

\_\_\_\_\_ moved to amend as follows:

1 In line 272 of the title, after "5163.51," insert  
2 "5164.072,"

3 In line 961, after "5163.51," insert "5164.072,"

4 After line 104613, insert:

5 "Sec. 5164.072. (A) As used in this section, "licensed  
6 health professional" means the following:

7 (1) A physician authorized under Chapter 4731. of the  
8 Revised Code to practice medicine and surgery or osteopathic  
9 medicine and surgery;

10 (2) An advanced practice registered nurse who holds a  
11 current, valid license issued under Chapter 4723. of the Revised  
12 Code that authorizes the practice of nursing as an advanced  
13 practice registered nurse and is designated as a clinical  
14 specialist, certified nurse-midwife, or certified nurse  
15 practitioner;

16 (3) A physician assistant licensed under Chapter 4730. of  
17 the Revised Code.

18 (B) The medicaid program shall cover pasteurized human  
19 donor milk and human milk fortifiers, in both hospital and home

20 settings, for an infant whose gestationally corrected age is  
21 less than twelve months when all of the following apply:

22 (1) A licensed health professional signs an order stating  
23 that human donor milk or human milk fortifiers are medically  
24 necessary because the infant meets any of the following  
25 criteria:

26 (a) The infant has a birth weight less than eighteen  
27 hundred grams or body weight below healthy levels.

28 (b) The infant has a gestational age at birth of thirty-  
29 four weeks or less.

30 (c) The infant has any congenital or acquired condition for  
31 which the health professional determines that the use of  
32 pasteurized human donor milk or human milk fortifiers will  
33 support the treatment of the condition and recovery of the  
34 infant.

35 (2) The infant is medically or physically unable to receive  
36 maternal breast milk or participate in breast-feeding, or the  
37 infant's mother is medically or physically unable to produce  
38 breast milk in sufficient quantities or of adequate caloric  
39 density, despite lactation support.

40 (C) The medicaid director may adopt rules in accordance  
41 with Chapter 119. of the Revised Code to implement this  
42 section."

43 The motion was \_\_\_\_\_ agreed to.

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SYNOPSIS

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**Coverage for donor breast milk and milk fortifiers**

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**R.C. 5164.072**

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Restores House provisions removed by the Senate requiring the Medicaid program to cover medically necessary pasteurized donor human milk and human milk fortifiers for inpatient and home use, removing a provision that would have required the Medicaid payment to be separate from the hospital payment for inpatient services.