



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5013

Introduced 1/27/2022, by Rep. Mary E. Flowers

#### 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

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.