Newborns’ and Mothers’ Health Protection Act Notice

The Newborns’ and Mothers’ Health Protection Act (NMHPA) provides protections for mothers and their newborn children relating to the length of their hospital stays following childbirth. Under the NMHPA, group and health insurance issuers generally may not 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 and 96 hours following delivery by 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 of up to 48 hours (or 96 hours).