

JAN 17 2020

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that women who are
2 ineligible for post-partum health coverage struggle to get
3 necessary care during the fourth trimester, the twelve weeks
4 following childbirth. The legislature notes that these twelve
5 weeks are a critical time as women are more likely to die of
6 pregnancy-related conditions during this time than during
7 pregnancy or childbirth. Nationwide, drug overdoses, suicides
8 and pregnancy-related chronic illnesses, including diabetes,
9 heart disease, and high blood pressure, contribute to a rise in
10 deaths among women during pregnancy, childbirth, and the first
11 twelve months after childbirth.

12 The legislature also finds that according to the United
13 States Centers for Disease Control and Prevention, adequate
14 medical attention could prevent three out of five post-partum
15 deaths. Further, medicaid pregnancy coverage, which pays for
16 nearly half of all births in the United States, expires sixty
17 days after childbirth, leaving many women without health



1 insurance during this vulnerable time. Although women may
2 reapply as a parent after this sixty-day time period, because
3 the income limit for parents is lower, many women are unable to
4 qualify for coverage as a parent. However, policymakers in at
5 least six states, including California, Illinois, Missouri, New
6 Jersey, South Carolina, and Tennessee, are working to extend
7 medicaid coverage to a full year after childbirth.
8 Additionally, health agencies in Georgia, Texas, Utah, and
9 Washington recommend similar efforts.

10 The legislature acknowledges that, according to the
11 Commonwealth Fund, a health care advocacy group, maternal
12 mortality rates, including deaths during and up to one year
13 after pregnancy, are higher in the United States than in other
14 developed nations. Additionally, while pregnancy-related death
15 rates have dropped worldwide over the past thirty years, these
16 rates have more than doubled in the United States. According to
17 the United States Centers for Disease Control and Prevention,
18 the number of deaths per one hundred thousand live births in the
19 United States has risen from seven in 1987 to seventeen in 2016.

20 Accordingly, the purpose of this Act is to provide medical
21 assistance for pregnant women in certain circumstances.



1 SECTION 2. Section 346-70, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[§]~~346-70 ~~[§]~~ Medical assistance for other pregnant
4 women. (a) The department may provide state-funded medical
5 assistance to a pregnant woman age nineteen years of age or
6 older whose countable family income does not exceed one hundred
7 and eighty-five per cent of the federal poverty level for a
8 family of applicable size, including the expected unborn
9 children. The pregnant woman shall be:

10 (1) A legal immigrant who entered the United States on or
11 after August 22, 1996; and

12 (2) Otherwise eligible for benefits under the State's
13 medicaid program but is prohibited from participating
14 in any medical assistance program under title XIX of
15 the Social Security Act for a period of five years
16 beginning on the date of her entry into the United
17 States, due to restricted eligibility rules imposed by
18 title XIX of the Social Security Act and the Personal
19 Responsibility and Work [Opportunity] Reconciliation
20 Act of 1996.



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1 (b) Once determined eligible for medical assistance under
 2 this section, the pregnant woman shall continue to be eligible
 3 throughout her pregnancy and through the last day of the
 4 calendar month in which the sixty-day period following
 5 childbirth ends.

6 (c) Any pregnant woman who is ineligible for medical
 7 insurance coverage through her employer or medicaid shall be
 8 eligible for medical assistance under this section for a period
 9 ending twelve months following childbirth.

10 ~~(e)~~ (d) Assets shall not be evaluated for eligibility
 11 purposes.

12 ~~(d)~~ (e) The director shall adopt rules pursuant to
 13 chapter 91 to determine eligibility for medical assistance."

14 SECTION 3. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Department of Human Services; Pregnancy; Medical Assistance

Description:

Provides medical assistance for pregnant women in certain circumstances.

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