

1 S.15

2 Introduced by Senators Miller, Snelling and White

3 Referred to Committee on Health and Welfare

4 Date: January 14, 2011

5 Subject: Health; health insurance; maternity services; midwives; home birth

6 Statement of purpose: This bill proposes to require health insurers to provide
7 coverage for midwifery services and home births.

8 An act relating to insurance coverage for midwifery services and home
9 births

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 ~~Sec. 1. 8 V.S.A. § 4096 is amended to read:~~

12 ~~§ 4096. HOME HEALTH CARE; INSURANCE~~

13 ~~(a) An individual or group health insurance expense policy and an~~
14 ~~individual or group service contract issued by a nonprofit hospital corporation~~
15 ~~which provides hospital or medical coverage shall provide as an option~~
16 ~~coverage for home health care. An insurer may require evidence of~~
17 ~~insurability as a prerequisite to coverage. The coverage shall consist of at least~~
18 ~~40 visits by a home health agency in any calendar year, or in any continuous~~
19 ~~period of 12 months, for each person covered under the policy or contract~~

20 ~~Each visit by a member of a home health care agency, other than a home health~~

1 ~~aid, shall be considered one home health care visit, and four hours of home~~
2 health aide service shall be considered one home health care visit. Coverage
3 shall be provided for maternity and childbirth, but such coverage may be
4 provided subject to a waiting period of nine months.

5 (b) This subchapter does not require that home health care coverage be
6 provided to persons eligible for ~~medicare~~ Medicare, nor does it require that the
7 coverage be included in indemnity policies or contracts.

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9 Sec. 2. 8 V.S.A. § 4099d is added to read:

10 § 4099d. MIDWIFERY COVERAGE; HOME BIRTHS

11 (a) A health insurance plan or health benefit plan providing maternity
12 benefits shall also provide coverage for services rendered by a midwife
13 licensed pursuant to chapter 85 of Title 26 for services within the midwife's
14 scope of practice and provided in a hospital or other health care facility or at
15 home.

16 (b) Coverage for services provided by a licensed midwife shall not be
17 subject to any greater co-payment, deductible, or coinsurance than applicable
18 to any other similar benefits provided by the plan.

19 (c) Health insurance plans and health benefit plans shall contract with a
20 sufficient number of midwives in each service area in which the plan has

1 ~~members to ensure that the services required by this section are accessible to~~
2 ~~members on a timely basis and without unreasonable delay.~~

3 Sec. 3. EFFECTIVE DATES

4 ~~This act shall take effect on October 1, 2011, and shall apply to all health~~
5 ~~insurance plans and health benefit plans on and after October 1, 2011, on such~~
6 ~~date as a health insurer issues, offers, or renews the plan, but in no event later~~
7 ~~than October 1, 2012.~~

Sec. 1. 8 V.S.A. § 4099d is added to read:

§ 4099d. MIDWIFERY COVERAGE; HOME BIRTHS

(a) A health insurance plan or health benefit plan providing maternity benefits shall also provide coverage for services rendered by a midwife licensed pursuant to chapter 85 of Title 26 or an advanced practice registered nurse licensed pursuant to chapter 28 of Title 26 who is certified as a nurse midwife for services within the licensed midwife's or certified nurse midwife's scope of practice and provided in a hospital or other health care facility or at home.

(b) Coverage for services provided by a licensed midwife or certified nurse midwife shall not be subject to any greater co-payment, deductible, or coinsurance than is applicable to any other similar benefits provided by the plan.

(c) As used in this section, "health insurance plan" means any health insurance policy or health benefit plan offered by a health insurer, as defined in 18 V.S.A. § 9402, as well as Medicaid, the Vermont health access plan, and any other public health care assistance program offered or administered by the state or by any subdivision or instrumentality of the state. The term shall not include policies or plans providing coverage for specific disease or other limited benefit coverage.

Sec. 2. DATA SUBMISSION

Each midwife licensed pursuant to chapter 85 of Title 26 and each advanced practice registered nurse licensed pursuant to chapter 28 of Title 26 who is certified as a nurse midwife shall submit data to the database maintained by the Division of Research of the Midwives Alliance of North

America regarding each home birth in Vermont for which he or she is the attending midwife.

Sec. 3. DEPARTMENT OF HEALTH; REPORTING REQUIREMENT

(a) The department of health shall access the database maintained by the Division of Research of the Midwives Alliance of North America to obtain information relating to care provided in Vermont by midwives licensed pursuant to chapter 85 of Title 26 and by advanced practice registered nurses licensed pursuant to chapter 28 of Title 26 who are certified as nurse midwives.

(b) No later than March 15 of each year from 2012 through 2016, inclusive, the commissioner of health or designee shall provide testimony to the house committee on health care and the senate committee on health and welfare regarding the activities of licensed midwives and certified nurse midwives performing home births and providing prenatal and postnatal care in a nonmedical environment during the preceding year. The testimony shall include the number of home births in Vermont, the number of hospital transports associated with home births, the treatment of high-risk patients, and other relevant data, as well as the level of compliance of the licensed midwives and certified nurse midwives with the laws and rules governing their scope of practice.

Sec. 4. EFFECTIVE DATES

(a) Sec. 1 of this act shall take effect on October 1, 2011, and shall apply to all health insurance plans and health benefit plans on and after October 1, 2011, on such date as a health insurer issues, offers, or renews the plan, but in no event later than October 1, 2012.

(b) The remaining sections of this act shall take effect on passage.