

Mom, Baby & the Hospital Stay

The Newborns' and Mothers' Health Protection Act of 1996 (NMHPA) includes important protections for mothers and their newborn children with regard to the length of the hospital stay following childbirth.

How does the Newborns' and Mothers' Health Protection Act affect my health care benefits?

Under NMHPA, group health plans, insurance companies and health maintenance organizations (HMOs) offering health coverage for hospital stays in connection with the birth of a child must provide health coverage for a minimum period of time.

For example, NMHPA provides that coverage for a hospital stay following a normal vaginal delivery may generally not be limited to less than 48 hours for both the mother and the newborn child. Health care coverage for a hospital stay in connection with a cesarean section may generally not be limited to less than 96 hours for both mom and baby.

When does the 48-hour (or 96-hour) period start?

If you deliver in the hospital, the 48-hour period (or 96-hour period) starts at the time of delivery.

However, if you deliver outside the hospital and you are later admitted to the hospital in connection with childbirth, the period begins at the time of admission.

Do all health plans have to provide minimum hospital stays in connection with childbirth?

No. NMHPA's requirements only apply to group health plans, insurance companies and HMO's that choose to provide insurance for a hospital stay in connection with childbirth. Cover for hospital stays in connection with the birth of a child is not mandated. It is important to review your health care plan to understand if the changes in NMHPA affect you.

May group health plans, insurance companies or HMOs impose deductible or other cost-sharing provisions for hospital stays in connection with child birth.

Yes. But only if the deductible, coinsurance, or other cost-sharing for the later part of a 48-hour (or 96-hour) stay is not greater than that imposed for the earlier part of the stay.

In addition to the federal Newborns' and Mothers' Health Protection Act, many states have laws regulating coverage for newborns and mothers. It's important for you to know your rights. Contact your State Insurance Commissioner's Office for the most current information on State laws.