

NMHPA Disclosure

Group health plans and health insurance issuers generally may not, under Federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a vaginal delivery, or less than 96 hours following a cesarean section. However, Federal law generally does not prohibit the mother's or newborn's attending provider, after consulting with the mother, from discharging the mother or her newborn earlier than 48 hours (or 96 hours as applicable). In any case, plans and issuers may not, under Federal law, require that a provider obtain authorization from the plan or the insurance issuer for prescribing a length of stay not in excess of 48 hours (or 96 hours).

* **Source:** US Department of Labor, Employee Benefits Security Administration. *Compliance Assistance Guide: Health Benefits Coverage Under Federal Law*, Washington, DC: October 2010, p. 108, available at <http://www.dol.gov/ebsa/pdf/CAG.pdf>. Language used in the model appears in the final HIPAA portability regulations at 29 CFR § 2520.102-3(t)(2).