

### 3.13 STATE STERILIZATION FUND

**Policy:** In Montana, Title X funds are set aside at the state level in order to meet the federal requirement that the statewide project make available, either directly or through referral, all the DHHS approved methods of contraception. FPP will determine the maximum reimbursement, based on available state funding, for male or female sterilization authorized for a client who desires sterilization as a method of contraception. Title X clinics must comply with all applicable federal and state regulations regarding sterilization. 42 CFR part 50, subpart B (“STERILIZATION OF PERSONS IN FEDERALLY ASSISTED FAMILY PLANNING PROJECTS”)

**Procedure:**

Title X clinics must follow these procedures:

1. Counseling and consent process for sterilization is completely voluntary.
2. Counseling and consent process is with full knowledge of the permanent risks and benefits associated with female and male sterilization procedures.
3. Counseling and informed consent processes must follow federal and state sterilization regulations when the sterilization procedure is performed or arranged for by the Title X clinic.
4. Because sterilization is not 100% effective contraceptive method, clients who have received a sterilization procedure may be eligible for Title X services provided that all requirements for counseling are met. Clients who are post-menopausal cannot receive Title X services (see MT TX FP Administrative Manual Policy 2.1, *Definition of TX Family Planning Services*).
5. Clients under the age of 21 **cannot** receive a sterilization procedure with Title X funds.

**Client Eligibility**

6. A client is eligible if his/her income and family size are in the zero-pay category on the statewide schedule of discounts and there is no source of third-party reimbursement (e.g. Medicaid, Plan First, third party health insurance, etc.) for the sterilization procedure.
7. Approval for clients falling in the 25% pay category may be approved by the FPP on a case by case basis depending on available funding and the justification.
8. Clients must be at least 21 years old.

**Assurances**

1. Title X clinics must assure that the counseling and consent process assures volunteerism and full knowledge of the permanence, risks and benefits associated with female and male sterilization procedures.
2. Federal regulations governing sterilization of persons in federally assisted family planning projects must be met.

**Sterilization Packet**

A facility packet, in an electronic format, has been sent to all clinic directors. The packet includes: Instructions for Requesting Sterilization Funds for a Title X Patient, Federal Regulations Statement for the Title X Family Planning clinic director to sign, Female and/or Male Sterilization Fact Sheets, State of Montana Vendor Invoice instructions, State of Montana Sterilization Vender Invoice, Instructions for Sterilization Consent Form, Sterilization Consent Form and information regarding sterilization resources. Please contact FPP for assistance or information 406-444-3609.

**Procedure:**

Prior to the sterilization:

1. A request letter must be sent to FPP to receive prior approval. If you are submitting a request for a client that falls in the 25% pay category on the Title X sliding fee scale, the Title X clinic will need to provide details describing the unique circumstances why this person should be considered for Title X sterilization funding. Such authorization will be considered for approval on a case by case basis by the FPP Supervisor. The Title X family planning clinic must submit the following information in the request letter:
  - a. Client's name
  - b. Date of birth and age
  - c. Gross monthly income
  - d. Family size
  - e. Where he/she falls on the sliding fee scale (0%, 25%)
  - f. If applicable, Medicaid, Plan First or third-party insurance information
2. Statement of acknowledgement of the Federal Rules, **the Director of the Title X clinic must sign this statement** (an electronic signature may be used).
3. Complete the Consent to Sterilization and Statement of Person Obtaining Consent Sections, each section **must have signature and date of consent**, and if applicable, complete the Interpreter's Statement Section as well. The original consent form must be retained in the client's medical record. The procedure cannot be performed until 30 days after the consent form is signed. The consent form becomes void if the procedure is not performed within 180 days of signing the consent form.
4. A letter will be sent to the Title X clinic stating the specific client has been approved and the maximum amount allowed for the complete procedure to be done after the 30-day waiting period from the date of consent. Funding is made available on a first-come, first-serve basis. A letter will also be sent if a client has been placed on the waiting list.

#### **Following the sterilization**

Sterilization providers will have 30 days after the end of the grant period to request payment for sterilization services provided in the previous fiscal year. Once the surgery has been performed, please submit hard copies of the documents listed below via postal mail to the FPP for reimbursement:

1. CMS 1500 or UB04 form (a.k.a. CMS 1450) (Facility)
2. State of Montana Vendor Invoice - Electronic Document to be populated (Facility)
3. Complete Electronic Sterilization Consent Form (initiated by Title X clinic and completed by facility)
4. Acknowledgement of Federal Rules Statement signed by Title X Clinic Director (Title X clinic)

You must mail in the documents and bill the FPP directly. Include the following completed documents to process your request for payment.

Contact Information:

**State Family Planning Program Financial Specialist**

Phone: 406-444-3609