

## Medical Coverage Policy | Post-Partum Hospital Stays Mandate



**EFFECTIVE DATE:** 03|01|2020  
**POLICY LAST UPDATED:** 02|20|2020

### OVERVIEW

This policy documents the coverage required in accordance with Rhode Island General Law (RIGL) 27-20-17.1, Insurance coverage for post-partum hospital stays.

### MEDICAL CRITERIA

Not applicable

### PRIOR AUTHORIZATION

Not applicable

### POLICY STATEMENT

#### BlueCHiP for Medicare and Commercial Product

Benefits for any hospital length of stay in connection with childbirth for the mother or newborn child may not be reduced to less than 48 hours following a vaginal delivery, or less than 96 hours following a Cesarean section. Any decision to shorten these minimum coverages shall be made by the attending healthcare provider in consultation with the mother.

Although Rhode Island mandated benefits generally do not apply to BlueCHiP for Medicare, this service is covered for all Blue Cross & Blue Shield of Rhode Island (BCBSRI) members.

### COVERAGE

Benefits may vary between groups/contracts. Please refer to the appropriate Benefit Booklet, Evidence of Coverage, or Subscriber Agreement for applicable Pregnancy Services and Nursery Services benefits/coverage.

Self-funded groups may or may not choose to follow state mandate(s).

### BACKGROUND

This policy describes the following Rhode Island General Law (RIGL) 27-20-17.1, Insurance coverage for post-partum hospital stays:

*§ 27-20-17.1 Insurance coverage for post-partum hospital stays. – (a) Every individual or group hospital or medical services plan contract delivered, issued for delivery, or renewed in this state shall provide coverage for a forty-eight (48) hour time period in a hospital after a vaginal birth and ninety-six (96) hours after a Cesarean section for a mother and her newly born child. Any decision to shorten these minimum coverages shall be made by the attending health care provider in consultation with the mother. The decision shall be made in accordance with the standards for guidelines for perinatal care published by the American College of Obstetrics and Gynecology and the American Academy of Pediatrics. The standards shall be relative to early discharge, defined as less than forty-eight (48) hours for a vaginal delivery and ninety-six (96) for a Cesarean delivery. In the case of early discharge, post-delivery care shall include home visits, parent education, assistance and training in breast or bottle feeding and the performance of any necessary and appropriate clinical tests or any other tests or services consistent with the guidelines provided in this subsection.*

*(b) For the purposes of this section, "attending health care provider" includes the attending obstetrician, pediatrician, family practitioner, general practitioner or certified nurse midwife attending the mother and newly born child.*

*(c) Any subscriber who is aggrieved by a denial of benefits to be provided under this section may appeal the denial in accordance with regulations of the department of health, which have been promulgated pursuant to chapter 17.12 of title 23. No policy or plan covered under this chapter shall terminate the services, reduce capitation payment, or penalize an attending physician or other health care provider who orders care consistent with the provisions of this section.*

**Note:** The Rhode Island mandate mirrors the federal mandate, Newborns' and Mothers' Health Protection Act of 1996 (Newborn's Act), signed into law on September 26, 1996.

#### **CODING**

Not applicable

#### **RELATED POLICIES**

Not applicable

#### **PUBLISHED**

Provider Update, May 2020  
Provider Update, May 2019  
Provider Update, March 2018  
Provider Update, March 2017  
Provider Update, April 2016  
Provider Update, July 2015  
Provider Update, October 2014  
Provider Update, September 2013

#### **REFERENCES**

1. Rhode Island General Law: <http://webserver.rilin.state.ri.us/Statutes/TITLE27/27-20/27-20-17.1.HTM>
2. Department of Labor Newborns' and Mothers' Health Protection Act:  
<http://www.dol.gov/dol/topic/health-plans/newborns.htm>

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