

1 H.219

2 Introduced by Representatives Gonzalez of Winooski, Rachelson of  
3 Burlington, Brumsted of Shelburne, Cina of Burlington,  
4 Colburn of Burlington, Cordes of Lincoln, Haas of Rochester,  
5 and McCarthy of St. Albans City

6 Referred to Committee on

7 Date:

8 Subject: Health; Medicaid; pregnancy; birth; doula

9 Statement of purpose of bill as introduced: This bill proposes to require  
10 Medicaid coverage for doula services during labor and birth and for the  
11 prenatal and postpartum periods.

12 An act relating to Medicaid coverage for doula services

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

14 Sec. 1. 33 V.S.A. § 1901k is added to read:

15 § 1901k. MEDICAID COVERAGE FOR DOULA SERVICES

16 (a) The Department of Vermont Health Access shall provide  
17 reimbursement to a qualified doula for providing childbirth education and  
18 support services, including physical and emotional support, to individuals  
19 covered by Medicaid during pregnancy, labor and delivery, and postpartum.

20 The Department shall maintain a registry of qualified doulas who have met all

1 of the requirements set forth in subsection (b) of this section and are entitled to  
2 reimbursement pursuant to this section. Doulas shall not receive  
3 reimbursement for travel time or mileage expenses.

4 (b) In order to appear in the registry of qualified doulas and receive  
5 reimbursement pursuant to this section, a doula shall meet all of the following  
6 requirements:

7 (1) receive and maintain certification by an approved national  
8 certification agency identified by the Department of Vermont Health Access  
9 by rule;

10 (2) obtain additional training at the doula's own expense focused on  
11 doula care for special populations, on becoming a Medicaid participating  
12 provider, and on such additional topics as the Department may require;

13 (3) submit to a background check and fingerprinting; and

14 (4) maintain personal liability insurance.

15 Sec. 2. DEPARTMENT OF VERMONT HEALTH ACCESS;

16 RULEMAKING

17 (a) The Commissioner of Vermont Health Access shall adopt rules  
18 pursuant to 3 V.S.A. chapter 25 to implement the provisions of this act. The  
19 rules shall specify, at a minimum:

1           (1) a list of the organizations from which a doula may receive  
2           certification in order to qualify as an approved doula for purposes of 33 V.S.A.  
3           § 1901k(b)(1), including:

4                   (A) Birthworks;

5                   (B) Childbirth International;

6                   (C) Childbirth and Postpartum Professional Association (CAPPA);

7                   (D) Commonsense Childbirth Inc.;

8                   (E) Doulas of North America (DONA);

9                   (F) International Center for Traditional Childbearing (ICTC); and

10                  (G) International Childbirth Education Association; and

11           (2) the coverage available for doula services per pregnancy, regardless  
12           of the number of infants involved, which shall be billed on a fee-for-service  
13           basis, shall not exceed \$750.00, and shall be allocated as follows:

14                   (A) \$25.00 per hour for prenatal visits, not to exceed four hours;

15                   (B) a flat fee of \$550.00 for physical and emotional support for the  
16           entire course of the mother's labor and delivery, which shall include unlimited  
17           telephone and e-mail contact and the doula's commitment to be available on an  
18           on-call basis;

19                   (C) \$25.00 per hour for postpartum visits, not to exceed two  
20           hours; and

21                   (D) up to \$50.00 for administrative expenses.

1       (b) The Commissioner may propose increases to the amounts described in  
2       subdivision (a)(2) of this section over time, as appropriate.

3       Sec. 3. STATE PLAN AMENDMENT

4       The Department of Vermont Health Access shall seek a state plan  
5       amendment from the Centers for Medicare and Medicaid Services if needed to  
6       allow Vermont's Medicaid program to provide coverage for doula services in  
7       accordance with this act.

8       Sec. 4. EFFECTIVE DATE

9       This act shall take effect on July 1, 2020 or upon approval of a state plan  
10       amendment, whichever is later; provided, however, that the Commissioner of  
11       Vermont Health Access may commence the rulemaking process prior to July 1,  
12       2020 to ensure the rules will be in effect by the effective date of this act.