

SENATE BILL NO. 135

BY SENATOR BARROW AND REPRESENTATIVES AMEDEE, BOYD, BRYANT, BUTLER, WILFORD CARTER, COX, FISHER, GLOVER, GREEN, HUGHES, JEFFERSON, JENKINS, KNOX, LAFLEUR, LARVADAIN, LYONS, MARCELLE, DUSTIN MILLER, MOORE, NEWELL, STAGNI, THOMPSON AND WILLARD

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

1 AN ACT

2 To enact R.S. 46:451, relative to Medicaid reimbursement for services of licensed midwives
3 and certified nurse midwives; to provide for a minimum rate of reimbursement
4 relative to physician reimbursement; to provide for legislative findings; to provide
5 for definitions; to provide for eligibility requirements; to provide for approval by
6 CMS; to provide for rulemaking; to provide for prohibited decreases in certain
7 reimbursements; and to provide for related 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) 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.**

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

22 **B. The Louisiana Department of Health shall implement a Medicaid**
23 **reimbursement rate for midwifery services that is, at a minimum, ninety-five**
24 **percent of the amount reimbursed to licensed physicians for the provision of the**
25 **same health services in pregnancy and childbirth when acting within their scope**

1 of practice.

2 C. For purposes of this Section, "midwife" means a licensed midwife
3 licensed by the Louisiana State Board of Medical Examiners pursuant to R.S.
4 37:3240 et seq. or a certified nurse midwife licensed by the Louisiana State
5 Board of Nursing pursuant to R.S. 37:913.

6 D.(1) The midwife shall be enrolled as a Medicaid provider and be a
7 managed care organization network or a fee-for-service provider in the
8 Medicaid program in order to be reimbursed in accordance with this Section.

9 (2) Implementation of the reimbursement rate provided for in this
10 Section shall be subject to approval by the Centers for Medicare and Medicaid
11 Services.

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

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

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

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

21 Section 2. This Act shall be known and may be cited as the "Jessica Collins-
22 Ruffin Act".

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____