
SENATE BILL 6106

State of Washington

66th Legislature

2020 Regular Session

By Senator O'Ban

Prefiled 12/23/19.

1 AN ACT Relating to improving postpartum medicaid coverage;
2 amending RCW 74.09.510; and creating new sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature recognizes that the first
5 three hundred sixty-five days of a child's life is a critical time
6 for the health, including mental health, of both the mother and the
7 child. Negative health conditions, including postpartum mood
8 disorders, may develop and stay with a mother during the initial
9 three hundred sixty-five days after the pregnancy ends. Currently,
10 mothers who meet certain income threshold limits to qualify for
11 medicaid coverage during and shortly after pregnancy may lose
12 medicaid coverage less than three months after a pregnancy ends. This
13 is often referred to as the postpartum cliff. The legislature finds
14 that losing medicaid coverage shortly after a pregnancy ends
15 negatively affects the health of both the mother and the child.
16 Therefore, the legislature intends to allow mothers who qualify for
17 medicaid to remain on that medicaid coverage for a period of three
18 hundred sixty-five days following the end of a pregnancy.

19 **Sec. 2.** RCW 74.09.510 and 2017 3rd sp.s. c 6 s 337 are each
20 amended to read as follows:

1 Medical assistance may be provided in accordance with eligibility
2 requirements established by the authority, as defined in the social
3 security Title XIX state plan for mandatory categorically needy
4 persons and:

5 (1) Individuals who would be eligible for cash assistance except
6 for their institutional status;

7 (2) Individuals who are under twenty-one years of age, who would
8 be eligible for medicaid, but do not qualify as dependent children
9 and who are in (a) foster care, (b) subsidized adoption, (c) a
10 nursing facility or an intermediate care facility for persons with
11 intellectual disabilities, or (d) inpatient psychiatric facilities;

12 (3) Individuals who:

13 (a) Are under twenty-one years of age;

14 (b) On or after July 22, 2007, were in foster care under the
15 legal responsibility of the department of social and health services,
16 the department of children, youth, and families, or a federally
17 recognized tribe located within the state; and

18 (c) On their eighteenth birthday, were in foster care under the
19 legal responsibility of the department of children, youth, and
20 families or a federally recognized tribe located within the state;

21 (4) Persons who are aged, blind, or disabled who: (a) Receive
22 only a state supplement, or (b) would not be eligible for cash
23 assistance if they were not institutionalized;

24 (5) Categorically eligible individuals who meet the income and
25 resource requirements of the cash assistance programs;

26 (6) Individuals who are enrolled in managed health care systems,
27 who have otherwise lost eligibility for medical assistance, but who
28 have not completed a current six-month enrollment in a managed health
29 care system, and who are eligible for federal financial participation
30 under Title XIX of the social security act;

31 (7) Children (~~and pregnant women~~) allowed by federal statute
32 for whom funding is appropriated;

33 (8) Pregnant and postpartum persons who have countable income
34 equal to or below one hundred ninety-three percent of the federal
35 poverty level. Medical assistance provided under this subsection
36 shall be provided up to twelve months postpregnancy and is subject to
37 any conditions or limitations specified in the omnibus operating
38 appropriations act;

1 (9) Working individuals with disabilities authorized under
2 section 1902(a)(10)(A)(ii) of the social security act for whom
3 funding is appropriated;

4 ~~((9))~~ (10) Other individuals eligible for medical services
5 under RCW 74.09.700 for whom federal financial participation is
6 available under Title XIX of the social security act;

7 ~~((10))~~ (11) Persons allowed by section 1931 of the social
8 security act for whom funding is appropriated; and

9 ~~((11))~~ (12) Women who: (a) Are under sixty-five years of age;
10 (b) have been screened for breast and cervical cancer under the
11 national breast and cervical cancer early detection program
12 administered by the department of health or tribal entity and have
13 been identified as needing treatment for breast or cervical cancer;
14 and (c) are not otherwise covered by health insurance. Medical
15 assistance provided under this subsection is limited to the period
16 during which the woman requires treatment for breast or cervical
17 cancer, and is subject to any conditions or limitations specified in
18 the omnibus appropriations act.

19 NEW SECTION. **Sec. 3.** The health care authority shall submit a
20 waiver request to the federal centers for medicare and medicaid
21 services to allow for the state to receive federal match for the
22 coverage of pregnant and postpartum persons identified in RCW
23 70.235.010(8). The authority shall provide coverage to all eligible
24 pregnant and postpartum persons identified under RCW 70.235.010(8)
25 regardless of federal approval of the waiver request. The authority
26 shall report to the legislature on the status of the waiver request
27 by December 1, 2020, and inform the legislature of any statutory
28 changes necessary to allow the state to receive federal match for the
29 coverage of pregnant and postpartum persons identified in RCW
30 70.235.010(8).

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