

# House File 354 - Introduced

HOUSE FILE \_\_\_\_\_  
BY UPMEYER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to reimbursement of nonparticipating providers  
2 for eligible services provided to IowaCare program members.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1187HH 83  
5 pf/nh/24

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1 1 Section 1. NONPARTICIPATING PROVIDER == IOWACARE ==  
1 2 REIMBURSEMENT FOR ELIGIBLE SERVICES PROVIDED TO A MEMBER.  
1 3 Beginning July 1, 2010, the department of human services shall  
1 4 include in any medical assistance program waiver relating to  
1 5 the continuation of the IowaCare program pursuant to chapter  
1 6 249J, provisions for reimbursement of eligible services  
1 7 provided to an expansion population member by a  
1 8 nonparticipating provider if the nonparticipating provider  
1 9 does all of the following:  
1 10 1. Contacts the appropriate participating provider prior  
1 11 to providing eligible services to verify consensus regarding  
1 12 one of the following courses of action:  
1 13 a. If the nonparticipating provider and the participating  
1 14 provider agree that the medical status of the expansion  
1 15 population member indicates it is medically possible to  
1 16 postpone provision of services, the nonparticipating provider  
1 17 shall direct the expansion population member to the  
1 18 appropriate participating provider for services.  
1 19 b. If the nonparticipating provider and the participating  
1 20 provider agree that the medical status of the expansion  
1 21 population member indicates it is not medically possible to  
1 22 postpone provision of services, the nonparticipating provider  
1 23 shall provide medically necessary services.  
1 24 2. Notwithstanding subsection 1, if the medical status of  
1 25 the expansion population member indicates a medical emergency  
1 26 and the nonparticipating provider is not able to contact the  
1 27 appropriate participating provider prior to providing  
1 28 medically necessary services, the nonparticipating provider  
1 29 shall document the medical emergency and inform the  
1 30 appropriate participating provider immediately after the  
1 31 member has been stabilized of any eligible services provided.

### EXPLANATION

1 32 This bill requires that in any Medicaid program waiver  
1 33 relating to the continuation of the IowaCare program submitted  
1 34 on or after July 1, 2010, the department of human services  
2 1 must include provisions for reimbursement of eligible services  
2 2 provided to an expansion population member by a  
2 3 nonparticipating provider if the nonparticipating provider  
2 4 complies with certain requirements. The requirements include  
2 5 contacting the appropriate participating provider prior to  
2 6 providing eligible services to verify consensus regarding  
2 7 which provider should provide services to the member, based  
2 8 upon the medical status of the member. If the member's  
2 9 medical status indicates that provision of services may be  
2 10 postponed, the nonparticipating provider shall direct the  
2 11 member to the appropriate participating provider for services.  
2 12 If the member's medical status indicates that it is not  
2 13 medically possible to postpone provision of services to the  
2 14 member, the nonparticipating provider shall provide medically  
2 15 necessary services. If the medical status of the member  
2 16 indicates a medical emergency and the nonparticipating  
2 17 provider is not able to contact the appropriate participating  
2 18 provider prior to providing medically necessary services, the  
2 19 nonparticipating provider shall document the medical emergency  
2 20 and inform the appropriate participating provider immediately

2 21 after the member has been stabilized of any eligible services  
2 22 provided.  
2 23 LSB 1187HH 83  
2 24 pf/nh/24