



GenerateHealth

Champions of Family and Community

2021 Legislative Report

Generate Health is committed to building a community where Black birthing people and babies thrive by inspiring and mobilizing the St. Louis region to advance racial equity in pregnancy outcomes, family well-being and community health. We focus on policies and legislation that eliminate racial disparities in infant mortality and maternal health.

Our work is guided by strategies that:

- Prioritize community voice in decision making processes
- Illuminate the root causes of racial disparities in infant mortality and maternal health
- Advocate for the redirection of resources to eliminate racial disparities in infant mortality and maternal health
- Catalyze action within the ecosystem
- Advance regional accountability for equitable systems

Each year, Generate Health establishes policy priorities based on community and partner feedback and analysis of the policy landscape. However, since the Missouri legislature shut down early in 2020 due to the pandemic, the 2020 policy priorities were rolled over into the 2021 policy priorities. These policies priorities included promoting racial equity in social determinants of health in communities, promoting racial equity in infant/maternal health and decreasing infant/maternal mortality, and promoting access to expanded, prompt, equitable healthcare.

[End of session update](#)

May 14th marked the end of Missouri's 2021 regular legislative session. The Senate passed [26 Senate bills](#) and 3 Senate concurrent resolutions. The House passed [39 House bills](#) and 1 House joint resolution.

The Governor called an extraordinary legislative session at the end of June to address the Federal Reimbursement Allowance legislation which had not been passed during the regular session. During the extraordinary session [9 bills](#) were heard in the Senate and [6 bills](#) were heard in the House along with [Senate Bill 1](#).

Although we supported, tracked, and advocated for numerous bills to improve Black maternal and infant health, the hot topics for this year's session became Medicaid Expansion and the Federal Reimbursement Allowance.

Medicaid Expansion

In August 2020, voters across the state voted in favor of expanding Medicaid, yet statewide advocates had to unite again to defend Missouri's constitution and Missouri's right to Medicaid Expansion.

While many organizations planned on spending their time ensuring that Medicaid Expansion would roll out properly, few expected that the Missouri legislature would simply refuse to budget funds for Medicaid Expansion. Legislators' blatant attempt to overturn the will of the voters was one of the most disgusting displays of political manipulation we have seen in recent years. With complete disregard for Missouri's most financially vulnerable residents, legislators decided to play politics with people's health.

Since Medicaid Expansion is in Missouri's constitution, a legal battle has ensued. Three plaintiffs, who would have received Medicaid under expansion, [filed a lawsuit](#) against the Missouri Department of Social Services, the MO HealthNet Division, and the Family Support Division. Attorneys for the plaintiffs argued that the state is required to provide health coverage for those in the expansion group because it is now required by the Missouri constitution – regardless of whether funds were allocated in the budget. Those defending the state claim that the constitution cannot force budget appropriations for Expansion. On June 23rd, 2021, [Judge Beetem ruled in favor of the state](#) on the grounds that the ballot initiative, which voters approved last year to implement Medicaid Expansion, was unconstitutional. Attorneys for the plaintiff's have appealed and the case was heard before the Missouri Supreme Court on July 13th. A decision is expected in the coming weeks.

What happened with Medicaid Expansion?

- Representative Cody Smith (R- Jasper), the Budget Chairman, refuses to include Medicaid Expansion funds into budget appropriations and instead separates Medicaid Expansion funding into a separate bill, House Bill 20. In the Budget Committee, HB 20 was voted down, meanwhile the other budget bills were passed.
- The Senate Appropriations Committee received the budget bills (without funding for expansion). Senator Lincoln Hough (R- Greene) proposed an Amendment to add funding for Medicaid Expansion, but it was voted down in the committee.
- Once the budget bills made it to the Senate floor, Senate Minority Leader John Rizzo (D-Independence) added an amendment to the Department of Mental Health budget which provided funding for Medicaid Expansion, but this was also voted down by the Senate.
- With the House and the Senate refusing to expand Medicaid, all eyes looked to the Governor. In January, Governor Parson's budget recommendations included funding for Medicaid Expansion. However, Governor Parson withdrew his request to expand Medicaid from the Centers for Medicare and Medicaid Services stating that the lawmakers didn't include it in the budget.
- Post-session, a lawsuit was filed against the Department of Social Services to ensure that Medicaid services are provided to the Medicaid Expansion population. The judge ruled in favor of the state.

- The court case went to the Missouri Supreme Court which ruled in favor of the plaintiffs, stating that the state is obligated to provide Medicaid to those who can enroll under Medicaid Expansion guidelines.

Federal Reimbursement Allowance (FRA)

The Governor called an extraordinary legislative session in order to pass the FRA bill. Renewing the federal reimbursement allowance (FRA) is required to operate Missouri's Medicaid program. The FRA is also a major source of revenue for the state and triggers release of traditional general revenue to be used for other state priorities. During the regular session, the legislature failed to pass an FRA bill because Senator Paul Wieland added an amendment that included language to limit birth control. The language could've put Missouri out of compliance by violating Medicaid law, putting billions of dollars at risk.

During the extraordinary session the FRA Bill had three versions: [SB 1](#), [SB 2](#), and [SB 3](#). Senate Bill 3 was the only bill that didn't include anti-birth control language and would not put the billions of dollars in funding in jeopardy. Generate Health staff attended the Senate Appropriations Committee hearing alongside other reproductive health advocates and testified in support of SB3. The Appropriations Committee passed all three bills onto the Senate, after which, a lengthy floor debate ensued. The Senate later revised and approved a bi-partisan SB1 that reauthorizes the FRA for three years and removes the divisive provisions that would prohibit Medicaid coverage of certain forms of birth control and payments to Planned Parenthood. The bill moved to the House, where it met opposition. The House added language back in that specified family planning services could not include abortions or abortifacient drugs for the purpose of inducing an abortion unless the mother's life is in jeopardy. The House also added language that stated if the Centers for Medicare and Medicaid Services (CMS) determines that this causes Missouri to be out of compliance, the statute can be removed. This was not the exact win we were looking for. We had hoped that the abortifacient drug terminology would be omitted, but we are glad to see that if we are out of compliance with CMS there is a way to remove this statute.

2021 policy priorities and related activities

Achieving racial equity in the social determinants of health (SDOH) is crucial to improving outcomes for Black birthing people and babies. During 2021, we supported several bills related to the SDOH and we opposed several bills that would have a negative effect on the social determinants. During session there were several bills introduced to increase food security. In the final weeks of session several amendments that addressed food security were added on to [House Bill 432](#) and ultimately passed. The amendments addressed an extension for a policy that allows SNAP beneficiaries to use their benefits at farmers' markets (extended until 2027), the ability to apply for a grant that would allow WIC to be used at farmers' markets, the submission of a state plan for a "Farm to Food Bank Project," and the creation of the "Missouri Food Security Task Force."

We raised awareness of the need for a paid family leave policy in our city and state that would include ample time for maternity leave. We spoke with several state legislators about

the need for a paid family leave policy in Missouri and met with Senator Schupp & Representative McCreery about their Earned Family Leave bill ([House Bill 1372](#) & [Senate Bill 416](#)). We are also looking at how to build momentum around a paid family leave policy for City employees and have ongoing conversations with Alderwoman Ingrassia to explore the issue.

We continue to advocate for more affordable housing. We supported [Senate Bill 368](#) to increase funding for the state's Housing Trust Fund, but the bill did not make it out of committee. We testified before the City's Board of Estimate and Apportionment asking for more funding for the Affordable Housing Trust Fund. As a result, the housing trust fund's allocation was increased from \$5 million to \$6.5 million.

We supported three bills ([House Bill 627](#), [Senate Bill 28](#), and [House Bill 980](#)) to create a child development account policy in Missouri that would provide an initial \$100 deposit into an account for all babies born in Missouri to be used for post-secondary education. HB 627 was the most successful, passing through the House nearly unanimously and passing through the Senate committees. In the end it was added on to House Bill 297 during the last 2 weeks of session and then removed based on pushback from Senators Onder and Weiland. This policy looks promising for 2022 as it received such strong bi-partisan support.

We participated in a statewide coalition that advocated for a Utility Shut-off Moratorium during the covid-19 state of emergency. However, we were unsuccessful in getting a moratorium implemented. As part of the coalition, we wrote an op-ed that was published in the [St. Louis Post-Dispatch](#).

We continue to see attacks on impacted communities from state legislators. We spent time opposing several bills that would cause harm to our communities including [House Bill 726](#) which aimed to decrease the minimum wage, [House Bill 217](#) & [Senate Bill 138](#) which would create work requirements for the Supplemental Nutrition Assistance Program (SNAP), and [Senate Bill 224](#) which aimed to create work requirements for MO HealthNet. Thankfully, none of these bills passed.

Promoting racial equity in infant and maternal health and decreasing infant and maternal mortality are direct pillars of our advocacy agenda. During the 2021 legislative session we supported and advocated for [House Bill 965](#) which aimed to extend Medicaid coverage for mothers in the Show-Me Healthy Babies Program to one year postpartum. We met with bill sponsor, Representative Bosley, to discuss the best ways to support the bill. The bill was not assigned to committee. However, in the last weeks of session it was added as an amendment to SB 403. The amendment was adopted, but unfortunately SB 403 did not pass. The fact that the amendment was adopted gives us some hope that postpartum extension could receive bi-partisan support in the future.

We met with the sponsor of [House Bill 937](#), Representative Fogle, to discuss strengthening the bill which would allow for 2 hours of cultural competency training as part of the certification and recertification of health and mental health practitioners. While this is a good bill, we don't want the training to be "allowed," but instead "required." We also felt strongly that culturally competency doesn't go far enough but addressing implicit bias in the

healthcare system is a more appropriate need. Although this bill wasn't as strong as we would have preferred, we recognize that this bill was a step in the right direction to improving the patient experience for Black birthing people.

We spoke with several state legislators and Mayor Jones about the need for reimbursing doula services. Although these were just preliminary conversations, we were laying the groundwork for the future policy goals of the 360 Doulas project.

Along with the food security bills that were added on to [House Bill 432](#), an amendment was added on to require all schools to provide accommodations for lactating employees, teachers, and students to express, or breastfeed. House Bill 432 passed.

We also continued to build on Generate Health's work around safe sleep. We met with Mayor Jones to learn more about her vision for the Baby Box program and to share what we've learned from the community about their safe sleep needs.

Promoting access to expanded, prompt, equitable healthcare continued to be a huge policy priority for Generate health. We supported [House Bill 20](#) which would have funded Medicaid Expansion, but was not passed. We created action alerts, made phone calls, and submitted written testimony to advocate for funding Medicaid Expansion in the Senate and House appropriations bills. We also submitted a letter to MO HealthNet recommending additional items that should be included in the new Managed Care Organization contracts.

[Looking ahead](#)

Although we engaged in a lot of legislative defense this year, we laid some groundwork in raising awareness about the need for a 12-month post-partum extension policy for Medicaid and the need for a payment source for Doula services. We plan to build upon this work in 2022 and will continue building relationships with legislators across the state. In addition to working with state legislators, we plan to focus more efforts locally while we have a new Mayor who is committed to reducing infant and maternal mortality.

None of this work is possible without people power. Generate Health would like to thank those who answered the many calls to action over the past year to help advance our policy priorities. Please make sure you are signed up for our [Advocacy Alerts](#), follow us on [Facebook](#), and get to know your local legislators ([Senator](#), [Representative](#), [Aldersperson](#), and [County Councilmember](#))