

118TH CONGRESS
2D SESSION

S. _____

To amend titles XIX and XXI of the Social Security Act to enhance financial support for rural and safety net hospitals providing maternity, labor, and delivery services to vulnerable populations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend titles XIX and XXI of the Social Security Act to enhance financial support for rural and safety net hospitals providing maternity, labor, and delivery services to vulnerable populations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Keeping Obstetrics Local Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

2

TITLE I—ENHANCING FINANCIAL SUPPORT FOR RURAL AND
SAFETY NET HOSPITALS THAT PROVIDE OBSTETRIC SERVICES

- Sec. 101. State studies and HHS report on costs of providing maternity, labor, and delivery services.
- Sec. 102. Requiring adequate payment rates under Medicaid for maternity, labor, and delivery services at eligible hospitals.
- Sec. 103. Increased Federal financial participation for maternity, labor, and delivery services furnished by eligible hospitals.
- Sec. 104. Labor and delivery services anchor payments.
- Sec. 105. Application of adequate payment requirement and increased Federal financial participation requirements to CHIP.
- Sec. 106. Disregarding increased and additional payments to hospitals for purposes of other supplemental payments and upper payment limits.

TITLE II—EXPAND COVERAGE OF MATERNAL HEALTH CARE

- Sec. 201. Requiring 12-month continuous, full benefit coverage for pregnant individuals under Medicaid and CHIP.
- Sec. 202. Health homes for pregnant and postpartum women.
- Sec. 203. Guidance on supporting and improving access to Medicaid and CHIP coverage of services provided by doulas and certain maternal health professionals.
- Sec. 204. Medicaid and CHIP increased financial support for depression and anxiety screening during the perinatal and postpartum periods.
- Sec. 205. Presumptive eligibility for pregnant individuals.

TITLE III—INVEST IN THE MATERNAL HEALTH CARE
WORKFORCE

- Sec. 301. Emergency obstetric workforce support.
- Sec. 302. Streamlined screening and enrollment of providers of maternity, labor, and delivery services in neighboring States.

TITLE IV—REQUIRING PUBLIC COMMUNICATION OF OBSTETRICS
DATA AND UNIT CLOSURES

- Sec. 401. Timely notifications of impending hospital obstetric unit closures.
- Sec. 402. Collection of data relating to hospital labor and delivery services.

1 **TITLE I—ENHANCING FINAN-**
2 **CIAL SUPPORT FOR RURAL**
3 **AND SAFETY NET HOSPITALS**
4 **THAT PROVIDE OBSTETRIC**
5 **SERVICES**

6 **SEC. 101. STATE STUDIES AND HHS REPORT ON COSTS OF**
7 **PROVIDING MATERNITY, LABOR, AND DELIV-**
8 **ERY SERVICES.**

9 (a) STATE STUDY.—

10 (1) IN GENERAL.—In order to meet the require-
11 ment of section 1902(a)(6) of the Social Security
12 Act (42 U.S.C. 1396a(a)(6)), not later than 1 year
13 after the date of enactment of this Act, and every
14 5 years thereafter, each State (as such term is de-
15 fined in section 1101(a)(1) of the Social Security
16 Act (42 U.S.C. 1301(a)(1)) for purposes of titles
17 XIX and XXI of such Act) shall conduct a study on
18 the costs of providing maternity, labor, and delivery
19 services in hospitals and submit the results of such
20 study to the Secretary of Health and Human Serv-
21 ices (referred to in this section as the “Secretary”).

22 (2) CONTENT OF STUDY.—A State study re-
23 quired under paragraph (1) shall include the fol-
24 lowing information with respect to maternity, labor,

1 and delivery services furnished by hospitals located
2 in the State:

3 (A) An estimate of the cost of providing
4 maternity, labor, and delivery services at hos-
5 pitals for which more than 50 percent of births
6 are financed by the Medicaid program or the
7 Children's Health Insurance Program, based on
8 the expenditures a representative sample of
9 such hospitals incurred for providing such serv-
10 ices during the 2 most recent years for which
11 data is available.

12 (B) An estimate of the full cost of pro-
13 viding maternity, labor, and delivery services at
14 independent rural hospitals with less than 300
15 births per year, based on the expenditures a
16 representative sample of such hospitals incurred
17 for providing such services during the 2 most
18 recent years for which data are available.

19 (C) An estimate of the cost of providing
20 maternity services at hospitals that ceased pro-
21 viding labor and delivery services within the
22 past 5 years, based on the expenditures a rep-
23 resentative sample of such hospitals incurred
24 for providing such services during the 2 most
25 recent years for which data is available.

1 (D) To the extent data allows, an analysis
2 of the extent to which factors such as geo-
3 graphic location and community population af-
4 fect the cost of providing maternity, labor, and
5 delivery services at hospitals, including the cost
6 of hospital services that support the provision of
7 maternity, labor, and delivery services.

8 (E) The amounts hospitals are paid for
9 maternity, labor, and delivery services, by geo-
10 graphic location and hospital size, under Medi-
11 care, the State Medicaid program, the State
12 CHIP plan, and private health insurance, in-
13 cluding, with respect to the State Medicaid pro-
14 gram, the State CHIP plan, and private health
15 insurance, payment amounts for such services
16 under fee-for-service payment arrangements
17 and under managed care (as applicable).

18 (F) A comparative payment rate anal-
19 ysis—

20 (i) comparing maternity, labor, and
21 delivery services payment rates under the
22 State Medicaid fee-for-service program to
23 payment rates for such services under
24 Medicare (as described in section
25 447.203(b)(3) of title 42, Code of Federal

1 Regulations), other Federally-funded or
2 State-funded programs (including, to the
3 extent data is available, Medicaid managed
4 care rates), and to the payment rates, to
5 the extent data is available, of private
6 health insurers within geographic areas of
7 the State; and

8 (ii) analyzing different payment meth-
9 ods for such services, such as the use of
10 bundled payments, quality incentives, and
11 low-volume adjustments.

12 (G) An evaluation of whether each hospital
13 located in the State that furnishes maternity,
14 labor, and delivery services is expected to expe-
15 rience in the next 3 years—

16 (i) significant changes in particular
17 expenditures or types of reimbursement for
18 maternity, labor, and delivery services; or

19 (ii) any other significant change that
20 is likely to affect the hospital's ability to
21 continue to provide such services.

22 (3) ASSISTANCE TO SMALL HOSPITALS IN COM-
23 PILING COST INFORMATION.—There is appropriated
24 to the Secretary for each fiscal year beginning with
25 fiscal year 2025, \$10,000,000 for the purpose of

1 providing grants and technical assistance to small
2 rural obstetric hospitals to enable such hospitals to
3 compile detailed information on expenses incurred
4 for maternity, labor, and delivery services for use in
5 the State studies required under paragraph (1), to
6 remain available until expended.

7 (4) HHS REPORT ON STATE STUDIES.—For
8 each year in which State studies are required to be
9 conducted under paragraph (1), the Secretary shall
10 issue a public report that compiles and details the
11 results of such studies and includes the information
12 described in paragraph (2).

13 (b) HHS REPORT AND PROPOSED LEGISLATION.—
14 Not later than 2 years after the date of enactment of this
15 Act, the Secretary shall submit to Congress and make
16 publicly available a report analyzing the first studies con-
17 ducted by States under subsection (a)(1) that includes—

18 (1) recommendations for improving data collec-
19 tion on the cost of providing maternity, labor, and
20 delivery services;

21 (2) guidance to States on the collection of such
22 data; and

23 (3) if the Secretary determines it appropriate
24 based on the findings made by the Secretary in such
25 report, proposed legislation or administrative action,

1 including, to the extent the Secretary determines ap-
2 propriate, issuance of regulations, to adjust the
3 amounts paid for maternity, labor, and delivery serv-
4 ices under Medicare, State Medicaid plans, and
5 other federally funded payers, to more accurately
6 compensate eligible hospitals (as such term is de-
7 fined in subsection (uu) of section 1902 of the Social
8 Security Act (42 U.S.C. 1396a), as added by section
9 102) for the cost of providing such services.

10 **SEC. 102. REQUIRING ADEQUATE PAYMENT RATES UNDER**
11 **MEDICAID FOR MATERNITY, LABOR, AND DE-**
12 **LIVERY SERVICES AT ELIGIBLE HOSPITALS.**

13 (a) FEE-FOR-SERVICE PAYMENTS.—Section 1902 of
14 the Social Security Act (42 U.S.C. 1396a) is amended—

15 (1) in subsection (a)(13)—

16 (A) by striking “and” at the end of sub-
17 paragraph (B);

18 (B) by adding “and” at the end of sub-
19 paragraph (C); and

20 (C) by adding at the end the following new
21 subparagraph:

22 “(D) for each fiscal year beginning with
23 fiscal year 2026, payment for maternity, labor,
24 and delivery services (as defined in subsection
25 (uu)) furnished during such fiscal year in an el-

1 eligible hospital (as defined in such subsection) at
2 a rate that is not less than the minimum pay-
3 ment rate specified for the fiscal year in para-
4 graph (4) of such subsection;” and
5 (2) by adding at the end the following new sub-
6 section:

7 “(uu) MATERNITY, LABOR, AND DELIVERY SERV-
8 ICES AND ELIGIBLE HOSPITALS DEFINED.—For purposes
9 of subsection (a)(13)(D)—

10 “(1) MATERNITY, LABOR, AND DELIVERY SERV-
11 ICES.—

12 “(A) IN GENERAL.—The term ‘maternity,
13 labor, and delivery services’ means such inpa-
14 tient hospital services and outpatient hospital
15 services, including behavioral health services,
16 that are provided in relation to maternity care
17 or labor and delivery, identified by appropriate
18 ICD and CPT codes, as the Secretary shall
19 specify after consultation with professional or
20 medical societies with expertise in pregnancy,
21 childbirth, and postpartum care.

22 “(B) SCOPE.—Such term shall not be lim-
23 ited in application, for any eligible hospital,
24 only to services that relate to a birth that oc-
25 curs in the hospital.

1 “(C) RULEMAKING.—Not later than July
2 1, 2025, the Secretary shall issue an interim
3 final rule specifying which services shall be con-
4 sidered maternity, labor, and delivery services
5 for purposes of this subsection and subsection
6 (a)(13)(D).

7 “(2) ELIGIBLE HOSPITAL.—

8 “(A) IN GENERAL.—The term ‘eligible hos-
9 pital’ means, with respect to a State and fiscal
10 year—

11 “(i) a hospital that is located in a
12 rural area (as defined by the Federal Of-
13 fice of Rural Health Policy for the purpose
14 of rural health grant programs adminis-
15 tered by such Office);

16 “(ii) a critical access hospital (as de-
17 fined in section 1861(mm)(1));

18 “(iii) a hospital operated by the In-
19 dian Health Service or an Indian Tribe
20 under the Indian Self-Determination and
21 Education Assistance Act;

22 “(iv) a hospital for which, in the most
23 recent 12-month period for which data is
24 available, at least 50 percent of all births
25 for which the hospital provided maternity,

1 labor, and delivery services during such fis-
2 cal year were qualifying births; or

3 “(v) a hospital that is able to dem-
4 onstrate, through a process to be deter-
5 mined by the Secretary, that, for the appli-
6 cable fiscal year, the hospital projects that
7 at least 50 percent of all births for which
8 the hospital will provide maternity, labor,
9 and delivery services during such fiscal
10 year will be qualifying births.

11 “(B) IDENTIFICATION OF ELIGIBLE HOS-
12 PITALS.—Each State, subject to the approval of
13 the Secretary, shall identify the hospitals in the
14 State that are eligible hospitals with respect to
15 a fiscal year.

16 “(3) QUALIFYING BIRTH.—For purposes of
17 paragraph (2), the term ‘qualifying birth’ means a
18 birth for which any maternity, labor, and delivery
19 services associated with the birth—

20 “(A) were paid for under a State plan
21 under this title (or under a waiver of such a
22 plan) or under a State child health plan under
23 title XXI (or under a waiver of such a plan);

24 “(B) were paid for under title XVIII;

1 “(C) were provided by the Indian Health
2 Service or a Native Hawaiian health care sys-
3 tem (as defined in section 12 of the Native Ha-
4 waiian Health Care Improvement Act); or

5 “(D) were provided to a patient who does
6 not have minimum essential coverage (as de-
7 fined in section 5000A(f) of the Internal Rev-
8 enue Code of 1986) and were not fully paid for
9 by such patient.

10 “(4) MINIMUM PAYMENT RATE SPECIFIED.—
11 The minimum payment rate specified in this para-
12 graph is, with respect to an eligible hospital and ma-
13 ternal, labor, and delivery services—

14 “(A) for fiscal year 2026, 150 percent of
15 the payment rate that would apply for such
16 services and hospital under title XVIII; and

17 “(B) for each period of 5 fiscal years be-
18 ginning with fiscal years 2027 through 2031, a
19 payment rate that is determined for such period
20 by the Secretary to accurately reflect the costs
21 incurred by eligible hospitals in providing such
22 services, informed by the results of the most re-
23 cent State studies submitted to the Secretary
24 under section 101(a) of the Keeping Obstetrics
25 Local Act.”.

1 (b) UNDER MEDICAID MANAGED CARE PLANS.—
2 Section 1932(f) of the Social Security Act (42 U.S.C.
3 1396u–2(f)) is amended—

4 (1) in the heading, by inserting “AND MATER-
5 NITY, LABOR, AND DELIVERY SERVICES AT ELIGI-
6 BLE HOSPITALS” after “SERVICES”; and

7 (2) by striking “described in section
8 1902(a)(13)(C)” and inserting “described in sub-
9 paragraph (C) of section 1902(a)(13) or maternity,
10 labor, and delivery services described in subpara-
11 graph (D) of such section that are furnished by an
12 eligible hospital (as defined in section 1905(uu))”.

13 **SEC. 103. INCREASED FEDERAL FINANCIAL PARTICIPATION**
14 **FOR MATERNITY, LABOR, AND DELIVERY**
15 **SERVICES FURNISHED BY ELIGIBLE HOS-**
16 **PITALS.**

17 Section 1905 of the Social Security Act (42 U.S.C.
18 1396d) is amended—

19 (1) in subsection (b), by striking “and (ii)” and
20 inserting “(ii), and (kk)”;

21 (2) by adding at the end the following new sub-
22 section:

23 “(kk) MATERNITY, LABOR, AND DELIVERY SERV-
24 ICES.—

1 “(1) IN GENERAL.—Notwithstanding subsection
2 (b), with respect to State expenditures for medical
3 assistance for maternity, labor, and delivery services
4 furnished by an eligible hospital (as such terms are
5 defined in section 1902(uu)) in a fiscal quarter that
6 begins on or after October 1, 2025—

7 “(A) the Federal medical assistance per-
8 centage applicable to the enhanced payment
9 rate amount of such expenditures (as deter-
10 mined for the State and quarter under para-
11 graph (2)(A)) shall be equal to 100 percent;
12 and

13 “(B) subject to paragraph (3), the Federal
14 medical assistance percentage applicable to the
15 base payment rate amount of such expenditures
16 (as determined for the State and quarter under
17 paragraph (2)(B)) shall be equal to the en-
18 hanced FMAP determined for the State and
19 quarter under section 2105(b).

20 “(2) DETERMINATION OF ENHANCED PAYMENT
21 RATE AMOUNT AND BASE PAYMENT RATE
22 AMOUNT.—

23 “(A) ENHANCED PAYMENT RATE
24 AMOUNT.—

1 “(i) IN GENERAL.—For purposes of
2 paragraph (1)(A), the enhanced payment
3 rate amount for a State and fiscal quarter
4 is equal to the amount of State expendi-
5 tures for medical assistance for maternity,
6 labor, and delivery services furnished by an
7 eligible hospital (as such terms are defined
8 in section 1902(uu)) in such fiscal quarter
9 that is attributable to the amount by which
10 the minimum payment rate required under
11 section 1902(a)(13)(D) (or, by application,
12 section 1932(f)) exceeds the base payment
13 rate applicable to such services, as deter-
14 mined for the State, quarter, and services
15 under clause (ii).

16 “(ii) BASE PAYMENT RATE.—For pur-
17 poses of clause (i), the base payment rate
18 determined for a State, a fiscal quarter,
19 and maternity, labor, and delivery services
20 (as defined in section 1902(uu)) shall be
21 equal to—

22 “(I) the payment rate applicable
23 to such services under the State plan
24 (or under a waiver of such plan) as of
25 January 1, 2024; increased by

1 “(II) the percentage increase in
2 the medical care component of the
3 consumer price index for all urban
4 consumers from January of 2024 to
5 the month ending on the day before
6 the 1st day of such fiscal quarter.

7 “(B) BASE PAYMENT RATE AMOUNT.—For
8 purposes of paragraph (1)(B), the base pay-
9 ment rate amount for a State and fiscal quarter
10 is equal to—

11 “(i) the total amount of State expend-
12 itures for medical assistance for maternity,
13 labor, and delivery services furnished by an
14 eligible hospital (as such terms are defined
15 in section 1902(uu)) in such fiscal quarter;
16 minus

17 “(ii) the enhanced payment rate
18 amount determined for the State and fiscal
19 quarter under subparagraph (A).

20 “(3) APPLICATION OF HIGHER MATCH.—Sub-
21 paragraph (B) of paragraph (1) shall not apply in
22 the case of State expenditures described in such sub-
23 paragraph if the application of such subparagraph
24 would result in a lower Federal medical assistance
25 percentage for such expenditures than would other-

1 wise apply without the application of such para-
2 graph.

3 “(4) EXCLUSION OF EXPENDITURES FROM TER-
4 RITORIAL CAPS.—Any payment made to a territory
5 for medical assistance that is subject to the Federal
6 medical assistance percentage specified in paragraph
7 (1)(A) or the enhanced FMAP referred to in para-
8 graph (1)(B) shall not be taken into account for
9 purposes of applying payment limits under sub-
10 sections (f) and (g) of section 1108.”.

11 **SEC. 104. LABOR AND DELIVERY SERVICES ANCHOR PAY-**
12 **MENTS.**

13 (a) STATE REQUIREMENT.—Section 1902(a)(13)(A)
14 of the Social Security Act (42 U.S.C. 1396a(a)(13)(A))
15 is amended—

16 (1) in clause (iii), by striking “and” at the end;

17 (2) in clause (iv), by striking the semicolon at
18 the end and inserting “, and”; and

19 (3) by adding at the end the following new
20 clause:

21 “(v) in the case of hospitals, such
22 rates take into account (in a manner con-
23 sistent with section 1923A) the situation of
24 low volume obstetric hospitals (as such
25 term is defined in such section);”.

1 (b) REQUIRING ANCHOR PAYMENTS FOR LOW VOL-
2 UME OBSTETRIC HOSPITALS.—Title XIX of the Social Se-
3 curity Act (42 U.S.C. 1396 et seq.) is amended by insert-
4 ing the following after section 1923:

5 **“SEC. 1923A. ANCHOR PAYMENTS FOR LABOR AND DELIV-**
6 **ERY SERVICES PROVIDED BY LOW VOLUME**
7 **OBSTETRIC HOSPITALS.**

8 “(a) IMPLEMENTATION OF REQUIREMENT.—A State
9 plan under this title shall not be considered to meet the
10 requirement of section 1902(a)(13)(A)(v) (insofar as it re-
11 quires payments to hospitals to take into account the situ-
12 ation of low volume obstetric hospitals), as of October 1,
13 2025, unless the State has submitted to the Secretary, by
14 not later than such date, an amendment to such plan that
15 provides for an annual anchor payment to such hospitals,
16 consistent with subsection (c).

17 “(b) DEFINITIONS.—In this section:

18 “(1) ANTENATAL TRANSFER.—The term
19 ‘antenatal transfer’ means, with respect to a hos-
20 pital, a pregnant individual who was expected to re-
21 ceive labor and delivery services at the hospital but
22 who is transferred to a different hospital because of
23 a need for labor and delivery services that are not
24 available at the transferring hospital.

1 “(2) DELIVERY VOLUME.—The term ‘delivery
2 volume’ means, with respect to a hospital and a fis-
3 cal year, the total number of births occurring in, and
4 antenatal transfers made by, such hospital during
5 such year.

6 “(3) LABOR AND DELIVERY REVENUE
7 FLOOR.—The term ‘labor and delivery revenue floor’
8 means, with respect to a low volume obstetric hos-
9 pital and a fiscal year, the amount equal to the sum
10 of—

11 “(A) the product of—

12 “(i) the delivery volume for such hos-
13 pital and fiscal year; and

14 “(ii) the per delivery amount for such
15 fiscal year; and

16 “(B) the standby capacity amount for such
17 fiscal year.

18 “(4) LABOR AND DELIVERY SERVICES.—The
19 term ‘labor and delivery services’ means such inpa-
20 tient and outpatient hospital services related to labor
21 and delivery, including services related to antenatal
22 transfers, identified by appropriate ICD and CPT
23 codes, as the Secretary shall specify in consultation
24 with professional or medical societies with expertise
25 in this area.

1 “(5) LOW VOLUME OBSTETRIC HOSPITAL.—The
2 term ‘low volume obstetric hospital’ means, with re-
3 spect to a hospital and a fiscal year, a hospital—

4 “(A) that is an eligible hospital (as defined
5 in section 1902(uu)(2));

6 “(B) in which the average number of
7 births for which the hospital provided labor and
8 delivery services during the preceding 3 fiscal
9 years is less than 300 births per year;

10 “(C) that did not provide labor and deliv-
11 ery services in the preceding fiscal year, but in
12 which the average number of births for which
13 the hospital provided labor and delivery services
14 during the most recent 3 fiscal years in which
15 the hospital provided labor and delivery services
16 is less than 300 births per year;

17 “(D) that is not described in subpara-
18 graphs (B) or (C) but, in the applicable fiscal
19 year, provides labor and delivery services for
20 fewer than 300 births; or

21 “(E) that is not described in subpara-
22 graphs (B) through (D) but is certified by the
23 State in which the hospital is located as meet-
24 ing such criteria as the Secretary shall establish
25 for identifying hospitals that are essential to

1 meeting the needs of an underserved popu-
2 lation, such as serving a population with limited
3 English proficiency, serving specific racial or
4 ethnic populations, or other factors.

5 “(6) MEDICAID LABOR AND DELIVERY REV-
6 ENUE FLOOR.—The term ‘Medicaid labor and deliv-
7 ery revenue floor’ means, with respect to a low vol-
8 ume obstetric hospital and a fiscal year, the product
9 of—

10 “(A) the labor and delivery revenue floor
11 for such hospital and fiscal year; and

12 “(B) the percentage of the delivery volume
13 of such hospital in such fiscal year that were
14 paid for under a State plan under this title (or
15 under a waiver of such a plan) or under a State
16 child health plan under title XXI (or under a
17 waiver of such a plan).

18 “(7) PER DELIVERY AMOUNT.—

19 “(A) IN GENERAL.—The term ‘per delivery
20 amount’ means, with respect to a fiscal year, an
21 amount, as determined under subparagraph
22 (B), that represents the marginal cost to a low
23 volume obstetric hospital of a birth or an
24 antenatal transfer.

1 “(B) DETERMINATION OF PER DELIVERY
2 AMOUNT.—

3 “(i) FISCAL YEAR 2027.—For fiscal
4 year 2027, the per delivery amount shall
5 be \$10,000.

6 “(ii) INDEXING.—Subject to clause
7 (iii), for each fiscal year after fiscal year
8 2027, the per delivery amount shall be the
9 amount that applied under this subpara-
10 graph for the preceding fiscal year in-
11 creased by the percentage increase in the
12 medical care component of the consumer
13 price index for all urban consumers for the
14 12-month period ending with September of
15 such preceding fiscal year.

“(iii) PERIODIC REVISION OF PER DELIVERY AMOUNT.—Not less than once every 5 fiscal years, the Secretary shall collect and analyze data on the costs of labor and delivery services at low volume obstetric hospitals and, through rulemaking, shall establish a new per delivery amount for purposes of this section to ensure that such amount accurately reflects the mar-

1 ginal cost to a low volume obstetric hos-
2 pital of a birth or an antenatal delivery.

3 “(8) STANDBY CAPACITY AMOUNT.—

4 “(A) IN GENERAL.—The term ‘standby ca-
5 pacity amount’ means, with respect to a fiscal
6 year, an amount, as determined under subpara-
7 graph (B), that represents the minimum level of
8 expenditures by a low volume obstetric hospital
9 that is necessary to ensure that adequate per-
10 sonnel, equipment, and facilities are available at
11 all times to provide labor and delivery services.

12 “(B) DETERMINATION OF STANDBY CA-
13 PACITY AMOUNT.—

14 “(i) FISCAL YEAR 2027.—For fiscal
15 year 2027, the standby capacity amount
16 shall be \$1,200,000.

17 “(ii) INDEXING.—Subject to clause
18 (iii), for each fiscal year after fiscal year
19 2027, the standby capacity amount shall
20 be the amount that applied under this sub-
21 paragraph for the preceding fiscal year in-
22 creased by the percentage increase in the
23 medical care component of the consumer
24 price index for all urban consumers for the

1 12-month period ending with September of
2 such preceding fiscal year.

3 “(iii) PERIODIC REVISION OF STAND-
4 BY CAPACITY AMOUNT.—Not less than
5 once every 5 fiscal years, the Secretary
6 shall collect and analyze data on the costs
7 of labor and delivery services at low volume
8 obstetric hospitals and, through rule-
9 making, shall establish a new standby ca-
10 pacity amount for purposes of this section
11 to ensure that such amount accurately re-
12 flects the minimum level of expenditures by
13 a low volume obstetric hospital that is nec-
14 essary to ensure that adequate personnel,
15 equipment, and facilities are available at
16 all times to provide labor and delivery serv-
17 ices.

18 “(c) ANCHOR PAYMENT FOR LOW VOLUME OBSTET-
19 RIC HOSPITALS.—Not later than 3 months after the end
20 of each fiscal year beginning with fiscal year 2027, each
21 State shall pay to each low volume obstetric hospital in
22 the State an amount that is equal to the amount (if any)
23 by which—

24 “(1) the Medicaid labor and delivery revenue
25 floor for the hospital and fiscal year; exceeds

1 “(2) the total amount of all payments made to
2 the low volume obstetric hospital under the State
3 plan under this title (or under a waiver of such plan)
4 and under the State child health plan under title
5 XXI (or under a waiver of such plan) (other than
6 payments under this section) for labor and delivery
7 services provided by such hospital during such fiscal
8 year.

9 “(d) REQUIREMENTS FOR RECEIPT OF PAYMENTS.—
10 No anchor payment shall be made to a low volume obstet-
11 ric hospital under this section for a fiscal year unless the
12 hospital can satisfy the following requirements:

13 “(1) SKILLS MAINTENANCE AND TRAINING AC-
14 TIVITIES.—The hospital demonstrates to the satis-
15 faction of the State that the hospital conducts and
16 completes skills maintenance and training activities,
17 including continuing education and training to sup-
18 port maintenance of obstetric skills, that satisfy such
19 requirements as the Secretary, taking into consider-
20 ation nationally recognized obstetrics skills, mainte-
21 nance, and training standards such as standards
22 published by the American College of Gynecologists
23 and the Association of Women’s Health, Obstetric,
24 and Neonatal Nurses, shall specify for the purposes
25 of this section.

1 “(2) CONTINUED PROVISION OF LABOR AND
2 DELIVERY SERVICES.—

3 “(A) IN GENERAL.—The hospital and the
4 State enter into a contract under which, in ex-
5 change for such payment under this section for
6 a fiscal year, the hospital agrees to continue to
7 provide labor and delivery services—

8 “(i) for the period that begins with
9 such fiscal year and ends on the last day
10 of the second fiscal year that follows such
11 fiscal year; and

12 “(ii) at a level that is not less than
13 the level at which the hospital provided
14 such services in the fiscal year to which
15 such payment relates, unless the hospital
16 can demonstrate that the need for services
17 in the community has decreased and that
18 the new level of services will be adequate to
19 meet that need.

20 “(B) RECOVERY OF PAYMENT IN THE
21 EVENT OF BREACH OF CONTRACT BY HOS-
22 PITAL.—The terms of the contract between a
23 hospital and a State required under subpara-
24 graph (A) shall provide that if the hospital does
25 not provide labor and delivery services as re-

1 quired under the contract throughout the period
2 described in such subparagraph for any reason
3 (including in the event of the hospital's bank-
4 ruptcy or closure) the State may recover the
5 full amount of the payment under this section
6 to which the contract relates and in the event
7 of the hospital's bankruptcy, the State shall be
8 given preferred creditor status for purposes of
9 the collection of such payment.

10 “(3) UTILIZATION OF FUNDS FOR LABOR AND
11 DELIVERY SERVICES.—

12 “(A) IN GENERAL.—The hospital and the
13 State enter into a contract under which, in ex-
14 change for such payment under this section, the
15 hospital agrees to utilize funds received under
16 such payment for the provision of labor and de-
17 livery services in the community served by the
18 hospital.

19 “(B) RECOVERY OF PAYMENT IN THE
20 EVENT OF BREACH OF CONTRACT BY HOS-
21 PITAL.—The terms of the contract between a
22 hospital and a State required under subpara-
23 graph (A) shall provide that if the hospital does
24 not utilize payment funds for labor and delivery
25 services as required under the contract for any

1 reason (including in the event of the hospital's
2 bankruptcy or closure) the State may recover
3 the full amount of the payment under this sec-
4 tion to which the contract relates and in the
5 event of the hospital's bankruptcy, the State
6 shall be given preferred creditor status for pur-
7 poses of the collection of such payment.

8 “(e) TREATMENT OF PAYMENTS; RECOVERY OF PAY-
9 MENTS.—

10 “(1) IN GENERAL.—Payments made by a State
11 under this section for a fiscal year—

12 “(A) shall be in addition to any other pay-
13 ments made to hospitals for labor and delivery
14 services under the State plan (or a waiver of
15 such plan) under this title, under the State
16 child health assistance plan under title XXI (or
17 under a waiver of such plan), or under title
18 XVIII for the fiscal year, including dispropor-
19 tionate share hospital payments under section
20 1923 or section 1886(d)(5)(F) and other sup-
21 plemental payments that are not made under
22 this section; and

23 “(B) shall be treated as medical assistance
24 for which payment is made under section
25 1903(a), except that the Federal medical assist-

1 ance percentage applicable to amounts ex-
2 pended by a State for such payments shall be
3 equal to the enhanced FMAP determined for
4 the State and fiscal year under section 2105(b).

5 “(2) PAYMENTS RECOVERED BY A STATE.—If a
6 State recovers any amount of a payment made by a
7 State under this section (whether pursuant to para-
8 graphs (2)(B) or (3)(B) of subsection (d) or other-
9 wise), the amount so recovered shall be treated as an
10 overpayment recovered by the State under section
11 1903(d).”.

12 (c) CONFORMING AMENDMENTS.—Title XIX of the
13 Social Security Act (42 U.S.C. 1396 et seq.) is amended
14 as follows:

15 (1) In section 1903—

16 (A) in subsection (d)(6)(B)—

17 (i) by striking “related to the total
18 amount” and inserting the following: “re-
19 lated to—

20 “(i) the total amount”;

21 (ii) by striking the period at the end
22 and inserting “; and”; and

23 (iii) by adding at the end the fol-
24 lowing new clause:

1 “(ii) the total amount of payments made to
2 individual providers (by provider) under section
3 1923A during such fiscal year.”; and

4 (B) in subsection (bb)(2)(B)—

5 (i) in the header, by inserting “AND
6 LOW VOLUME OBSTETRIC HOSPITAL” after
7 “DSH”; and

8 (ii) by inserting “or a payment made
9 to a low volume obstetric hospital under
10 section 1923A” before the period.

11 (2) In section 1905—

12 (A) in subsection (cc), by striking “section
13 1923” the second place it appears and inserting
14 “section 1923 or 1923A”; and

15 (B) in subsection (ii)(2)(A), by inserting
16 “or payments to low volume obstetric hospitals
17 described in section 1923A” before the semi-
18 colon.

19 **SEC. 105. APPLICATION OF ADEQUATE PAYMENT REQUIRE-**
20 **MENT AND INCREASED FEDERAL FINANCIAL**
21 **PARTICIPATION REQUIREMENTS TO CHIP.**

22 Section 2107(e)(1) of the Social Security Act (42
23 U.S.C. 1397gg(e)(1)) is amended—

1 (1) by redesignating subparagraphs (B)
2 through (U) as subparagraphs (C) through (V), re-
3 spectively; and

4 (2) by inserting after subparagraph (A) the fol-
5 lowing new subparagraph:

6 “(B) Section 1902(a)(13)(D) and section
7 1905(kk) (relating to the minimum payment
8 rate required for maternity, labor, and delivery
9 services furnished by an eligible hospital and
10 Federal financial participation for State ex-
11 penditures for such services).”.

12 **SEC. 106. DISREGARDING INCREASED AND ADDITIONAL**
13 **PAYMENTS TO HOSPITALS FOR PURPOSES OF**
14 **OTHER SUPPLEMENTAL PAYMENTS AND**
15 **UPPER PAYMENT LIMITS.**

16 A hospital’s eligibility for any Federally-funded sup-
17 plemental payment (including a disproportionate share
18 payment under section 1886(d)(5)(F) or 1923 of the So-
19 cial Security Act (42 U.S.C. 1395ww(d)(5)(F), 1396r-4)),
20 the determination of the amount of such payment, and
21 the application of any Federal limitation on the aggregate
22 amount of payments that a State may make to the hos-
23 pital (including any upper payment limitation), shall be
24 determined without regard to the amount of any increase
25 to a payment received by a hospital or any additional pay-

1 ment made to a hospital that is attributable to the amend-
2 ments made by this title.

3 **TITLE II—EXPAND COVERAGE**
4 **OF MATERNAL HEALTH CARE**

5 **SEC. 201. REQUIRING 12-MONTH CONTINUOUS, FULL BEN-**
6 **EFIT COVERAGE FOR PREGNANT INDIVID-**
7 **UALS UNDER MEDICAID AND CHIP.**

8 (a) MEDICAID.—Section 1902 of the Social Security
9 Act (42 U.S.C. 1396a) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (10), in the matter fol-
12 lowing subparagraph (G), by striking “(VII) the
13 medical assistance made available to an indi-
14 vidual described in subsection (l)(1)(A) who is
15 eligible for medical assistance only because of
16 subparagraph (A)(i)(IV) or (A)(ii)(IX) shall be
17 limited to medical assistance for services related
18 to pregnancy (including prenatal, delivery,
19 postpartum, and family planning services),
20 medical assistance for services related to other
21 conditions which may complicate pregnancy,
22 and medical assistance for vaccines described in
23 section 1905(a)(4)(E) and the administration of
24 such vaccines during the period described in

1 such section,” and inserting “(VII) [Re-
2 pealed],”;

3 (B) in paragraph (86), by striking “and”
4 at the end;

5 (C) in paragraph (87), by striking the pe-
6 riod at the end and inserting “; and”; and

7 (D) by inserting after paragraph (87) the
8 following new paragraph:

9 “(88) provide that the State plan is in compli-
10 ance with subsection (e)(16).”; and

11 (2) in subsection (e)(16)—

12 (A) in subparagraph (A), by striking “At
13 the option of the State, the State plan (or waiv-
14 er of such State plan) may provide” and insert-
15 ing “A State plan (or waiver of such State
16 plan) shall provide”;

17 (B) in subparagraph (B), in the matter
18 preceding clause (i), by striking “by a State
19 making an election under this paragraph” and
20 inserting “under a State plan (or a waiver of
21 such State plan)”; and

22 (C) in subparagraph (C)—

23 (i) by striking “A State making an
24 election under this paragraph” and insert-
25 ing “In the case of a State”; and

1 (ii) by striking “shall also make the
2 election” and inserting “the State shall
3 provide coverage”.

4 (b) CHIP.—

5 (1) IN GENERAL.—Subparagraph (K) of section
6 2107(e)(1) of the Social Security Act (42 U.S.C.
7 1397gg(e)(1)), as redesignated by section 105, is
8 amended to read as follows:

9 “(K) Paragraphs (5) and (16) of section
10 1902(e) (relating to the requirement to provide
11 medical assistance under the State plan or
12 waiver consisting of full benefits during preg-
13 nancy and throughout the 12-month period that
14 begins on the last day of the individual’s preg-
15 nancy and ends on the last day of the month
16 in which such 12-month period ends).”.

17 (2) CONFORMING AMENDMENT.—Section
18 2112(d)(2)(A) of the Social Security Act (42 U.S.C.
19 1397ll(d)(2)(A)) is amended by striking “the month
20 in which the 60-day period” and all that follows
21 through “pursuant to section 2107(e)(1),”.

22 (c) EFFECTIVE DATE.—

23 (1) IN GENERAL.—Subject to paragraphs (2)
24 and (3), the amendments made by subsections (a)
25 and (b) shall take effect on the 1st day of the 1st

1 calendar quarter that begins on or after the date
2 that is 1 year after the date of enactment of this
3 Act;

4 (2) EXCEPTION FOR STATE LEGISLATION.—In
5 the case of a State plan under title XIX of the So-
6 cial Security Act or a State child health plan under
7 title XXI of such Act that the Secretary of Health
8 and Human Services determines requires State legis-
9 lation in order for the respective plan to meet any
10 requirement imposed by amendments made by this
11 subsection, the respective plan shall not be regarded
12 as failing to comply with the requirements of such
13 title solely on the basis of its failure to meet such
14 an additional requirement before the 1st day of the
15 1st calendar quarter beginning after the close of the
16 1st regular session of the State legislature that be-
17 gins after the date of enactment of this Act. For
18 purposes of the previous sentence, in the case of a
19 State that has a 2-year legislative session, each year
20 of the session shall be considered to be a separate
21 regular session of the State legislature.

22 (3) STATE OPTION FOR EARLIER EFFECTIVE
23 DATE.—A State may elect to have subsection (e)(16)
24 of section 1902 of the Social Security Act (42
25 U.S.C. 1396a) and subparagraph (K) of section

1 2107(e)(1) of the Social Security Act (42 U.S.C.
2 1397gg(e)(1)), as redesignated by section 105 and
3 amended by subsection (b) of this section, take ef-
4 fect with respect to the State on the 1st day of any
5 fiscal quarter that begins before the date described
6 in paragraph (1) and apply to amounts payable to
7 the State for expenditures for medical assistance,
8 child health assistance, or pregnancy-related assist-
9 ance to pregnant or postpartum individuals fur-
10 nished on or after such day.

11 **SEC. 202. HEALTH HOMES FOR PREGNANT AND**
12 **POSTPARTUM WOMEN.**

13 (a) MEDICAID.—Title XIX of the Social Security Act
14 (42 U.S.C. 1396 et seq.) is amended by inserting after
15 section 1945A the following new section:

16 **“SEC. 1945B. STATE OPTION TO PROVIDE COORDINATED**
17 **CARE THROUGH A HEALTH HOME FOR PREG-**
18 **NANT AND POSTPARTUM INDIVIDUALS.**

19 “(a) STATE OPTION.—

20 “(1) IN GENERAL.—Notwithstanding section
21 1902(a)(1) (relating to statewideness) and section
22 1902(a)(10)(B) (relating to comparability), begin-
23 ning January 1, 2028, a State, at its option as a
24 State plan amendment, may provide for medical as-

1 sistance under this title to an eligible individual who
2 chooses to—

3 “(A) enroll in a maternity health home
4 under this section by selecting a designated pro-
5 vider, a team of health care professionals oper-
6 ating with such a provider, or a health team as
7 the individual’s maternity health home for pur-
8 poses of providing the individual with preg-
9 nancy and postpartum coordinated care serv-
10 ices; or

11 “(B) receive such services from a des-
12 ignated provider, a team of health care profes-
13 sionals operating with such a provider, or a
14 health team that has voluntarily opted to par-
15 ticipate in a maternity health home for eligible
16 individuals under this section.

17 “(2) ELIGIBLE INDIVIDUAL DEFINED.—In this
18 section, the term ‘eligible individual’ means an indi-
19 vidual—

20 “(A) who is eligible for medical assistance
21 under the State plan (or under a waiver of such
22 plan) for all items and services covered under
23 the State plan (or under a waiver of such plan);

24 “(B) who is not enrolled in a health home
25 under section 1945 or 1945A; and

1 “(C) either—

2 “(i) who is pregnant; or

3 “(ii) whose pregnancy has ended and
4 is within the 12-month period that begins
5 on the last day of the individual’s preg-
6 nancy and ends on the last day of the
7 month in which such 12-month period
8 ends.

9 “(b) QUALIFICATION STANDARDS.—The Secretary
10 shall establish standards for qualification as a maternity
11 health home or as a designated provider, a team of health
12 care professionals operating with such a provider, or a
13 health team eligible for participation in a maternity health
14 home for purposes of this section. In establishing such
15 standards, the Secretary shall consider best practices and
16 models of care used by recipients of grants under section
17 330P of the Public Health Service Act. Such standards
18 shall include requiring a designated provider, a team of
19 health care professionals operating with such a provider,
20 and a health team designated as a maternity health home
21 to demonstrate to the State the ability to do the following:

22 “(1) Coordinate prompt care and access to nec-
23 essary maternity care services, including services
24 provided by specialists, and programs for an eligible
25 individual during the individual’s pregnancy and the

1 365-day period beginning on the last day of such
2 pregnancy.

3 “(2) Develop an individualized, comprehensive,
4 patient-centered care plan for each eligible individual
5 that accommodates patient preferences and, if appli-
6 cable, reflects adjustments to the payment method-
7 ology described in subsection (c)(2)(B).

8 “(3) Develop and incorporate into each eligible
9 individual’s care plan, in a culturally and linguis-
10 tically appropriate manner consistent with the needs
11 of the eligible individual, ongoing home care, com-
12 munity-based primary care, inpatient care, social
13 support services, health-related social needs services,
14 behavioral health services, local hospital emergency
15 care, and, in the event of a change in income that
16 would result in the eligible individual losing eligi-
17 bility for medical assistance under the State plan (or
18 under a waiver of such plan), care management and
19 planning related to a change in the eligible individ-
20 ual’s health insurance coverage.

21 “(4) Coordinate with pediatric care providers,
22 as appropriate.

23 “(5) Collect and report information under sub-
24 section (f)(1).

25 “(c) PAYMENTS.—

1 “(1) IN GENERAL.—A State shall provide a des-
2 ignated provider, a team of health care professionals
3 operating with such a provider, or a health team
4 designated as a maternity health home with pay-
5 ments for the provision of health home services to
6 each eligible individual that selects such provider,
7 team of health care professionals, or health team as
8 the eligible individual’s health home. Payments made
9 to a designated provider, a team of health care pro-
10 fessionals operating with such a provider, or a health
11 team for such services shall be treated as medical
12 assistance for purposes of section 1903(a), except
13 that, during the first 8 fiscal year quarters that the
14 State plan amendment is in effect, the Federal med-
15 ical assistance percentage applicable to such pay-
16 ments shall be equal to 90 percent.

17 “(2) METHODOLOGY.—The State shall specify
18 in the State plan amendment the methodology the
19 State will use for determining payment for the provi-
20 sion of pregnancy and postpartum coordinated care
21 services or treatment during an eligible individual’s
22 pregnancy and the 365-day period beginning on the
23 last day of such pregnancy. Such methodology for
24 determining payment—

25 “(A) may be based on—

1 “(i) a per-member per-month basis for
2 each eligible individual enrolled in a mater-
3 nity health home;

4 “(ii) a prospective payment model, in
5 the case of payments to Federally qualified
6 health centers or a rural health clinics; or

7 “(iii) an alternate model of payment
8 proposed by the State and approved by the
9 Secretary;

10 “(B) may be adjusted to reflect, with re-
11 spect to each eligible individual—

12 “(i) the severity of the risks associ-
13 ated with the individual’s pregnancy;

14 “(ii) the severity of the risks associ-
15 ated with the individual’s postpartum
16 health care needs; and

17 “(iii) the level or amount of time of
18 care coordination required with respect to
19 the individual; and

20 “(C) shall be established consistent with
21 section 1902(a)(30)(A).

22 “(d) COORDINATING CARE.—

23 “(1) HOSPITAL NOTIFICATION.—A State with a
24 State plan amendment approved under this section
25 shall require each hospital that is a participating

1 provider under the State plan (or under a waiver of
2 such plan) to establish procedures in the case of an
3 eligible individual who seeks treatment in the emer-
4 gency department of such hospital for—

5 “(A) providing the individual with cul-
6 turally and linguistically appropriate informa-
7 tion supplied by the State describing the respec-
8 tive treatment models and opportunities for the
9 individual to access a maternity health home
10 and its associated benefits; and

11 “(B) notifying the maternity health home
12 in which the individual is enrolled, or the des-
13 ignated provider, team of health care profes-
14 sionals operating with such a provider, or
15 health team treating the individual, of the indi-
16 vidual’s treatment in the emergency department
17 and of the protocols for the maternity health
18 home, designated provider, or team to be in-
19 volved in the individual’s emergency care or
20 post-discharge care.

21 “(2) EDUCATION WITH RESPECT TO AVAIL-
22 ABILITY OF A MATERNITY HEALTH HOME.—

23 “(A) IN GENERAL.—In order for a State
24 plan amendment to be approved under this sec-
25 tion, a State shall include in the State plan

1 amendment a description of the State’s process
2 for—

3 “(i) educating providers participating
4 in the State plan (or a waiver of such
5 plan) on the availability of maternity
6 health homes for eligible individuals, in-
7 cluding the process by which such pro-
8 viders can participate in or refer an eligible
9 individual to an approved maternity health
10 home or a designated provider, team of
11 health care professionals operating such a
12 provider, or health team designated as a
13 maternity health home; and

14 “(ii) educating eligible individuals, in
15 a culturally and linguistically appropriate
16 manner, on the availability of maternity
17 health homes.

18 “(B) OUTREACH.—The process established
19 by the State under subparagraph (A) shall in-
20 clude the participation of entities or other pub-
21 lic or private organizations or entities that pro-
22 vide outreach and information on the avail-
23 ability of health care items and services to fami-
24 lies of individuals eligible to receive medical as-

1 sistance under the State plan (or a waiver of
2 such plan).

3 “(3) MENTAL HEALTH COORDINATION.—A
4 State with a State plan amendment approved under
5 this section shall consult and coordinate, as appro-
6 priate, with the Secretary in addressing issues re-
7 garding the prevention, identification, and treatment
8 of mental health conditions and substance use dis-
9 orders among eligible individuals.

10 “(4) SOCIAL AND SUPPORT SERVICES.—A State
11 with a State plan amendment approved under this
12 section shall consult and coordinate, as appropriate,
13 with the Secretary in establishing means to connect
14 eligible individuals receiving pregnancy and
15 postpartum coordinated care services under this sec-
16 tion with social and support services, including serv-
17 ices made available under maternal, infant, and
18 early childhood home visiting programs established
19 under section 511 and services made available under
20 section 330H or title X of the Public Health Service
21 Act.

22 “(5) COORDINATION WITH GRANT PROGRAM
23 FOR INTEGRATED SERVICES FOR PREGNANT AND
24 POSTPARTUM WOMEN.—A State with a State plan
25 amendment approved under this section shall consult

1 and coordinate, as appropriate, with the Secretary
2 with respect to the provision of medical assistance to
3 eligible individuals enrolled in a maternity health
4 home under this section and grantees delivering inte-
5 grated health care services to pregnant and
6 postpartum women under section 330P of the Public
7 Health Service Act (including, if applicable, the
8 State).

9 “(e) MONITORING.—A State shall include in the
10 State plan amendment—

11 “(1) a methodology for tracking reductions in
12 inpatient days and reductions in the total cost of
13 care resulting from improved care coordination and
14 management under this section;

15 “(2) a proposal for use of health information
16 technology in providing an eligible individual with
17 pregnancy and postpartum coordinated care services
18 as specified under this section and improving service
19 delivery and coordination across the care continuum;
20 and

21 “(3) a methodology for tracking prompt and
22 timely access to medically necessary care for eligible
23 individuals from out-of-State providers.

24 “(f) DATA COLLECTION.—

1 “(1) PROVIDER REPORTING REQUIREMENTS.—

2 In order to receive payments from a State under
3 subsection (c), a maternity health home, or a des-
4 ignated provider, a team of health care professionals
5 operating with such a provider, or a health team
6 designated as a maternity health home, shall report
7 to the State, at such time and in such form and
8 manner as may be required by the State, including
9 through a health information exchange or other pub-
10 lic health data sharing entity, the following informa-
11 tion:

12 “(A) With respect to each such designated
13 provider, team of health care professionals oper-
14 ating with such a provider, and health team
15 designated as a maternity health home, the
16 name, National Provider Identification number,
17 address, and specific health care services of-
18 fered to be provided to any eligible individual
19 who has selected such provider, team of health
20 care professionals, or health team as the eligible
21 individual’s maternity health home.

22 “(B) Information on all other applicable
23 measures for determining the quality of services
24 provided by such provider, team of health care
25 professionals, or health team.

1 (including information on geography) of el-
2 igible individuals who have enrolled in a
3 maternity health home pursuant to this
4 section.

5 “(iii) The number of maternity health
6 homes in the State designated under this
7 section.

8 “(iv) The medical conditions or fac-
9 tors that contribute to severe maternal
10 morbidity among eligible individuals en-
11 rolled in maternity health homes in the
12 State.

13 “(v) The extent to which such individ-
14 uals receive health care items and services
15 under the State plan before, during, and
16 after an individual’s enrollment in such a
17 maternity health home.

18 “(vi) Where applicable, mortality data
19 and data for the associated causes of preg-
20 nancy-related death for eligible individuals
21 enrolled in a maternity health home under
22 this section, in accordance with subsection
23 (g). For deaths occurring postpartum, such
24 data shall distinguish between deaths oc-
25 ccurring up to 42 days postpartum and

1 deaths occurring between 43 days to up to
2 1 year postpartum. Where applicable, data
3 reported under this clause shall be re-
4 ported alongside comparable data from a
5 State’s maternal mortality review com-
6 mittee, as established in accordance with
7 section 317K(d) of the Public Health Serv-
8 ice Act, for purposes of further identifying
9 and comparing statewide trends in mater-
10 nal mortality among populations partici-
11 pating in the maternity health home under
12 this section.

13 “(B) IMPLEMENTATION REPORT.—Not
14 later than 18 months after a State has a State
15 plan amendment approved under this section,
16 the State shall submit to the Secretary, and
17 make publicly available on the appropriate
18 State website, a report on how the State is im-
19 plementing the option established under this
20 section, including through any best practices
21 adopted by the State.

22 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed to require—

24 “(1) an eligible individual to enroll in a mater-
25 nity health home under this section; or

1 “(2) a designated provider or health team to
2 act as a maternity health home and provide services
3 in accordance with this section if the provider or
4 health team does not voluntarily agree to act as a
5 maternity health home.

6 “(h) PLANNING GRANTS.—

7 “(1) IN GENERAL.—Beginning January 1,
8 2027, from the amount appropriated under para-
9 graph (2), the Secretary shall award planning grants
10 to States for purposes of developing and submitting
11 a State plan amendment under this section. The
12 Secretary shall award a grant to each State that ap-
13 plies for a grant under this subsection and meets the
14 application criteria established by the Secretary, and
15 the Secretary may determine the amount of the
16 grant based on the merits of the application and the
17 goal of the State to prioritize health outcomes for el-
18 igible individuals. A planning grant awarded to a
19 State under this subsection shall remain available
20 until expended.

21 “(2) APPROPRIATION.—There are authorized to
22 be appropriated to the Secretary \$50,000,000 for
23 fiscal year 2027, for the purposes of making grants
24 under this subsection, to remain available until ex-
25 pended.

1 “(3) LIMITATION.—The total amount of pay-
2 ments made to States under this subsection shall not
3 exceed \$50,000,000.

4 “(i) ADDITIONAL DEFINITIONS.—In this section:

5 “(1) DESIGNATED PROVIDER.—The term ‘des-
6 ignated provider’ means a physician (including an
7 obstetrician-gynecologist or, if applicable, a doula,
8 certified nurse midwife, or certified professional mid-
9 wife who meets or exceeds the education and train-
10 ing standards of the International Confederation of
11 Midwives and who is licensed to practice within the
12 State), a hospital, clinical practice or clinical group
13 practice, rural health clinic, community health cen-
14 ter, community mental health center, or any other
15 entity or provider that is determined by the State
16 and approved by the Secretary to be qualified to be
17 a maternity health home on the basis of documenta-
18 tion evidencing that the entity or provider has the
19 systems, expertise, and infrastructure in place to
20 provide pregnancy and postpartum coordinated care
21 services. Such term may include providers who are
22 employed by, or affiliated with, a hospital.

23 “(2) HEALTH TEAM.—The term ‘health team’
24 has the meaning given such term for purposes of
25 section 3502 of Public Law 111–148.

1 “(3) MATERNITY HEALTH HOME.—The term
2 ‘maternity health home’ means a designated provider
3 (including a provider that operates in coordination
4 with a team of health care professionals) or a health
5 team that is selected by an eligible individual to pro-
6 vide pregnancy and postpartum coordinated care
7 services.

8 “(4) PREGNANCY AND POSTPARTUM COORDI-
9 NATED CARE SERVICES.—

10 “(A) IN GENERAL.—The term ‘pregnancy
11 and postpartum coordinated care services’
12 means items and services related to the coordi-
13 nation of care for comprehensive and timely
14 high-quality, culturally and linguistically appro-
15 priate, services described in subparagraph (B)
16 that are provided by a designated provider, a
17 team of health care professionals operating with
18 such a provider, or a health team designated as
19 a maternity health home.

20 “(B) SERVICES DESCRIBED.—

21 “(i) IN GENERAL.—The services de-
22 scribed in this subparagraph shall include
23 with respect to a State electing the State
24 plan amendment option under this section,
25 any medical assistance for items and serv-

1 ices for which payment is available under
2 the State plan or under a waiver of such
3 plan.

4 “(ii) OTHER ITEMS AND SERVICES.—
5 In addition to medical assistance described
6 in clause (i), the services described in this
7 subparagraph shall include the following:

8 “(I) Any item or service for
9 which medical assistance is otherwise
10 available under the State plan (or a
11 waiver of such plan) related to the
12 treatment of an individual during the
13 individual’s pregnancy and the 1-year
14 period beginning on the last day of
15 such pregnancy, including mental
16 health and substance use disorder
17 services.

18 “(II) Comprehensive care man-
19 agement.

20 “(III) Care coordination (includ-
21 ing with pediatricians as appropriate),
22 health promotion, and providing ac-
23 cess to the full range of maternal, ob-
24 stetric, and gynecologic services, in-

1 including services from out-of-State pro-
2 viders.

3 “(IV) Comprehensive transitional
4 care, including appropriate follow-up,
5 from inpatient to other settings.

6 “(V) Patient and family support
7 (including authorized representatives).

8 “(VI) Referrals to community
9 and social support services, if rel-
10 evant.

11 “(VII) Use of health information
12 technology to link services, as feasible
13 and appropriate.

14 “(5) TEAM OF HEALTH CARE PROFES-
15 SIONALS.—The term ‘team of health care profes-
16 sionals’ means a team of health care professionals
17 (as described in the State plan amendment under
18 this section) that may—

19 “(A) include—

20 “(i) physicians, including gynecologist-
21 obstetricians, doulas, certified nurse mid-
22 wives, or certified professional midwives
23 who meet or exceed the education and
24 training standards of the International
25 Confederation of Midwives and who are li-

1 censed to practice within the State, family
2 physicians, primary care physicians, pedia-
3 tricians, and other professionals such as
4 physicians assistants, advance practice
5 nurses, nurses, nurse care coordinators, di-
6 etitians, nutritionists, social workers, be-
7 havioral health professionals, physical
8 counselors, physical therapists, occupa-
9 tional therapists, or any professionals that
10 assist in prenatal care, delivery, or
11 postpartum care for which medical assist-
12 ance is available under the State plan or a
13 waiver of such plan and determined to be
14 appropriate by the State and approved by
15 the Secretary;

16 “(ii) an entity or individual who is
17 designated to coordinate such care deliv-
18 ered by the team; and

19 “(iii) when appropriate and if other-
20 wise eligible to furnish items and services
21 that are reimbursable as medical assist-
22 ance under the State plan or under a waiv-
23 er of such plan, doulas, community health
24 workers, translators and interpreters, and

1 other individuals with culturally appro-
2 priate and trauma-informed expertise; and
3 “(B) provide care at a facility that is free-
4 standing, virtual, or based at a hospital, com-
5 munity health center, community mental health
6 center, rural health clinic, clinical practice or
7 clinical group practice, academic health center,
8 or any entity determined to be appropriate by
9 the State and approved by the Secretary.”.

10 (b) APPLICABILITY TO CHIP.—Section 2107(e)(1) of
11 the Social Security Act (42 U.S.C. 1397gg(e)(1)), as
12 amended by section 105, is amended by adding at the end
13 the following new subparagraph:

14 “(W) Section 1945B (relating to optional
15 health homes for pregnant and postpartum in-
16 dividuals).”.

17 **SEC. 203. GUIDANCE ON SUPPORTING AND IMPROVING AC-**
18 **CESS TO MEDICAID AND CHIP COVERAGE OF**
19 **SERVICES PROVIDED BY DOULAS AND CER-**
20 **TAIN MATERNAL HEALTH PROFESSIONALS.**

21 Not later than 1 year after the date of the enactment
22 of this Act, the Secretary of Health and Human Services
23 shall issue and publish guidance for States concerning op-
24 tions for supporting and improving access to coverage and
25 payment under a State plan under title XIX of the Social

1 Security Act (42 U.S.C. 1396 et seq.) or under a waiver
2 of such plan, and under a State child health plan under
3 title XXI of such Act (42 U.S.C. 1397aa et seq.) or under
4 a waiver of such plan, for services provided by doulas, cer-
5 tified nurse midwives, certified midwives, or certified pro-
6 fessional midwives, who meet or exceed the education and
7 training standards of the International Confederation of
8 Midwives and who are licensed to practice within the State
9 and certain maternal health professionals (specified by the
10 Secretary)—

- 11 (1) in rural areas;
12 (2) across a continuum of care; and
13 (3) among varied provider settings and payment
14 and care models, including managed care.

15 **SEC. 204. MEDICAID AND CHIP INCREASED FINANCIAL SUP-**
16 **PORT FOR DEPRESSION AND ANXIETY**
17 **SCREENING DURING THE PERINATAL AND**
18 **POSTPARTUM PERIODS.**

19 (a) MEDICAID.—Section 1905 of the Social Security
20 Act (42 U.S.C. 1396d), as amended by section 103, is fur-
21 ther amended—

- 22 (1) in the first sentence of subsection (b), by
23 striking “subsection (a)(4)(D)” and inserting “sub-
24 sections (a)(4)(D) and (ll)”; and

- 25 (2) by adding at the end the following:

1 “(II) INCREASED FMAP FOR DEPRESSION AND ANX-
2 IETY SCREENING DURING THE PERINATAL AND
3 POSTPARTUM PERIODS.—

4 “(1) IN GENERAL.—For purposes of clause (5)
5 of the first sentence of subsection (b), services de-
6 scribed in this subsection are screening services pro-
7 vided to an individual who is eligible for such assist-
8 ance on the basis of being pregnant that include at
9 a minimum—

10 “(A) during the perinatal period, at least
11 1 screening for depression and anxiety symp-
12 toms using a standardized, validated tool; and

13 “(B) during the postpartum period, a full
14 assessment of mood and emotional well-being,
15 including screening for postpartum depression
16 and anxiety, using a standardized, validated
17 tool.

18 “(2) EXCLUSION FROM TERRITORIAL CAPS.—

19 The additional amount paid to a territory for ex-
20 penditures for medical assistance for services de-
21 scribed in paragraph (1) as a result of the applica-
22 tion of clause (5) of the first sentence of subsection
23 (b) shall not be taken into account for purposes of
24 applying payment limits under subsections (f) and
25 (g) of section 1108.”.

1 (b) CHIP.—Section 2105(c) of the Social Security
2 Act (42 U.S.C. 1397ee(c)) is amended by adding at the
3 end the following new paragraph:

4 “(13) ENHANCED PAYMENT FOR DEPRESSION
5 AND ANXIETY SCREENING DURING THE PERINATAL
6 AND POSTPARTUM PERIODS.—Notwithstanding sub-
7 section (b), the enhanced FMAP with respect to
8 payments under subsection (a) for expenditures
9 under the State child health plan (or a waiver of
10 such plan) shall be increased by 1 percentage point
11 with respect to expenditures for services described in
12 section 1905(l)(1) that are provided under the plan
13 (or waiver) to an individual who is eligible for such
14 assistance on the basis of being pregnant (including
15 pregnancy-related assistance provided to a targeted
16 low-income pregnant woman (as defined in section
17 2112(d)), pregnancy-related assistance provided to
18 an individual who is eligible for such assistance
19 through application of section 1903(v)(4)(A)(i)
20 under section 2107(e)(1), or any other assistance
21 under the plan (or waiver) provided to an individual
22 who is eligible for such assistance on the basis of
23 being pregnant) and during the 12-month period
24 that begins on the last day of the individual’s preg-
25 nancy and ends on the last day of the month in

1 which such 12-month period ends (including any
2 such assistance provided during the month in which
3 such period ends).”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on the first day of the first
6 fiscal quarter that begins on or after the date that is 1
7 year after the date of enactment of this section.

8 **SEC. 205. PRESUMPTIVE ELIGIBILITY FOR PREGNANT INDIVIDUALS.**
9

10 (a) IN GENERAL.—

11 (1) REQUIREMENT.—Section 1920(a) of the So-
12 cial Security Act (42 U.S.C. 1396r–1(a)) is amended
13 by striking “may provide” and inserting “shall pro-
14 vide”.

15 (2) APPLICATION.—Section 1920 of the Social
16 Security Act (42 U.S.C. 1396r–1) is amended by
17 adding at the end the following new subsection:

18 “(f) APPLICATION.—A State shall provide to a preg-
19 nant woman a presumptive eligibility period in accordance
20 with this section without regard to whether the individual
21 would otherwise qualify for a presumptive eligibility period
22 the State has elected to provide under section 1920A,
23 1920B, or 1920C.”.

24 (b) CONFORMING AMENDMENTS.—

1 (1) Section 1902(a)(47) of the Social Security
2 Act (42 U.S.C. 1396a(a)(47)) is amended to read as
3 follows:

4 “(47) provide—

5 “(A)(i) for making ambulatory prenatal
6 care available to pregnant women during a pre-
7 sumptive eligibility period in accordance with
8 section 1920; and

9 “(ii) at the option of the State—

10 “(I) for making medical assistance for
11 items and services described in subsection
12 (a) of section 1920A available to children
13 during a presumptive eligibility period in
14 accordance with such section;

15 “(II) for making medical assistance
16 available to individuals described in sub-
17 section (a) of section 1920B during a pre-
18 sumptive eligibility period in accordance
19 with such section; and

20 “(III) for making medical assistance
21 available to individuals described in sub-
22 section (a) of section 1920C during a pre-
23 sumptive eligibility period in accordance
24 with such section; and

1 “(B) that any hospital that is a partici-
2 pating provider under the State plan may elect
3 to be a qualified entity for purposes of deter-
4 mining, on the basis of preliminary information,
5 whether any individual is eligible for medical as-
6 sistance under the State plan or under a waiver
7 of the plan for purposes of providing the indi-
8 vidual with medical assistance during a pre-
9 sumptive eligibility period, in the same manner,
10 and subject to the same requirements, as apply
11 with respect to populations described in section
12 1920, 1920A, 1920B, or 1920C (without re-
13 gard to whether the State has elected to provide
14 for a presumptive eligibility period under sec-
15 tions 1920A, 1920B, or 1920C), subject to
16 such guidance as the Secretary shall establish;”.

17 (2) Section 1920(e) of the Social Security Act
18 (42 U.S.C. 1396r-1(e)) is amended—

19 (A) by striking “If the State has elected
20 the option to provide a presumptive eligibility
21 period under this section or section 1920A,
22 the” and inserting “The”; and

23 (B) by striking “1920A, subject to” and
24 inserting “1920A (if the State has elected the
25 option), subject to”.

1 (3) Section 2107(e)(1)(R) of the Social Security
2 Act (42 U.S.C. 1397gg(e)(1)(R)) is amended by in-
3 serting “1920 (relating to presumptive eligibility for
4 pregnant women and section” before “1920A”.

5 (4) Section 2112(c) of the Social Security Act
6 (42 U.S.C. 1397ll(c)) is amended—

7 (A) in the heading, by striking “OPTION
8 To PROVIDE”; and

9 (B) by striking “may elect” and inserting
10 “shall elect”.

11 **TITLE III—INVEST IN THE MA-**
12 **TERNAL HEALTH CARE**
13 **WORKFORCE**

14 **SEC. 301. EMERGENCY OBSTETRIC WORKFORCE SUPPORT.**

15 (a) IN GENERAL.—Section 203A of the Public
16 Health Service Act (42 U.S.C. 204a) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1), in the matter pre-
19 ceding subparagraph (A), by inserting “and ur-
20 gent maternal health care needs” after “public
21 health care needs”;

22 (B) in paragraph (3), by inserting “or ur-
23 gent maternal health care need” after “public
24 health care need”;

25 (C) in paragraph (5)—

1 (i) in subparagraph (C), by striking
2 “or” at the end;

3 (ii) in subparagraph (D), by striking
4 the period at the end and inserting “; or”;
5 and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(E) any urgent need, not rising to the
9 level of an emergency described in subpara-
10 graph (D), that, in the judgment of the Sec-
11 retary, if not addressed, could result in an
12 emergency that would be appropriate for the
13 deployment of the Commissioned Corps.”; and

14 (D) by adding at the end the following:

15 “(6) URGENT MATERNAL HEALTH CARE
16 NEED.—

17 “(A) IN GENERAL.—For purposes of this
18 section and section 214, the term ‘urgent ma-
19 ternal health care need’, with respect to an
20 area, means a maternal health care need, as de-
21 termined by the Secretary, in consultation with
22 the Attorney General, arising as a result of the
23 closure or imminent closure of a hospital or
24 other health care facility in such area, or the
25 loss of workers employed by such hospital or

1 health care facility who are trained to provide
2 maternal health care services.

3 “(B) CONSIDERATIONS.—In determining
4 whether there is an urgent maternal health care
5 need for purposes of subparagraph (A) with re-
6 spect to an area, the Secretary shall consider
7 whether such closure, imminent closure, or loss
8 of workers has impacted access by individuals
9 in such area to a full range of maternal health
10 care services, including prenatal services, labor
11 and delivery services, postnatal services, mater-
12 nal and postpartum mental health services, be-
13 havioral health services, and reproductive health
14 services.”;

15 (2) in subsection (b)—

16 (A) in paragraph (1), by inserting “or ur-
17 gent maternal health care needs” after “public
18 health care needs”; and

19 (B) in each of paragraphs (2) and (4)(B),
20 by inserting “or urgent maternal health care
21 need” after “public health care need”; and

22 (3) in subsection (c), by inserting “or urgent
23 maternal health care need” after “public health care
24 need”.

1 (b) DETAIL OF PERSONNEL.—Section 214 of the
2 Public Health Service Act (42 U.S.C. 215) is amended—

3 (1) by redesignating subsection (e) as sub-
4 section (f);

5 (2) by inserting after subsection (d) the fol-
6 lowing:

7 “(e)(1) Upon the request of an eligible entity with
8 respect to a hospital or other health care facility the clo-
9 sure, imminent closure, or loss of workers of which led
10 to an urgent maternal health care need in an area, per-
11 sonnel may be detailed by the Secretary for the purpose
12 of assisting such eligible entity in work related to such
13 urgent maternal health care need.

14 “(2)(A) Personnel detailed under paragraph (1) shall
15 be paid from applicable appropriations of the Service.

16 “(B) In the case of detail of personnel under para-
17 graph (1) to be paid from applicable Service appropria-
18 tions, the Secretary may condition such detail on an agree-
19 ment by the eligible entity concerned that such eligible en-
20 tity concerned shall reimburse the United States for a por-
21 tion of the amount of such payments made by the Service.

22 “(C) The services of personnel while detailed pursu-
23 ant to this subsection shall be considered as having been
24 performed in the Service for purposes of the computation

1 of basic pay, promotion, retirement, compensation for in-
2 jury or death, and the benefits provided by section 212.

3 “(3) The Secretary may condition a detail of per-
4 sonnel under paragraph (1) on an agreement by the eligi-
5 ble entity concerned that such eligible entity concerned
6 shall—

7 “(A) in the case of an imminent closure or a
8 loss of workers, as determined by the Secretary—

9 “(i) maintain the maternal health care
10 services in the applicable area to the maximum
11 extent practicable, including by hiring tem-
12 porary workers, until the date on which the per-
13 sonnel are detailed to such area; and

14 “(ii) submit to the Secretary a plan for
15 hiring and retaining health practitioners in the
16 short- and long-term, both during periods in
17 which personnel are detailed to such applicable
18 area and periods in which personnel are not de-
19 tailed to such applicable area;

20 “(B) in the case of a closure, submit to the Sec-
21 retary a plan for working with, as applicable, State
22 and local agencies and local stakeholders to transi-
23 tion patients to alternate sources of safe maternal
24 health care services; and

1 “(C) commit to an assessment by the Secretary
2 of the workplace practices of such eligible entity con-
3 cerned, if applicable.

4 “(4) In this subsection—

5 “(A) the term ‘eligible entity’ means—

6 “(i) a State;

7 “(ii) a political subdivision of a State; or

8 “(iii) a Tribal, nonprofit, or other health
9 care entity; and

10 “(B) the term ‘personnel’ means an employee
11 or officer of the Commissioned Corps.”; and

12 (3) in subsection (f) (as so redesignated), by in-
13 serting “or an urgent maternal health care need”
14 before the period at the end.

15 (c) FUNDING FOR COMMISSIONED CORPS OF THE
16 PUBLIC HEALTH SERVICE.—Section 203 of the Public
17 Health Service Act (42 U.S.C. 204) is amended by adding
18 at the end the following:

19 “(e) OPERATIONS OF THE COMMISSIONED CORPS OF
20 THE PUBLIC HEALTH SERVICE.—

21 “(1) IN GENERAL.—The Secretary shall carry
22 out duties and responsibilities relating to the oper-
23 ations of the Commissioned Corps of the Service, in-
24 cluding the following:

1 “(A) Enhance the processes and systems
2 of the Service’s Headquarters operations.

3 “(B) Maximize the force management, re-
4 quired training opportunities (as determined by
5 the Secretary under section 203A(a)(1)), oper-
6 ational capacity, and mission readiness of the
7 Regular Corps, the Ready Reserve Corps, and
8 the Public Health Emergency Response Strike
9 Teams, a subcomponent of the Regular Corps.

10 “(C) Recruit and retain qualified profes-
11 sionals suited to serving underserved and vul-
12 nerable communities by—

13 “(i) improving onboarding timelines,
14 providing officer placements to align with
15 mission needs, ensuring adequate officer
16 morale and wellness resources, and
17 incentivizing recruiters and recruits; and

18 “(ii) expanding training opportunities,
19 including training of personnel to deliver
20 maternal health care services, providing
21 credentialing support for high demand skill
22 sets, and enriching leadership and research
23 potential.

1 “(D) Improve deployment processes and
2 prepare mission teams to execute routine and
3 emergent public health events.

4 “(E) Establish a legislative liaison office to
5 carry out legislative affairs functions under the
6 direction of the Secretary.

7 “(2) AUTHORIZATION OF APPROPRIATIONS.—In
8 addition to amounts otherwise authorized to be ap-
9 propriated for the Commissioned Corps of the Serv-
10 ice, there is authorized to be appropriated to the
11 Secretary to carry out paragraph (1) \$150,000,000
12 for fiscal year 2026 and each fiscal year there-
13 after.”.

14 **SEC. 302. STREAMLINED SCREENING AND ENROLLMENT OF**
15 **PROVIDERS OF MATERNITY, LABOR, AND DE-**
16 **LIVERY SERVICES IN NEIGHBORING STATES.**

17 (a) APPLICATION TO MEDICAID.—Section 1902(kk)
18 of the Social Security Act (42 U.S.C. 1396a(kk)) is
19 amended by adding at the end the following new para-
20 graph:

21 “(10) STREAMLINED ENROLLMENT PROCESS
22 FOR ELIGIBLE OUT-OF-STATE PROVIDERS OF MA-
23 TERNITY, LABOR, AND DELIVERY SERVICES.—

24 “(A) IN GENERAL.—The State adopts and
25 implements a process that enables an eligible

1 out-of-State provider to enroll as a provider in
2 the State plan without imposing any screening
3 requirements that are in addition to the re-
4 quirements imposed on in-State providers. An
5 eligible out-of-State provider that enrolls in the
6 State plan through such process shall be so en-
7 rolled for a 5-year period (unless the provider
8 is terminated or excluded from participation
9 during such period) and may revalidate such
10 enrollment through such process for subsequent
11 5-year periods.

12 “(B) ELIGIBLE OUT-OF-STATE PRO-
13 VIDER.—In this paragraph, the term ‘eligible
14 out-of-State provider’ means, with respect to a
15 State, a provider—

16 “(i) that furnishes maternity, labor,
17 and delivery services (as defined in sub-
18 section (uu)(1)), or provides orders or re-
19 ferrals for such services, for which pay-
20 ment is available under the State plan of
21 the State;

22 “(ii) that is located in a neighboring
23 State (as defined by the Secretary);

24 “(iii) with respect to which the Sec-
25 retary has determined there is a limited

1 risk of fraud, waste, or abuse for purposes
2 of determining the level of screening to be
3 conducted under section 1866(j)(2)(B);

4 “(iv) that has been screened under
5 such section 1866(j)(2)(B) for purposes of
6 enrolling in the Medicare program under
7 title XVIII or the State plan of the State
8 in which such provider is located; and

9 “(v) that has not been excluded from
10 participation in the Medicare program
11 under such title or the Medicaid program
12 under this title.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) Section 1902(a)(77) of the Social Security
15 Act (42 U.S.C. 1396a(a)(77)) is amended by insert-
16 ing “enrollment,” after “screening,”.

17 (2) Section 1902(kk) of such Act (42 U.S.C.
18 1396a(kk)), as amended by subsection (a), is further
19 amended—

20 (A) in the subsection heading, by inserting
21 “ENROLLMENT,” after “SCREENING,”; and

22 (B) in paragraph (9), by striking “Noth-
23 ing” and inserting “Except as provided in para-
24 graph (10), nothing”.

1 (c) APPLICATION TO CHIP.—Section 2107(e)(1)(G)
2 of such Act (42 U.S.C. 1397gg(e)(1)(G)) is amended by
3 inserting “enrollment,” after “screening,”.

4 (d) GUIDANCE ON SCREENING AND ENROLLING OUT-
5 OF-STATE PROVIDERS OF MATERNITY, LABOR, AND DE-
6 LIVERY SERVICES.—Not later than January 1, 2027, the
7 Secretary of Health and Human Services shall issue (and
8 update as the Secretary determines necessary) guidance
9 to State Medicaid and CHIP directors on best practices
10 for screening and enrolling out-of-State providers of ma-
11 ternity, labor, and delivery services in accordance with
12 paragraph (10) of section 1902(kk) of the Social Security
13 Act (42 U.S.C. 1396a(kk)) and section 2107(e)(1)(G) of
14 such Act (42 U.S.C. 1397gg(e)(1)(G)) (as added and
15 amended by this section) and including best practices for
16 screening and enrolling out-of-State providers in managed
17 care plans.

18 (e) EFFECTIVE DATE.—The amendments made by
19 this section take effect on January 1, 2027.

1 **TITLE IV—REQUIRING PUBLIC**
2 **COMMUNICATION OF OBSTET-**
3 **RICS DATA AND UNIT CLO-**
4 **SURES**

5 **SEC. 401. TIMELY NOTIFICATIONS OF IMPENDING HOS-**
6 **PITAL OBSTETRIC UNIT CLOSURES.**

7 (a) IN GENERAL.—Section 1866(a)(1) of the Social
8 Security Act (42 U.S.C. 1395cc(a)(1)) is amended—

9 (1) in subparagraph (X), by striking “and” at
10 the end;

11 (2) in subparagraph (Y)(ii)(V), by striking the
12 period and inserting “, and”; and

13 (3) by inserting after subparagraph (Y) the fol-
14 lowing new subparagraph:

15 “(Z) beginning 180 days after the date of
16 the enactment of this subparagraph, in the case
17 of a hospital, not less than 180 days prior to
18 the closure of any obstetric unit of the hospital,
19 to submit to the Secretary, any relevant local
20 and State agencies, and the community a notifi-
21 cation, which shall include—

22 “(i) a report analyzing the impact the
23 closure will have on the community, includ-
24 ing data on any adverse outcomes and in-

1 crease in costs relating to obstetric services
2 for such community;

3 “(ii) steps the hospital will take to
4 identify other health care providers that
5 can alleviate any service gaps as a result of
6 the closure;

7 “(iii) the cause of the closure of such
8 obstetric unit;

9 “(iv) data regarding historic transpor-
10 tation costs related to obstetric services in
11 such community; and

12 “(v) any additional information as
13 may be required by the Secretary.”.

14 (b) STATE REQUIREMENT TO POST REPORTS.—Sec-
15 tion 1902(a) of the Social Security Act (42 U.S.C.
16 1396a(a)), as amended by section 201(a)(1), is further
17 amended—

18 (1) in paragraph (87), by striking “and” at the
19 end;

20 (2) in paragraph (88), by striking the period at
21 the end and inserting “; and”; and

22 (3) by inserting after paragraph (88) the fol-
23 lowing new paragraph:

24 “(89) provide that the State will make publicly
25 available, on the website of any relevant State agen-

1 cy, any report received by the State from a hospital
2 pursuant to section 1866(a)(1)(Z)(i).”; and

3 **SEC. 402. COLLECTION OF DATA RELATING TO HOSPITAL**
4 **LABOR AND DELIVERY SERVICES.**

5 Section 1866(a)(1) of the Social Security Act (42
6 U.S.C. 1395cc(a)(1)), as amended by section 401, is
7 amended—

8 (1) in subparagraph (Y)(ii)(V), by striking
9 “and” at the end;

10 (2) in subparagraph (Z), by striking the period
11 and inserting “, and”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(AA) in the case of a hospital, to include
15 in cost reports submitted under this title for
16 cost reporting periods beginning on or after
17 July 1, 2025—

18 “(i) the number of births that oc-
19 curred at such hospital during the cost re-
20 porting period, delineated by the number
21 of cesarean births and vaginal births;

22 “(ii) the number of antenatal and
23 postpartum transfers from the hospital to
24 other hospitals;

1 “(iii) data on the number and charac-
2 teristics of the staff providing labor and
3 delivery services at such hospital;

4 “(iv) the expenses the hospital in-
5 curred for providing labor and delivery
6 services at such hospital, including nursing
7 care, anesthesia, and operating room serv-
8 ices;

9 “(v) the amount the hospital spent for
10 on-call coverage for labor and delivery
11 services by physicians and midwives; and

12 “(vi) the amount and sources of rev-
13 enue received by such hospital for labor
14 and delivery services, including payments
15 received for—

16 “(I) items and services furnished
17 to individuals eligible for coverage
18 under a State plan under title XIX
19 (or a waiver of such a plan);

20 “(II) items and services fur-
21 nished to individuals with other forms
22 of health insurance or third-party cov-
23 erage; and

24 “(III) items and services fur-
25 nished to individuals without health

1 insurance or other source of third
2 party coverage.”.