

LEGAL NOTICE

NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Lactation Services

6/29/23 public notice posted to:

<https://www.dhhs.nh.gov/programs-services/medicaid/medicaid-state-plan-public-notice>

Notice is hereby given that the New Hampshire (NH) Department of Health and Human Services (the Department) is proposing to amend the Title XIX State Plan and the Alternative Benefit Plan, in response to Chapter 79, Laws of 2023, whereby the NH Legislature appropriated funds to cover lactation services, effective July 1, 2023.

The proposed coverage of lactation support services will include education, counseling, and assistance for common breastfeeding issues.

This proposed change will result in an expected increase in federal expenditures of \$3,000 for federal fiscal year 2023 and an estimated increase in federal expenditures of \$12,000 in federal fiscal year 2024.

The State will update the Medicaid Alternative Benefit Plan (ABP; this is for Medicaid's expansion group eligibility category, called Granite Advantage) assure compliance with 42 CFR 440.345 to provide full access to Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services for individuals in the expansion population who are under age 21 as required by law and regulation, and consistent with current state policy regarding the delivery of these services. Any EPSDT services not included in the Medicaid managed care plan benefit package will be provided through the State's fee-for-service Medicaid program. Other covered services will include medically necessary services as prior authorized, as well as other services required to be covered pursuant to state or federal law, regulation or policy. The State will describe the process to access these benefits in notices sent to all individuals receiving the ABP benefit package.

The State also assures compliance with the provisions of Section 5006 (e) of the American Recovery and Reinvestment Act of 2009 regarding certain protections for American Indian/Alaskan Native (AI/AN) populations. This includes sending notice to individuals who are AI/AN and informing them that they are exempt from co-payments if they are eligible for or have ever received services from an Indian Health Care Provider. Notice shall also include information about the continuing ability to receive care from Indian Health Care providers in or out of state and/or the managed care provider network.

Copies of draft State Plan pages will be available by August 15, 2023. Please contact Jody Farwell at (603) 271-9421, or via e-mail at jody.l.farwell@dhhs.nh.gov, to request copies. The amendments to the State Plan pages may undergo further revisions before and after submittal to the Centers for Medicare and Medicaid Services (CMS) based upon public comment or CMS feedback. Comments will be due by August 29, 2023 and should be e-mailed to jody.l.farwell@dhhs.nh.gov or mailed to the Department of Health and Human Services, Division of Medicaid Services, 129 Pleasant Street–Brown Building, Concord, NH 03301-3857, ATTN: Jody Farwell.