



Rep. Kevin John Olickal

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10300HB4824ham001

LRB103 37229 KTG 70981 a

1 AMENDMENT TO HOUSE BILL 4824

2 AMENDMENT NO. _____. Amend House Bill 4824 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Birth Center Licensing Act is amended by
5 changing Section 40 as follows:

6 (210 ILCS 170/40)

7 Sec. 40. Reimbursement requirements.

8 (a) A birth center shall seek certification under Titles
9 XVIII and XIX of the federal Social Security Act.

10 (b) Reimbursement rates set by the Department of
11 Healthcare and Family Services should be based on all types of
12 medically necessary covered services provided to both the
13 birthing person and the baby, including:

14 (1) a professional fee for both the birthing person
15 and baby;

16 (2) a facility fee for the birthing person that is

1 equal to ~~no less than 75%~~ of the statewide average
2 facility payment rate made to a hospital for an
3 uncomplicated vaginal birth;

4 (3) a facility fee for the baby that is equal to ~~no~~
5 ~~less than 75%~~ of the statewide average facility payment
6 rate made to a hospital for a normal baby; and

7 (4) additional fees for other services, medications,
8 laboratory tests, and supplies provided.

9 Notwithstanding any other law to the contrary, all
10 reimbursement rates set by the Department of Healthcare and
11 Family Services for services provided at a birth center shall
12 be equal to the reimbursement rates set by the Department of
13 Healthcare and Family Services for the same services provided
14 at a hospital licensed under the Hospital Licensing Act.

15 (c) A birth center shall provide charitable care
16 consistent with that provided by comparable health care
17 providers in the geographic area.

18 (d) A birth center may not discriminate against any
19 patient requiring treatment because of the source of payment
20 for services, including Medicare and Medicaid recipients.

21 (Source: P.A. 102-518, eff. 8-20-21.)

22 Section 10. The Illinois Insurance Code is amended by
23 adding Section 356z.71 as follows:

24 (215 ILCS 5/356z.71 new)

1 Sec. 356z.71. Coverage for birth center and midwife
2 services. A group or individual policy of accident and health
3 insurance or a managed care plan that is amended, delivered,
4 issued, or renewed on or after January 1, 2025 shall provide
5 coverage for all services provided at a birth center by a
6 certified nurse midwife or a licensed certified professional
7 midwife, including, but not limited to, prenatal care, labor
8 and delivery care, care after birth, gynecological exams, and
9 newborn care. As use in this Section:

10 "Birth center" means a facility licensed under the
11 Birth Center Licensing Act.

12 "Certified nurse midwife" means an individual who is
13 licensed under the Nurse Practice Act as an advanced
14 practice registered nurse and is certified as a nurse
15 midwife.

16 "Licensed certified professional midwife" means a
17 person who has successfully met the requirements under
18 Section 45 of the Licensed Certified Professional Midwife
19 Practice Act and holds an active license to practice as a
20 licensed certified professional midwife in Illinois.

21 Section 15. The Illinois Public Aid Code is amended by
22 changing Sections 5-16.8, 5-18.3, and 5-18.5 as follows:

23 (305 ILCS 5/5-16.8)

24 Sec. 5-16.8. Required health benefits. The medical

1 assistance program shall (i) provide the post-mastectomy care
2 benefits required to be covered by a policy of accident and
3 health insurance under Section 356t and the coverage required
4 under Sections 356g.5, 356q, 356u, 356w, 356x, 356z.6,
5 356z.26, 356z.29, 356z.32, 356z.33, 356z.34, 356z.35, 356z.46,
6 356z.47, 356z.51, 356z.53, 356z.56, 356z.59, 356z.60, ~~and~~
7 356z.61, 356z.64, 356z.67, and 356z.71 of the Illinois
8 Insurance Code, (ii) be subject to the provisions of Sections
9 356z.19, 356z.44, 356z.49, 364.01, 370c, and 370c.1 of the
10 Illinois Insurance Code, and (iii) be subject to the
11 provisions of subsection (d-5) of Section 10 of the Network
12 Adequacy and Transparency Act.

13 The Department, by rule, shall adopt a model similar to
14 the requirements of Section 356z.39 of the Illinois Insurance
15 Code.

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

21 To ensure full access to the benefits set forth in this
22 Section, on and after January 1, 2016, the Department shall
23 ensure that provider and hospital reimbursement for
24 post-mastectomy care benefits required under this Section are
25 no lower than the Medicare reimbursement rate.

26 (Source: P.A. 102-30, eff. 1-1-22; 102-144, eff. 1-1-22;

1 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-530, eff.
2 1-1-22; 102-642, eff. 1-1-22; 102-804, eff. 1-1-23; 102-813,
3 eff. 5-13-22; 102-816, eff. 1-1-23; 102-1093, eff. 1-1-23;
4 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff.
5 1-1-24; 103-420, eff. 1-1-24; revised 12-15-23.)

6 (305 ILCS 5/5-18.3 new)

7 Sec. 5-18.3. Birth center and midwife services.
8 Notwithstanding any other provision of this Code, all services
9 provided at a birth center by a certified nurse midwife or a
10 licensed certified professional midwife, including, but not
11 limited to, prenatal care, labor and delivery care, care after
12 birth, gynecological exams, and newborn care shall be covered
13 under the medical assistance program for persons who are
14 otherwise eligible for medical assistance under this Article.
15 All reimbursement rates set by the Department for services
16 provided at a birth center shall be equal to the reimbursement
17 rates set by the Department for the same services provided at a
18 hospital licensed under the Hospital Licensing Act. The
19 Department shall seek a State Plan amendment or any federal
20 waivers or approvals necessary to implement this Section.
21 Implementation of the coverage and reimbursement rates under
22 this Section shall be contingent on federal approval. As used
23 in this Section:

24 "Birth center" means a facility licensed under the
25 Birth Center Licensing Act.

1 "Certified nurse midwife" means an individual who is
2 licensed under the Nurse Practice Act as an advanced
3 practice registered nurse and is certified as a nurse
4 midwife.

5 "Licensed certified professional midwife" means a
6 person who has successfully met the requirements under
7 Section 45 of the Licensed Certified Professional Midwife
8 Practice Act and holds an active license to practice as a
9 licensed certified professional midwife in Illinois.

10 (305 ILCS 5/5-18.5)

11 Sec. 5-18.5. Perinatal doula and evidence-based home
12 visiting services.

13 (a) As used in this Section:

14 "Home visiting" means a voluntary, evidence-based strategy
15 used to support pregnant people, infants, and young children
16 and their caregivers to promote infant, child, and maternal
17 health, to foster educational development and school
18 readiness, and to help prevent child abuse and neglect. Home
19 visitors are trained professionals whose visits and activities
20 focus on promoting strong parent-child attachment to foster
21 healthy child development.

22 "Perinatal doula" means a trained provider who provides
23 regular, voluntary physical, emotional, and educational
24 support, but not medical or midwife care, to pregnant and
25 birthing persons before, during, and after childbirth,

1 otherwise known as the perinatal period.

2 "Perinatal doula training" means any doula training that
3 focuses on providing support throughout the prenatal, labor
4 and delivery, or postpartum period, and reflects the type of
5 doula care that the doula seeks to provide.

6 (b) Notwithstanding any other provision of this Article,
7 perinatal doula services and evidence-based home visiting
8 services shall be covered under the medical assistance
9 program, subject to appropriation, for persons who are
10 otherwise eligible for medical assistance under this Article.
11 Perinatal doula services include regular visits beginning in
12 the prenatal period and continuing into the postnatal period,
13 inclusive of continuous support during labor and delivery,
14 that support healthy pregnancies and positive birth outcomes.
15 Perinatal doula services may be embedded in an existing
16 program, such as evidence-based home visiting. Perinatal doula
17 services provided during the prenatal period may be provided
18 weekly, services provided during the labor and delivery period
19 may be provided for the entire duration of labor and the time
20 immediately following birth, or ~~and~~ services provided during
21 the postpartum period may be provided up to 12 months
22 postpartum.

23 (b-5) (Blank). ~~Notwithstanding any other provision of this~~
24 ~~Article, beginning January 1, 2023, licensed certified~~
25 ~~professional midwife services shall be covered under the~~
26 ~~medical assistance program, subject to appropriation, for~~

1 ~~persons who are otherwise eligible for medical assistance~~
2 ~~under this Article. The Department shall consult with midwives~~
3 ~~on reimbursement rates for midwifery services.~~

4 (c) The Department of Healthcare and Family Services shall
5 adopt rules to administer this Section. In this rulemaking,
6 the Department shall consider the expertise of and consult
7 with doula program experts, doula training providers,
8 practicing doulas, and home visiting experts, along with State
9 agencies implementing perinatal doula services and relevant
10 bodies under the Illinois Early Learning Council. This body of
11 experts shall inform the Department on the credentials
12 necessary for perinatal doula and home visiting services to be
13 eligible for Medicaid reimbursement and the rate of
14 reimbursement for home visiting and perinatal doula services
15 in the prenatal, labor and delivery, and postpartum periods.
16 Every 2 years, the Department shall assess the rates of
17 reimbursement for perinatal doula and home visiting services
18 and adjust rates accordingly.

19 (d) The Department shall seek such State plan amendments
20 or waivers as may be necessary to implement this Section and
21 shall secure federal financial participation for expenditures
22 made by the Department in accordance with this Section.

23 (Source: P.A. 102-4, eff. 4-27-21; 102-1037, eff. 6-2-22.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2025."