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**SENATE BILL 5501**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Keiser, Randall, Saldaña, and C. Wilson

AN ACT Relating to establishing a public education program to reduce the incidence of stillbirth using a platform for recording and tracking fetal movements; amending RCW 74.09.800 and 43.70.619; adding a new section to chapter 74.09 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 74.09 RCW to read as follows:

(1) Effective December 31, 2023, the Washington state count the kicks program is established as a public education program focusing on reducing the incidence of stillbirth. The authority shall use the national count the kicks program framework as a model for the Washington state count the kicks program. In collaboration with relevant interested parties, the authority shall adopt a platform for recording and tracking fetal movements and encouraging monitoring practices for awareness of fetal movements.

(2) The count the kicks program shall be incorporated into the maternity care access program as referenced in RCW 74.09.800.

(3) The authority shall adopt rules to implement this section.

**Sec.**  RCW 74.09.800 and 2011 1st sp.s. c 15 s 50 are each amended to read as follows:

The authority shall, consistent with the state budget act, develop a maternity care access program designed to ensure healthy birth outcomes as follows:

(1) Provide maternity care services to low-income pregnant women and health care services to children in poverty to the maximum extent allowable under the medical assistance program, Title XIX of the federal social security act;

(2) Provide maternity care services to low-income women who are not eligible to receive such services under the medical assistance program, Title XIX of the federal social security act;

(3) Have the following procedures in place to improve access to maternity care services and eligibility determinations for pregnant women applying for maternity care services under the medical assistance program, Title XIX of the federal social security act:

(a) Use of a shortened and simplified application form;

(b) Outstationing authority staff to make eligibility determinations;

(c) Establishing local plans at the county and regional level, coordinated by the authority; and

(d) Conducting an interview for the purpose of determining medical assistance eligibility within five working days of the date of an application by a pregnant woman and making an eligibility determination within fifteen working days of the date of application by a pregnant woman;

(4) Establish a maternity care case management system that shall assist at-risk eligible persons with obtaining medical assistance benefits and receiving maternity care services, including transportation and child care services;

(5) Within available resources, establish appropriate reimbursement levels for maternity care providers;

(6) Implement a broad-based public education program that stresses the importance of obtaining maternity care early during pregnancy and reducing the incidence of stillbirth with programs including, but not limited to, the national count the kicks program;

(7) Refer persons eligible for maternity care services under the program established by this section to persons, agencies, or organizations with maternity care service practices that primarily emphasize healthy birth outcomes;

(8) Provide family planning services including information about the synthetic progestin capsule implant form of contraception, for twelve months immediately following a pregnancy to women who were eligible for medical assistance under the maternity care access program during that pregnancy or who were eligible only for emergency labor and delivery services during that pregnancy; and

(9) Within available resources, provide family planning services to women who meet the financial eligibility requirements for services under subsections (1) and (2) of this section.

**Sec.**  RCW 43.70.619 and 2021 c 235 s 5 are each amended to read as follows:

(1) By December 31, 2021, the department shall design, prepare, and make available online, written materials to clearly inform health care providers and staff of the provisions of, and authority to act under, chapter 70.400 RCW.

(2) By December 31, 2023, the department shall design, prepare, and make available online written materials to clearly inform health care providers and staff of the evidence-based research and practices that reduce the incidence of stillbirth. The materials shall include information relating to the monitoring and tracking of fetal movements. The materials may be developed in collaboration with relevant interested parties and use applicable materials from other programs including, but not limited to, the national count the kicks program.

NEW SECTION. **Sec.**  This act may be known and cited as the count the kicks act.

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