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H.154

Introduced by Representatives Coffey of Guilford, Rachelson of Burlington,  
Arsenault of Williston, Bartley of Fairfax, Berbeco of  
Winooski, Bluemle of Burlington, Bos-Lun of Westminster,  
Brumsted of Shelburne, Burke of Brattleboro, Buss of  
Woodstock, Chapin of East Montpelier, Dodge of Essex,  
Garofano of Essex, Goldman of Rockingham, Graning of  
Jericho, Krasnow of South Burlington, McCann of Montpelier,  
Mulvaney-Stanak of Burlington, Ode of Burlington, Pajala of  
Londonderry, Priestley of Bradford, Roberts of Halifax, and  
Stone of Burlington

Referred to Committee on

Date:

Subject: Health; Medicaid; pregnancy; birth; doulas

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

An act relating to Medicaid coverage for doula services

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

2 Sec. 1. 33 V.S.A. § 19011 is added to read:

3 § 19011. MEDICAID COVERAGE FOR DOULA SERVICES

4 (a) The Department of Vermont Health Access shall provide  
5 reimbursement to a qualified doula for providing childbirth education and  
6 support services, including physical and emotional support, to individuals  
7 covered by Medicaid during pregnancy, labor and delivery, and the postpartum  
8 period. The Department shall maintain a registry of qualified doulas who have  
9 met all of the requirements set forth in subsection (b) of this section and are  
10 entitled to reimbursement pursuant to this section. Doulas shall not receive  
11 reimbursement for travel time or mileage expenses.

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

15 (1) receive and maintain certification by an approved national  
16 certification agency identified by the Department of Vermont Health Access  
17 by rule;

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

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

1           (4) maintain personal liability insurance.

2           Sec. 2. DEPARTMENT OF VERMONT HEALTH ACCESS;

3                   RULEMAKING

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

7                   (1) a list of the organizations from which a doula may receive  
8           certification in order to qualify as an approved doula for purposes of 33 V.S.A.  
9           § 19011(b)(1), including:

10                   (A) Birth Works;

11                   (B) Childbirth International;

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

13                   (D) Commonsense Childbirth Inc.;

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

15                   (F) International Center for Traditional Childbearing (ICTC);

16                   (G) International Childbirth Education Association;

17                   (H) Stillbirthday University;

18                   (I) BEST Doula Training; and

19                   (J) ToLabor; and

1           (2) the coverage available for doula services per pregnancy, regardless  
2           of the number of infants involved, which shall be billed on a fee-for-service  
3           basis, shall not exceed \$850.00, and shall be allocated as follows:

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

5                   (B) a flat fee of \$650.00 for physical and emotional support for the  
6           entire course of the mother's labor and delivery, which shall include unlimited  
7           telephone and e-mail contact and the doula's commitment to be available on an  
8           on-call basis;

9                   (C) \$25.00 per hour for postpartum visits, which may include  
10           postpartum hospital visits, not to exceed two hours; and

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

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

14           Sec. 3. STATE PLAN AMENDMENT

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

19           Sec. 4. EFFECTIVE DATE

20           This act shall take effect on July 1, 2023 or upon approval of a state plan  
21           amendment, whichever is later; provided, however, that the Commissioner of

- 1 Vermont Health Access may commence the rulemaking process prior to July 1,
- 2 2023 to ensure the rules will be in effect by the effective date of this act.