

**AMENDMENT IN THE NATURE OF SUBSTITUTE TO  
RULES COMMITTEE PRINT 119–17  
OFFERED BY MS. WILLIAMS OF GEORGIA**

Strike all and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Advancing Maternal  
3 Health Equity Under Medicaid Act”.

**4 SEC. 2. HIGHER FMAP FOR INCREASED EXPENDITURES**

**5                   UNDER MEDICAID FOR MATERNAL HEALTH**

**6                   SERVICES.**

7       Section 1903 of the Social Security Act (42 U.S.C.  
8 1396b) is amended—

9           (1) in subsection (a)(5)—

10                   (A) by striking “an amount equal” and in-  
11                   serting “(A) an amount equal”; and

12                   (B) by adding at the end the following:

13                   “and

14                   “(B) for calendar quarters beginning on or  
15                   after January 1 of the year beginning after one  
16                   year after the date of the enactment of this  
17                   subparagraph, an amount equal to 90 percent  
18                   of the amounts by which—

1 “(i) the sum of the amounts expended  
2 which are attributable to the offering, ar-  
3 ranging, and furnishing (directly or on a  
4 contract basis) under the State plan (or  
5 waiver of the plan) of maternal health care  
6 services (as described in subsection  
7 (b)(6)(B)) for such quarter, exceeds

8 “(ii) the sum of the amounts ex-  
9 pended which are attributable to the offer-  
10 ing, arranging, and furnishing (directly or  
11 on a contract basis) under the State plan  
12 (or waiver of the plan) of such services for  
13 the corresponding quarter in the four-quar-  
14 ter period ending on December 31, 2019,  
15 plus”; and

16 (2) in subsection (b), by adding at the end the  
17 following new paragraph:

18 “(6) ACCOUNTABILITY AND MAINTENANCE OF  
19 EFFORT REQUIREMENTS FOR ADDITIONAL FEDERAL  
20 FUNDING FOR INCREASED EXPENDITURES FOR MA-  
21 TERNAL HEALTH CARE SERVICES.—

22 “(A) IN GENERAL.—As conditions for re-  
23 ceiving the funds the Secretary is otherwise ob-  
24 ligated to pay to a State under subsection

1 (a)(5)(B), a State shall meet the following re-  
2 quirements:

3 “(i) SUPPLEMENT, NOT SUPPLANT.—

4 The State shall use the funds received  
5 under such subsection to supplement, not  
6 supplant, the level of State funds expended  
7 for the offering, arranging, and furnishing  
8 (directly or on a contract basis) under the  
9 State plan (or under a waiver of the plan)  
10 of maternal health care services (as de-  
11 scribed in subparagraph (B)) through pro-  
12 grams and activities in effect as of Janu-  
13 ary 1, 2023.

14 “(ii) USE OF FUNDS FOR ACTIVITIES  
15 THAT IMPROVE DELIVERY OF MATERNAL  
16 HEALTH CARE SERVICES.—The State shall  
17 use the funds received under such sub-  
18 section for activities that increase the ca-  
19 pacity, efficiency, and quality in the provi-  
20 sion of maternal health care services.

21 “(B) DEFINITIONS.—For purposes of this  
22 paragraph and subsection (a)(5)(B):

23 “(i) MATERNAL HEALTH CARE SERV-  
24 ICES.—Maternal health care services de-  
25 scribed in this subparagraph are services

1 furnished by a maternity care provider or  
2 perinatal health worker, such as the fol-  
3 lowing:

4 “(I) Prenatal, labor and delivery,  
5 and postpartum health care services  
6 that are furnished in a licensed and  
7 accredited hospital, birth center, mid-  
8 wifery practice, or other health care  
9 practice that provides prenatal serv-  
10 ices, labor and delivery services, and  
11 postpartum services.

12 “(II) Telehealth services during  
13 the prenatal and postpartum periods.

14 “(III) Home visiting services dur-  
15 ing the prenatal and postpartum peri-  
16 ods.

17 “(IV) Mental or behavioral health  
18 care services for individuals during  
19 the prenatal and postpartum periods.

20 “(ii) MATERNITY CARE PROVIDER.—

21 The term ‘maternity care provider’ means  
22 a health care provider who—

23 “(I) is a physician, physician as-  
24 sistant, midwife who meets at a min-  
25 imum the international definition of

1 the midwife and global standards for  
2 midwifery education as established by  
3 the International Confederation of  
4 Midwives, nurse practitioner, or clinical nurse specialist; and

5  
6 “(II) has a focus on maternal or  
7 perinatal health.

8 “(iii) PERINATAL HEALTH WORKER.—  
9 The term ‘perinatal health worker’ means  
10 a doula, community health worker,  
11 breastfeeding and lactation educator or  
12 counselor, nutritionist or dietitian, child-  
13 birth educator, social worker, home visitor,  
14 or language interpreter.

15 “(iv) POSTPARTUM AND POSTPARTUM  
16 PERIOD.—The terms ‘postpartum’ and  
17 ‘postpartum period’ each refer to the 1-  
18 year period beginning on the last day of  
19 the pregnancy of an individual.”.

