

117TH CONGRESS 2D SESSION

H. R. 8181

To direct the Secretary of Health and Human Services to issue guidance on coverage under the Medicaid program under title XIX of the Social Security Act of certain pelvic health services furnished during the postpartum period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

June 22, 2022

Ms. Herrera Beutler (for herself and Ms. Blunt Rochester) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Health and Human Services to issue guidance on coverage under the Medicaid program under title XIX of the Social Security Act of certain pelvic health services furnished during the postpartum period, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Optimizing
- 5 Postpartum Outcomes Act of 2022".

1 SEC. 2. CMS GUIDANCE.

2	(a) In General.—Not later than 1 year after the
3	date of the enactment of this Act, the Secretary of Health
4	and Human Services shall issue guidance on coverage
5	under State plans (or waivers of such plans) under the
6	Medicaid program under title XIX of the Social Security
7	Act (42 U.S.C. 1396 et seq.) or State child health plans
8	(or waivers of such plans) under the Children's Health In-
9	surance Program under title XXI of such Act (42 U.S.C.
10	1397aa et seq.) of covered pelvic health services furnished
11	during the prenatal or postpartum period. Such guidance
12	shall include—
13	(1) best practices from States with respect to
14	innovative or evidenced-based payment models to in-
15	crease access to covered pelvic health services;
16	(2) recommendations for States on available fi-
17	nancing options under—
18	(A) the Medicaid program under title XIX
19	of such Act (42 U.S.C. 1396 et seq.); and
20	(B) the Children's Health Insurance Pro-
21	gram under title XXI of such Act (42 U.S.C.
22	1397aa et seq.), specifically funds made avail-
23	able through a Children's Health Insurance
24	Program Health Services Initiative;
25	(3) guidance and technical assistance to State
26	agencies responsible for administering State plans

- 1 (or waivers of such plans) under the Medicaid pro-
- 2 gram under title XIX of the Social Security Act (42)
- 3 U.S.C. 1396 et seq.) regarding additional flexibilities
- 4 and incentives related to screening and referral for,
- 5 and access to, covered pelvic health services; and
- 6 (4) guidance regarding suggested terminology
- 7 and diagnosis codes, such as the International Clas-
- 8 sification of Diseases code set, to identify women
- 9 with pelvic floor dysfunction and disorders.
- 10 (b) GAO STUDY.—Not later than 1 year after the
- 11 date of the enactment of this Act, the Comptroller General
- 12 of the United States shall conduct a study on, and submit
- 13 to Congress a report that addresses, gaps in coverage
- 14 for—
- 15 (1) covered pelvic health services under State
- plans (or waivers of such plans) under the Medicaid
- program under title XIX of the Social Security Act
- 18 (42 U.S.C. 1396 et seq.) for postpartum women;
- 19 and
- 20 (2) other services for postpartum women who
- 21 received medical assistance under a State plan (or a
- 22 waiver of such plan) under the Medicaid program
- under title XIX of the Social Security Act (42)
- U.S.C. 1396 et seq.) during their pregnancy.
- 25 (c) Definitions.—In this section:

1	(1) The term "postpartum period" means the
2	longer of the period of lactation or the 6-month pe-
3	riod beginning on the last day of a woman's preg-
4	nancy.
5	(2) The term "covered pelvic health services"
6	means—
7	(A) pelvic floor examinations (as defined in
8	section 317L–2 of the Public Health Service
9	Act, as added by section 2 of this Act); and
10	(B) pelvic health physical therapy (as de-
11	fined in such section 317L-2).
12	SEC. 3. POSTPARTUM PELVIC HEALTH EDUCATION CAM-
13	PAIGN.
14	Part B of title III of the Public Health Service Act
15	(42 U.S.C. 243 et seq.) is amended by inserting after sec-
16	tion 317L–1 (42 U.S.C. 247b–13a) the following:
17	"SEC. 317L-2. POSTPARTUM PELVIC HEALTH EDUCATION
18	CAMPAIGN.
19	"(a) In General.—The Secretary, acting through
20	the Director of the Centers for Disease Control and Pre-
21	vention, in collaboration with the Administrator of the
22	Health Resources and Services Administration and the
23	heads of other agencies, and in consultation with appro-
24	priate health professional associations, shall develop and

1	"(1) to educate and train health professionals
2	on pelvic floor examinations and the benefits of pel-
3	vic health physical therapy; and
4	"(2) to educate postpartum women on—
5	"(A) with respect to pelvic floor examina-
6	tions—
7	"(i) the importance of such examina-
8	tions during the postpartum period;
9	"(ii) how to obtain such an examina-
10	tion, including information relating to ob-
11	taining referrals; and
12	"(iii) what is involved in such an ex-
13	amination; and
14	"(B) with respect to pelvic health physical
15	therapy—
16	"(i) the benefits of, and availability of
17	such physical therapy; and
18	"(ii) how to obtain a referral for such
19	physical therapy.
20	"(b) Definitions.—In this section:
21	"(1) The term 'pelvic floor examination' means
22	an examination to assess a patient for pelvic health
23	related conditions that is composed of—
24	"(A) an external evaluation that includes
25	analysis of posture, joint integrity, muscle per-

formance, quality of movement, and palpation and observation of the pelvic floor; and

"(B) if deemed necessary based on the health care professional's clinical reasoning, an internal vaginal or rectal examination, or both, to gather relevant information about the tone, strength, control, ability to contract and relax the muscles of the pelvic floor individually and together, the condition of the surrounding fascia, and the position of the organs.

"(2) The term 'pelvic health physical therapy' means a personalized physical therapy plan implemented by a pelvic health physical therapist, after performing a pelvic floor examination and making a diagnosis, that is based on best available evidence to improve the patient condition, with respect to the anatomy of the pelvic floor, improve mobility, recover from injury, prevent future injury, and manage pain and chronic conditions.

"(3) The term 'pelvic health related condition' includes urinary dysfunction, bowel dysfunction, musculoskeletal dysfunction, sexual dysfunction, cancer-related rehabilitation, and the pre-partum state and pre-partum conditions.

- 1 "(c) Authorization of Appropriations.—There
- 2 are authorized to be appropriated to carry out this section
- 3 \$2,000,000 for each of fiscal years 2023 through 2027.".

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