AN ACT CONCERNING MEDICAID COVERAGE FOR DONOR BREAST MILK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective July 1, 2019) (a) The Commissioner of Social Services shall provide Medicaid reimbursement for pasteurized donor breast milk, provided (1) a health care professional licensed pursuant to chapter 370 of the general statutes signs a medical order that the donor breast milk is medically necessary for an infant Medicaid beneficiary in accordance with section 17b-259b of the general statutes, (2) the donor breast milk is provided on an inpatient basis at a hospital, and (3) (A) the infant who receives the donor breast milk is medically or physically unable to receive maternal breast milk or participate in breast feeding, or (B) the infant's mother is medically or physically unable to produce maternal breast milk in sufficient quantities, or is unable to participate in breast feeding despite optimal lactation support.

(b) The commissioner shall seek federal approval of a Medicaid state plan amendment or Medicaid waiver if necessary to implement the provisions of this section. Any submission of a Medicaid state plan amendment or Medicaid waiver shall be in accordance with the provisions of section 17b-8 of the general statutes.
(c) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section, including, but not limited to, establishing infant health conditions that qualify for medically necessary donor breast milk. The commissioner may adopt policies or procedures to implement the provisions of this section while in the process of adopting regulations provided such policies or procedures are posted on the Internet web site of the Department of Social Services and on the eRegulations System prior to the adoption of such policies or procedures.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | July 1, 2019 | New section |

**Statement of Legislative Commissioners:**
In Section 1(a), "Medicaid beneficiary" was added after "infant" for clarity.

**HS** Joint Favorable Subst.