

2024 Regular Session

HOUSE BILL NO. 392

BY REPRESENTATIVE FREEMAN

MEDICAID: Provides relative to Medicaid and private insurance coverage for perimenopausal and menopausal care

1 AN ACT

2 To enact Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to  
3 be comprised of R.S. 40:1259.1 and 1259.2, relative to coverage of perimenopausal  
4 and menopausal care; to provide for hormonal and symptomatic treatment; to  
5 provide for Medicaid coverage; to provide for enrollment qualifications; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of  
9 1950, comprised of R.S. 40:1259.1 and 1259.2, is hereby enacted to read as follows:

10 PART VIII. MENOPAUSAL CARE COVERAGE

11 §1259.1. Menopausal care; Medicaid 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., coverage benefits for hormonal care for any woman who is  
15 experiencing menopausal or perimenopausal symptoms.

16 B. The symptoms for which such funding shall be made available include but  
17 are not limited to the following:

- 18 (1) Irregular menstrual periods.
- 19 (2) Hot flashes.
- 20 (3) Vaginal or bladder problems.

1           (4) Decrease in fertility.

2           (5) Loss of bone.

3           (6) Increase in low-density lipoprotein cholesterol levels.

4           (7) Sleep disruption, which includes night sweats.

5           C. For the purposes of this Part, the following definitions apply:

6           (1) "Menopause" means the permanent cessation of menstruation due to loss  
7           of ovarian follicular function. During menopause, ovaries stop releasing eggs and  
8           the body produces less estrogen and progesterone.

9           (2) "Perimenopause" means the transition period in which a woman is near  
10          the end of her reproductive years or at the onset of menopause.

11          D. The Louisiana Department of Health may seek approval of a federal  
12          Medicaid waiver and state plan amendments as may be necessary to implement the  
13          provisions of this Section.

14          §1259.2. Medicaid coverage for perimenopausal and menopausal care

15          A. The Louisiana Medicaid program shall cover inpatient and, if deemed  
16          appropriate, outpatient coverage for perimenopausal or menopausal treatment or care  
17          when such care or treatment is used for a medically accepted indication and  
18          administered in any healthcare facility by any healthcare professional appropriately  
19          licensed in this state to provide such medical treatment or care in accordance with  
20          state and federal guidelines or certifications.

21          B. Any healthcare facility appropriately providing perimenopausal or  
22          menopausal treatment or care in accordance with state and federal guidelines or  
23          certifications that participates in the Louisiana Medicaid program shall provide  
24          perimenopausal or menopausal treatment or care to an individual who is eligible for  
25          such enrollment as defined in Subsection C of this Section.

26          C.(1) To receive coverage from the Louisiana Medicaid program for  
27          perimenopausal or menopausal treatment or care, the eligibility of a prospective  
28          enrollee shall be determined by the healthcare facility appropriately providing

1 perimenopausal or menopausal treatment or care in accordance with state and federal  
2 guidelines or certifications as provided in Subsection B of this Section.

3 (2) A prospective enrollee shall be considered eligible for perimenopausal  
4 or menopausal treatment or care enrollment if the individual satisfies all of the  
5 following qualifications:

6 (a) The individual is enrolled in the Louisiana Medicaid program.

7 (b) A licensed healthcare provider has certified that perimenopausal or  
8 menopausal treatment or care is medically necessary and appropriate to treat the  
9 individual's condition.

10 (c) The perimenopausal or menopausal treatment or care is administered in  
11 any healthcare facility appropriately providing perimenopausal or menopausal  
12 treatment or care in accordance with state and federal guidelines or certifications.

13 D. Pursuant to this Section, the secretary of the Louisiana Department of  
14 Health shall do all of the following:

15 (1) Submit to the Centers for Medicare and Medicaid Services all necessary  
16 state plan amendments.

17 (2) Promulgate all necessary rules and regulations in accordance with the  
18 Administrative Procedure Act.

19 (3) Take any other actions necessary to implement the provisions of this  
20 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 392 Engrossed

2024 Regular Session

Freeman

**Abstract:** Provides for Medicaid and private insurance coverage for perimenopausal and menopausal care.

Proposed law requires La. Dept. of Health (LDH) to make available to persons who are eligible for Medicaid benefits under present law coverage benefits for hormonal menopausal care for any woman who is experiencing menopausal or perimenopausal symptoms.

Proposed law defines "perimenopausal" and "menopause".

Proposed law provides that symptoms for which such funding shall be made available include but are not limited to the following:

- (1) Irregular menstrual periods.
- (2) Hot flashes.
- (3) Vaginal or bladder problems.
- (4) Decrease in fertility.
- (5) Loss of bone.
- (6) Increase in low-density lipoprotein cholesterol levels.
- (7) Sleep disruption, which includes night sweats.

Proposed law provides that LDH may seek approval of a federal Medicaid waiver and state plan amendments as may be necessary to implement the provisions of this proposed law.

Proposed law requires the Medicaid program in this state to cover inpatient and, if deemed appropriate, outpatient coverage for perimenopausal or menopausal treatment or care when such care or treatment, is used for a medically accepted indication, and administered in any healthcare facility by any healthcare professional appropriately licensed in this state to provide such medical treatment or care in accordance with state and federal provisions.

Proposed law provides that the eligibility of a prospective enrollee shall be determined by the healthcare facility appropriately providing perimenopausal or menopausal treatment or care as provided in proposed law.

Proposed law establishes certain requirements for the secretary of LDH in compliance with proposed law.

(Adds R.S. 40:1259.1 and 1259.2)

#### Summary of Amendments Adopted by House

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

1. Remove the requirement for coverage from private insurers for perimenopausal and menopausal care.
2. Make technical corrections.