

HOUSE No. 1182

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda and Lindsay N. Sabadosa

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to Medicaid coverage for doula services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Maria Duaime Robinson</i>	<i>6th Middlesex</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>

<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>

HOUSE No. 1182

By Representatives Miranda of Boston and Sabadosa of Northampton, a petition (accompanied by bill, House, No. 1182) of Liz Miranda, Lindsay N. Sabadosa and others relative to Medicaid coverage for physical, emotional, and educational support services provided by trained professionals. Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to Medicaid coverage for doula services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 118E of the General Laws, as so appearing, is hereby amended by inserting at
2 the end of Section 10J the following new Section:-

3 SECTION 10K: Medicaid Coverage for Doula Services

4 (1) For purposes of this section, the following words shall have the following meanings:

5 “Authority”, Massachusetts Health and Human Services.

6 “A Perinatal Doula” or referred to hereafter as “doula”, a trained professional who
7 provides physical, emotional, and educational support - but not medical care - to mothers before,
8 during, and after childbirth, otherwise known as the perinatal period. Doulas also provide
9 assistance with connecting childbearing individuals to Community-Based Organization (CBOs).

“Community-Based Organization (CBO)”, a public or private nonprofit organization that is representative of a community or significant segments of a community and engaged in meeting that community’s needs in the areas of social, human, or health services.

“Contact Hour”, an hour of classroom, group, or distance learning training. Contact hour does not include homework time, preparatory reading, or practicum.

“Doula Certification Organization”, an entity nationally or internationally recognized for training and certifying birth doulas whose educational requirements includes the core curriculum topics described in these rules. Examples of a Doula Certification Organization include the International Childbirth Education Association (ICEA), the Doulas of North America (DONA), the Association of Labor Assistants and Childbirth Educators (ALACE), Birthworks, the Childbirth and Postpartum Professional Association (CAPPA), Childbirth International, the International Center for Traditional Childbearing, or Commonsense Childbirth, Inc.

"Registry", a list maintained by the Authority.

“Competencies”, key skills and applied knowledge necessary for doulas to be effective in the work field and carry out their roles.

(2) Coverage of Doula Services:

Doula services are eligible for coverage throughout the Commonwealth of Massachusetts for childbearing individuals through private insurance and MassHealth.

Doula services may be covered by MassHealth after doulas have completed the following:

(1) applying for and being given a National Provider Identification Number (NPI#); (2) Completing and receiving approval for all required MassHealth Provider Enrollment forms; (3) Providing a copy of a doula training certificate or an original signed and dated letter from the Doula Certification Organization verifying that the doula has attended and completed the training or curriculum of the Doula Certification Organization. To be considered authentic, this letter must be on the organization's letterhead and signed by the organization's authorizing representative; (4) Providing a signed and dated attestation of receiving training the following competencies through one program or a combination of programs that results in meeting all requirements:

(i) At least 24 contact hours of in-person education that includes any combination of childbirth education, birth doula training, antepartum doula trainings, and postpartum doula training;

(ii) Attendance at a minimum of one (1) breastfeeding class;

(iii) Attendance at a minimum of two (2) childbirth classes;

(iv) Attendance at a minimum of two (2) births;

(v) At least one positive reference from a birthing parent and at least one positive reference from a medical provider or midwife;

(vi) Completion of cultural competency training;

(vii) Completion of HIPAA/client confidentiality training; and

(viii) Completion of CPR certification for children and adults

A doula may also be a “Certified Community Health Worker” (as defined by MGL, Chapter 112, Section 259). A doula would need to complete additional requirements above (1-4) to be eligible to receive payment for doula services through MassHealth.

Once enrolled as a MassHealth provider, a doula will be eligible to enroll as a provider with Fee-For-Service, Managed Care, and Accountable Care payers, affiliated with MassHealth.

In order to follow federal Medicaid requirements applicable to covered services, doula services will be reimbursed on a Fee-For-Service schedule.

(3) Establishing a Statewide Registry of Perinatal Doulas:

Individuals seeking enrollment of a statewide registry of perinatal doulas shall: (a) be at least 18 years of age; (b) not be listed on the MassHealth provider exclusion list; (c) successfully complete training in all competencies as outlined in Section II; (d) successfully complete a vetting process to be listed on the registry that includes positive client references and evaluations of quality job performance by a medical provider or midwife; (e) receive and maintain certification by an approved Doula Certification Organization; (e) maintain personal liability insurance either individually or through a collaborative, association, or business of doulas that can prove liability insurance coverage for all doulas working through, with or under them.

(4) Payment for Doula Services:

The coverage available for doula services per pregnancy, regardless of the number of infants involved, which shall be billed on a fee-for-service basis, shall not exceed \$1,500.00, and shall be eligible towards the following activities: prenatal visits, physical and emotional support during a childbearing individual’s labor and birth, telephone or virtual communications between

doula and client, time spent being on call for the birth, postpartum visits, and time spent on administrative time, such as documentation or paperwork.

(5) Establishing Rules and Regulations:

The commissioner of health and the commissioner of social services shall add, amend and/or repeal any rule or regulation necessary for the implementation of this act.

(6) Seeking Amendments:

The commissioner of health is directed to apply for such state Medicaid plan amendments or waivers as may be necessary to implement the provisions of this act and include perinatal doula care as a covered service under the state Medicaid plan, and to secure federal financial participation for state Medicaid expenditures for doula care under the federal Medicaid program.