

1 S.53

2 An act relating to certification of community-based perinatal doulas and
3 Medicaid coverage for doula services

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

5 Sec. 1. 26 V.S.A. chapter 84 is added to read:

6 CHAPTER 84. COMMUNITY-BASED PERINATAL DOULAS

7 § 4171. DEFINITIONS

8 As used in this chapter:

9 (1) “Certified community-based perinatal doula” means a community-
10 based perinatal doula who holds a certificate issued pursuant to this chapter.

11 (2) “Community-based doula” means an individual who provides doula
12 services to under-resourced and marginalized populations at low or no cost,
13 often through a community-based agency.

14 (3) “Community-based perinatal doula” means a community-based
15 doula who provides doula services to individuals during the perinatal period.

16 (4) “Director” means the Director of the Office of Professional
17 Regulation.

18 (5) “Doula” means a nonclinical, nonmedical individual who provides
19 direct emotional and physical support and educational and informational
20 services to birthing individuals before, during, and after labor and childbirth.

1 (6) “Perinatal” means the period of time encompassing pregnancy,
2 childbirth, and up to one year postpartum.

3 § 4172. PROHIBITIONS; PENALTIES

4 (a) Nothing in this chapter shall be construed to prohibit the provision of
5 doula services by a noncertified individual, provided that no person shall use in
6 connection with the person’s name any letters, words, or insignia indicating or
7 implying that the person is a State certified community-based perinatal doula
8 unless the person is certified in accordance with this chapter.

9 (b) A person who violates this section shall be subject to the penalties set
10 forth in 3 V.S.A. § 127(c).

11 § 4173. DUTIES OF THE DIRECTOR

12 (a) The Director shall:

13 (1) provide general information to applicants for certification as certified
14 community-based perinatal doulas;

15 (2) receive applicants for certification; grant and renew certifications in
16 accordance with this chapter; and deny, revoke, suspend, reinstate, or condition
17 certifications as directed by an administrative law officer;

18 (3) explain appeal procedures to certified community-based perinatal
19 doulas and applicants;

1 (4) explain complaint procedures to the public;

2 (5) prepare and maintain a registry of certified community-based
3 perinatal doulas;

4 (6) administer fees collected in accordance with this chapter and
5 3 V.S.A. § 125; and

6 (7) refer all disciplinary matters to an administrative law officer
7 established under 3 V.S.A. § 129(j).

8 (b) The Director, after consultation with the advisor appointees, may adopt
9 rules in accordance with 3 V.S.A. chapter 25 as needed to perform the
10 Director's duties under this chapter.

11 § 4174. ADVISOR APPOINTEES

12 (a) The Secretary of State shall appoint two certified community-based
13 perinatal doulas to serve as advisors in matters relating to community-based
14 perinatal doulas. The advisors shall be appointed as set forth in 3 V.S.A.
15 § 129b and serve at the pleasure of the Secretary. One of the initial
16 appointments may be for less than a full term. Appointees shall not have less
17 than three years' experience providing community-based perinatal doula
18 services immediately preceding appointment and shall be actively engaged in

1 delivering community-based perinatal doula services in Vermont during
2 incumbency.

3 (b) The Director shall seek the advice of the community-based perinatal
4 doula advisors in carrying out the provisions of this chapter. The advisor
5 appointees shall be entitled to per diem compensation and reimbursement of
6 expenses as permitted under 32 V.S.A. § 1010 for attendance at any meeting
7 called by the Director for this purpose.

8 § 4175. ELIGIBILITY

9 To be eligible for certification as a certified community-based perinatal
10 doula, an applicant shall complete and submit an application in the manner
11 prescribed by the Director by rule, accompanied by the applicable fees, and
12 evidence satisfactory to the Director that the applicant:

13 (1) is at least 18 years of age;

14 (2) has sufficient and appropriate competencies in community-based
15 perinatal doula services, whether acquired through experience, mentorship,
16 training, formal education, or a combination of these, as determined by the
17 Director by rule; and

18 (3) has passed any criminal history background or registry checks
19 required by the Director by rule.

1 § 4176. CERTIFICATE RENEWAL

2 A community-based perinatal doula certification shall be renewed every
3 two years upon application, payment of the required fee in accordance with
4 3 V.S.A. § 125, and proof of compliance with any continuing education or
5 demonstrated competency requirements established by rule.

6 § 4177. UNPROFESSIONAL CONDUCT

7 (a) Unprofessional conduct means misusing a title in professional activity
8 and any of the conduct listed in 3 V.S.A. § 129a, whether committed by a
9 certified community-based perinatal doula or an applicant.

10 (b) The Office of Professional Regulation may discipline a certified
11 community-based perinatal doula for unprofessional conduct as provided in
12 3 V.S.A. § 129a.

13 Sec. 2. 3 V.S.A. § 122 is amended to read:

14 § 122. OFFICE OF PROFESSIONAL REGULATION

15 The Office of Professional Regulation is created within the Office of the
16 Secretary of State. The Office shall have a director who shall be qualified by
17 education and professional experience to perform the duties of the position.
18 The Director of the Office of Professional Regulation shall be a classified
19 position with the Office of the Secretary of State. The following boards or
20 professions are attached to the Office of Professional Regulation:

21 * * *

1 (54) Community-Based Perinatal Doulas

2 Sec. 3. 3 V.S.A. § 123(j) is amended to read:

3 (j)(1) The Office may inquire into the criminal background histories of
4 applicants for initial licensure and for license renewal of any Office-issued
5 credential, including a license, certification, registration, or specialty
6 designation for the following professions:

7 * * *

8 (M) occupational therapists licensed under 26 V.S.A. chapter 71; ~~and~~

9 (N) peer providers and peer recovery support specialists certified
10 under 26 V.S.A. chapter 60; and

11 (O) community-based perinatal doulas certified under 26 V.S.A.
12 chapter 84.

13 * * *

14 Sec. 4. 3 V.S.A. § 125 is amended to read:

15 § 125. FEES

16 * * *

17 (b) Unless otherwise provided by law, the following fees shall apply to all
18 professions regulated by the Director in consultation with advisor appointees
19 under Title 26:

20 * * *

1 (2) Application for licensure or certification, \$115.00, except application
2 for:

3 * * *

4 (R) Community-based perinatal doula, \$75.00.

5 * * *

6 (4) Biennial renewal, \$275.00, except biennial renewal for:

7 * * *

8 (W) Community-based perinatal doula, \$120.00.

9 * * *

10 Sec. 5. 33 V.S.A. § 1901n is added to read:

11 § 1901n. MEDICAID COVERAGE FOR DOULA SERVICES

12 (a) As used in this section, “certified community-based perinatal doula”
13 means a community-based perinatal doula who holds a certificate issued
14 pursuant to 26 V.S.A. chapter 84.

15 (b)(1) The Department of Vermont Health Access shall provide
16 reimbursement to a certified community-based perinatal doula for providing
17 direct emotional and physical support and educational and informational
18 services to birthing individuals covered by Medicaid during pregnancy, labor
19 and delivery, and the postpartum period, regardless of the outcome of the
20 pregnancy.

1 (2) A certified community-based perinatal doula shall not receive
2 reimbursement for travel time or mileage expenses.

3 Sec. 6. MEDICAID REIMBURSEMENT FOR DOULA SERVICES;

4 LEGISLATIVE INTENT

5 It is the intent of the General Assembly that the Department of Vermont
6 Health Access reimburse qualified doulas in amounts that are reasonable and
7 adequate for the services provided and that are consistent with the
8 reimbursement rates set by other states' Medicaid programs.

9 Sec. 7. STATE PLAN AMENDMENT

10 The Department of Vermont Health Access shall seek a state plan
11 amendment from the Centers for Medicare and Medicaid Services if needed to
12 allow Vermont's Medicaid program to provide coverage for doula services in
13 accordance with 33 V.S.A. § 1901n, as added by this act.

14 Sec. 8. EFFECTIVE DATES

15 (a) Secs. 1–4 (establishing certification program for community-based
16 perinatal doulas) shall take effect on July 1, 2026, provided that the Director of
17 the Office of Professional Regulation shall commence the rulemaking process

1 prior to that date in order to ensure that the rules will be in effect on July 1,
2 2026.

3 (b) Sec. 5 (33 V.S.A. § 1901n; Medicaid coverage for doula services) shall
4 take effect on July 1, 2026 or, if a state plan amendment is necessary, upon
5 approval of the state plan amendment, whichever is later.

6 (c) The remaining sections shall take effect on passage.