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THE STATE OF ALABAMA
BILL TEXT

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2009 AL H.B. 147

ALABAMA 2009 REGULAR SESSION

HOUSE BILL 147

REP(S). BY REPRESENTATIVE FITE
BILL NUMBER: HB147
ENROLLED, AN ACT,

BILL TRACKING REPORT: [2009 Bill Tracking AL H.B. 147](#)

2009 Bill Text AL H.B. 147

VERSION: Enacted

VERSION-DATE: April 30, 2009

SYNOPSIS: To [amend Section 22-6-11, Code of Alabama 1975](#), relating to Medicaid; to provide Medicaid eligibility for certain women who have been screened for and diagnosed with breast or cervical cancer by any health care provider whether or not funded by Title XV funds for screening services, as authorized herein.

NOTICE:

[A> UPPERCASE TEXT WITHIN THESE SYMBOLS IS ADDED <A]

[D> Text within these symbols is deleted <D]

TEXT: BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 22-6-11, Code of Alabama 1975, is amended to read as follows:

Section 22-6-11.

"(a) This section shall be known and may be cited as the " [A> 2009 <A] Breast and Cervical Cancer Prevention and Treatment Act."

"(b)(1) Medicaid eligibility and coverage shall be extended to a woman who has been determined to be eligible to participate in and has been screened for breast or cervical cancer [D> through the state

program operated and funded by the Centers for Disease Control and Prevention's National Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Services Act <D> [A> BY ANY HEALTH CARE PROVIDER AND/OR ENTITY THAT: (I) RECEIVES DIRECT PAYMENT FOR SCREENING SERVICES BY NATIONAL BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM (NBCCEDP) TITLE XV FUNDS; OR, (II) IS FUNDED AT LEAST IN PART BY NBCCEDP GRANTEE TITLE XV FUNDS FOR SCREENING SERVICES; OR, (III) IS NOT FUNDED AT ALL BY NBCCEDP GRANTEE TITLE XV FUNDS BUT HAS BEEN IDENTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AS PART OF THE ALABAMA BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM AND OPERATES CONSISTENTLY WITHIN ITS GUIDELINES <A] .

"(2) Coverage under this section shall be limited to any woman screened and diagnosed pursuant to subdivision (1) who is under age 65 and who is uninsured in that she must not have creditable coverage, including current Medicaid enrollment, as that term is defined under the Health Insurance Portability and Accountability Act, Section 2701(c) of the Public Health Services Act, 42 U.S.C. Section 300gg(c).

"(3) Any woman who meets the eligibility requirements for Medicaid pursuant to this section shall be entitled to medically necessary treatment for breast or cervical cancer and other medically necessary Medicaid services covered under the Medicaid State Plan for the period of eligibility.

"(4) The period of eligibility for coverage under this section is limited to the period during her course of treatment as determined by the medical professional responsible for the cancer treatment. Eligibility ends when her course of treatment is completed or the state determines that she no longer meets eligibility criteria for this category.

"(5) Notwithstanding subdivision (4), subsequent periods of eligibility may be extended provided the woman meets all criteria required to qualify for the initial period of coverage.

"(6) General Medicaid eligibility criteria including, but not limited to, residency and citizenship must be met.

"(7) Treatment under this section is limited to medically necessary treatment consistent with optimal standards of medical practice. Experimental treatments will not be covered.

"(8) [D> Eligibility shall be determined by Medicaid <D> [A> THE DETERMINATION OF MEDICAL ELIGIBILITY FOR COVERAGE UNDER THIS SECTION SHALL BE ADMINISTERED BY THE BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM OF THE ALABAMA DEPARTMENT OF PUBLIC HEALTH <A] following appropriate application procedures and shall include verification of Centers for Disease Control screening and diagnosis and a plan of treatment. [A> ONCE MEDICAL ELIGIBILITY IS ESTABLISHED, THE MEDICAID AGENCY WILL MAKE THE FINAL MEDICAID ELIGIBILITY DECISION. <A]

"(9) No coverage will be provided under this section for any period prior to the date of the Centers for Disease Control screening and diagnosis."

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

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SUBJECT: MEDICAID (95%); HEALTH CARE (93%); BREAST CANCER (93%); CANCER (93%); LEGISLATORS (91%); DISEASES & DISORDERS (90%); HEALTH DEPARTMENTS (90%); PUBLIC HEALTH ADMINISTRATION (90%); COMMUNITY HEALTH PROGRAMS (90%); BREAST CANCER SCREENING (90%); CANCER SCREENING & DETECTION (90%); ONCOLOGY (89%); US FEDERAL GOVERNMENT (78%); LEGISLATION (78%); HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (78%); HEALTH INSURANCE (77%); HEALTH CARE LAW (77%); INSURANCE INDUSTRY (73%); INSURANCE REGULATION (73%); APPROVALS (65%); HUMAN SUBJECTS (51%);

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