

Notice Number 2024-27Rule Number He-W 548

1. Agency Name & Address:

**Dept. of Health and Human Services
Division of Medicaid Services
129 Pleasant St., Brown Bldg.
Concord, NH 03301**

2. RSA Authority: RSA 167:3-c, I & VIII

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Repeal _____

Readoption _____

Readoption w/amendment X5. Short Title: **Extended Services to Pregnant Women**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Department of Health and Human Services (Department) is proposing to readopt with amendments He-W 548 to update the definition of “postpartum period” to reflect a change in the postpartum period timeframe for pregnant women enrolled in Medicaid from a 60-day period to a 12-month coverage period along with other minor grammatical edits.

He-W 548 describes the extended services provided to pregnant women including covered services, non-covered services, required documentation, utilization review and control, third party liability, and payment for services.

The rule does implement a state statute for the first time under RSA 167:68, IV.

6. (b) Brief description of the groups affected:

Pregnant women eligible for medical assistance.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State or Federal Statute or Regulations the Rule Implements
He-W 548.01	RSA 167.68, IV(a); 42 CFR 440.250(p)
He-W 548.02	42 CFR 440.210; 42 CFR 440.220; 42 CFR 440.225; 42 CFR 440.250(p)
He-W 548.03	42 CFR 440.50; 42 CFR 440.60(a); 42 CFR 440.70; 42 CFR 440.90; 42 CFR 440.130; 42 CFR 440.165; 42 CFR 440.166
He-W 548.04	42 CFR 440.250(p); 42 CFR 440.210(a)(2)
He-W 548.05	42 CFR 440.250(p)
He-W 548.06	42 CFR 440.250(p); 42 CFR 455; 42 CFR 447
He-W 548.07	42 CFR 456.3
He-W 548.08	42 CFR 433.139
He-W 548.09	42 CFR 455; 42 CFR 447; RSA 161:4, VI(a)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Nicole Valanzola** Title: **Administrative Rules Coordinator -
Administrative Rules Unit**
Address: **Dept. of Health and Human Services** Phone #: **(603) 271-9640**
Administrative Rules Unit Fax#: **(603) 271-5590**
129 Pleasant Street, 2nd Floor E-mail: Nicole.Valanzola@dhhs.nh.gov
Concord, NH 03301

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

The proposed rules may be viewed and downloaded at:
<https://www.dhhs.nh.gov/doing-business-dhhs/legal-services/administrative-rules/nh-administrative-rules-public-comment>

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Friday, March 29, 2024**

☒ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Friday, March 22, 2024, at 11:00 a.m.**

Physical Location: [**DHHS Brown Bldg., Auditorium, 129 Pleasant St., Concord, NH**](#)

Electronic Access (if applicable): **N/A**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 24:016, dated 2/9/2024

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost between the proposed rules and the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

Chapter 79:413, Laws of 2023 extended Medicaid benefits to pregnant women to include 12 months of continuous postpartum coverage. The cost of this benefit is therefore attributable to the bill, which contained funding for implementation.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rule modifies an existing program or responsibility, but does not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore does not violate Part I, Article 28-a of the N.H. Constitution.