**
10 **the Louisiana State Board of Medical Examiners pursuant to R.S. 37:3240 et**
11 **seq. or a nurse midwife certified by the Louisiana State Board of Nursing**
12 **pursuant to R.S. 37:913.**

13 **D.(1) The midwife shall be enrolled as a Medicaid provider and be a**
14 **managed care organization network provider in the Medicaid program in order**
15 **to be reimbursed in accordance with this Section.**

16 **(2) Implementation of the reimbursement rate provided for in this**
17 **Section shall be subject to approval by the Centers for Medicare and Medicaid**
18 **Services.**

19 **(3) The Louisiana Department of Health may promulgate any rules as**
20 **may be necessary to implement the provisions of this Section.**

21 **E.(1) Nothing in this Section shall be construed to require a decrease in**
22 **any reimbursement rate for midwife services that are reimbursed equal to the**
23 **amount reimbursed to licensed physicians.**

24 **(2) Nothing in this Section shall be construed to expand, diminish, or**
25 **alter the scope of practice of a midwife.**

26 **(3) Nothing in this Section shall be construed to require the Medicaid**
27 **program to cover any specific healthcare service.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 135 Original

2023 Regular Session

Barrow

Proposed law provides that the La. Dept. of Health shall implement a Medicaid reimbursement rate for midwife services that is, at a minimum, 90% of the amount reimbursed to licensed physicians for the provision of the same health services in pregnancy and childbirth.

Proposed law defines "midwife".

Proposed law requires the midwife to be enrolled as a Medicaid provider and be a managed care organization network provider in the Medicaid program in order to be reimbursed in accordance with proposed law.

Proposed law is subject to approval by the Centers for Medicare and Medicaid Services.

Proposed law shall not be construed to do any of the following:

- (1) Require a decrease in any reimbursement rate for midwife services that are reimbursed equal to the amount reimbursed to licensed physicians.
- (2) Expand, diminish, or alter the scope of practice of a midwife.
- (3) Require Medicaid to cover any specific healthcare service.

Effective August 1, 2023.

(Adds R.S. 46:451)