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**Third Party Liability State Plan Amendment  
effective April 1, 2022**

On or before June 30, 2022, the Montana Department of Public Health and Human Services (DPHHS) is submitting a Third Party Liability (TPL) State Plan Amendment (SPA), effective April 1, 2022.

The purpose of this SPA is to bring DPHHS into compliance with the Bipartisan Budget Act of 2018. This new law requires state Medicaid providers to bill medical claims for prenatal services, including labor, delivery, and postpartum care to a beneficiary's primary health insurance carrier before billing Medicaid. Medicaid may continue to make payments for pediatric preventive services prior to a primary health insurance carrier, unless the state determines that is cost-effective and access to care warrants cost avoidance for up to 90 days. Medicaid may make payments without regard to potential payment from a liable third party for up to 100 days, for claims related to child support enforcement beneficiaries.

This SPA will have no fiscal impact.

We invite your public comments and questions postmarked **through April 30, 2022**. You may direct comments to Mary Eve Kulawik, Medicaid State Plan Amendment and Waiver Coordinator, at (406) 444-2584 or [mkulawik@mt.gov](mailto:mkulawik@mt.gov); or Director's Office, PO Box 4210, Helena MT 59604-4210.