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Title: Discrimination Against Medicaid Beneficiaries Requesting Permanent Sterilization

Introduced by: Federico G. Mariona, MD, for the Wayne County Delegation

Original Author: Federico G. Mariona, MD

Referred to: Reference Committee A

House Action: **APPROVE**

Whereas, at the 2015 American Medical Association (AMA) Interim House of Delegates (HOD) meeting, Policy D-75.994 was modified and directs our AMA to work with the American Congress of Obstetricians and Gynecologists, the American Urological Association, and any other interested organizations, to advocate to Congress for the legislative or regulatory elimination of the required 30 day interval between informed consent and a permanent sterilization procedure and to work with the Centers for Medicare and Medicaid Services to eliminate the time restrictions on informed consent for permanent sterilization procedures, and

Whereas, AMA Policy D-75.994 called for a study of the then current ramifications of the existing regulations associated with the procedures described above, and

Whereas, that study should have been completed by the 2014 AMA HOD meeting, and

Whereas, the AMA Board concluded that there is ample evidence to support advocating for changing this policy, and

Whereas, the most recent document that applies to Michigan Medicaid and Healthy Michigan Plan beneficiaries continues to require that informed consent must be given not less than 30 days prior to the procedure; therefore be it

RESOLVED: That MSMS supports the legislative or regulatory elimination of the federal requirement of a 30-day interval between informed consent and a permanent sterilization procedure for mentally competent individuals aged 21 or older (42 CFR 441.253) and will work with the Michigan Department of Health and Human Services to remove such requirement from the Michigan Medicaid manual should the federal requirement be rescinded.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE