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HOUSE BILL NO. 2102
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Appropriations
on _____)
(Patron Prior to Substitute—Delegate Feggans)

A BILL to direct the Department of Medical Assistance Services to seek federal authority to implement presumptive eligibility for pregnant individuals; performance standards for qualified entities.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Medical Assistance Services (the Department) shall seek necessary federal authority to implement presumptive eligibility for pregnant individuals in accordance with 42 C.F.R. § 435.1103. If federal authority is granted to implement presumptive eligibility for pregnant individuals, the Department may authorize qualified entities to make determinations of presumptive eligibility for pregnant individuals, including health care providers, community-based organizations, or any other entity that the Department determines to be capable of making such determinations.

§ 2. That qualified entities shall be authorized to make determinations of presumptive eligibility for pregnant individuals who meet eligibility criteria for Medicaid for Pregnant Women, Family Access to Medical Insurance Security (FAMIS) MOMS, or FAMIS Prenatal Coverage and have not had a presumptive eligibility period during the current pregnancy.

§ 3. That in making determinations of presumptive eligibility, qualified entities shall provide (i) the necessary applications for medical assistance on the day in which the presumptive eligibility decision is made and (ii) assistance with completing such applications through available modalities, to include the pregnancy unit at the Medicaid call center.

§ 4. That qualified entities shall fulfill certain performance standards to remain a qualified entity, including:

1. Complying with federal and Department regulations related to presumptive eligibility, including quality assurance metrics, training, auditing, and record retention; and

2. Submitting applications for medical assistance to the Department within 30 days for, at minimum, 90 percent of individuals determined to be presumptively eligible in a calendar year, or any period of time designated by the Department.

§ 5. That at minimum, 95 percent of the applications for medical assistance submitted to the Department

- 31** *shall be approved by the Department in a calendar year, or any period of time designated by the Department.*
- 32** *Only such applications denied on the basis of criteria set forth in § 2 shall be considered for such*
- 33** *requirement.*