



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

INTRODUCED _____, BY

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.24

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that in order to maximize the accessibility of preventive prenatal and perinatal health care services, the Department of Healthcare and Family Services shall amend its managed care contracts such that a managed care organization must pay for preventive prenatal and perinatal healthcare services rendered by a non-affiliated provider, for which the health plan would pay if rendered by an affiliated provider, at the same rate the Department would pay for such services exclusive of disproportionate share payments and Medicaid percentage adjustments, unless a different rate was agreed upon by the health plan and the non-affiliated provider. Effective January 1, 2023.

LRB102 25451 KTG 34737 b

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.24 as follows:

6 (305 ILCS 5/5-5.24)

7 Sec. 5-5.24. Prenatal and perinatal care.

8 (a) The Department of Healthcare and Family Services may
9 provide reimbursement under this Article for all prenatal and
10 perinatal health care services that are provided for the
11 purpose of preventing low-birthweight infants, reducing the
12 need for neonatal intensive care hospital services, and
13 promoting perinatal and maternal health. These services may
14 include comprehensive risk assessments for pregnant
15 individuals, individuals with infants, and infants, lactation
16 counseling, nutrition counseling, childbirth support,
17 psychosocial counseling, treatment and prevention of
18 periodontal disease, language translation, nurse home
19 visitation, and other support services that have been proven
20 to improve birth and maternal health outcomes. The Department
21 shall maximize the use of preventive prenatal and perinatal
22 health care services consistent with federal statutes, rules,
23 and regulations. The Department of Public Aid (now Department

1 of Healthcare and Family Services) shall develop a plan for
2 prenatal and perinatal preventive health care and shall
3 present the plan to the General Assembly by January 1, 2004. On
4 or before January 1, 2006 and every 2 years thereafter, the
5 Department shall report to the General Assembly concerning the
6 effectiveness of prenatal and perinatal health care services
7 reimbursed under this Section in preventing low-birthweight
8 infants and reducing the need for neonatal intensive care
9 hospital services. Each such report shall include an
10 evaluation of how the ratio of expenditures for treating
11 low-birthweight infants compared with the investment in
12 promoting healthy births and infants in local community areas
13 throughout Illinois relates to healthy infant development in
14 those areas.

15 On and after July 1, 2012, the Department shall reduce any
16 rate of reimbursement for services or other payments or alter
17 any methodologies authorized by this Code to reduce any rate
18 of reimbursement for services or other payments in accordance
19 with Section 5-5e.

20 (b) (1) As used in this subsection:

21

22 "Affiliated provider" means a provider who is enrolled in
23 the medical assistance program and has an active contract with
24 a managed care organization.

25 "Managed care organization" or "MCO" means any entity that
26 contracts with the Department to provide services where

1 payment for medical services is made on a capitated basis.

2 "Non-affiliated provider" means a provider who is enrolled
3 in the medical assistance program but does not have a contract
4 with a MCO.

5 "Preventive prenatal and perinatal health care services"
6 means services described in subsection (a) including the
7 following non-emergent diagnostic and ancillary services:

8 (i) Diagnostic labs and imaging, including level II
9 ultrasounds.

10 (ii) RhoGAM injections.

11 (iii) Injectable 17-alpha-hydroxyprogesterone
12 caproate (commonly called 17P).

13 (iv) Intrapartum (labor and delivery) services.

14 (v) Any other outpatient or inpatient service relating
15 to pregnancy or the 12 months following childbirth or
16 fetal loss.

17 (2) In order to maximize the accessibility of preventive
18 prenatal and perinatal health care services, the Department of
19 Healthcare and Family Services shall amend its managed care
20 contracts such that an MCO must pay for preventive prenatal
21 and perinatal healthcare services rendered by a non-affiliated
22 provider, for which the health plan would pay if rendered by an
23 affiliated provider, at the same rate the Department would pay
24 for such services exclusive of disproportionate share payments
25 and Medicaid percentage adjustments, unless a different rate
26 was agreed upon by the health plan and the non-affiliated

1 provider.

2 (Source: P.A. 102-665, eff. 10-8-21.)

3 Section 99. Effective date. This Act takes effect January
4 1, 2023.