



# MONTANA HEALTHCARE PROGRAMS NOTICE

May 5, 2023

## CAH, Family Planning Clinic, Hospital Inpatient, Hospital Outpatient, IHS, Mid-Level, and Physician Providers

**Effective Immediately**

**Revised**

### Medicaid Coverage of Abortion Services

A lawsuit has been filed challenging the rule amendments adopted under Montana Administrative Register (MAR) Notice No. 37-1024, and seeking preliminary and permanent injunction against the rule amendments. A temporary restraining order has been entered, enjoining enforcement of the rule changes pending hearing on the request for a preliminary injunction. Accordingly, Montana Medicaid has postponed implementation of the rule amendments adopted under MAR 37-1024 until further notice.

The procedures to obtain Medicaid reimbursement for abortion services that applied prior to the adoption of the final rule in MAR 37-1024 will continue to apply until further notice.

#### Current Procedure for Reimbursement

A completed and signed [Physician Certification for Abortion Services Form \(MA-037\) Forms A-C](#) must be submitted with every abortion claim indicating one of the following conditions apply:

- The abortion is deemed medically necessary.
- The pregnancy is the result of an act of rape or incest.
- The member is in danger of death unless an abortion is performed as certified by a physician.

Providers are reminded that the Physician Related Services Manual also addresses the submission of claims for reimbursement of abortion services.

### Contact and Website Information

If you have questions regarding this provider notice, please contact:

- Physician Program Officer, (406) 444-3995
- Hospital Program Officer, (406) 444-7002

For claims questions or additional information, contact Montana Provider Relations at (800) 624-3958 or (406) 442-1837 or email [Montana Provider Relations Helpdesk](#).

Visit the [Montana Healthcare Programs Provider Information website](#) to access your provider type page. Choose Resources by Provider Type in the left-hand menu.