

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1608 Session of 2023

INTRODUCED BY CEPHAS, MADDEN, SANCHEZ, HANBIDGE, KRAJEWSKI, ISAACSON, HILL-EVANS, SCHLOSSBERG, RABB, MAYES, KHAN, GUENST, PARKER, FIEDLER, HOHENSTEIN, O'MARA, OTTEN, BULLOCK, KIM, KINKEAD, CURRY, FLEMING AND GREEN, AUGUST 7, 2023

REFERRED TO COMMITTEE ON HEALTH, AUGUST 7, 2023

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in public assistance,
4 providing for medical assistance reimbursement for doula
5 services.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Human Services Code, is amended by adding a section to
10 read:

11 Section 449.3. Medical Assistance Reimbursement for Doula
12 Services.--(a) The department shall provide reimbursement to a
13 certified doula for providing childbirth education and support
14 services, including physical and emotional support, to an
15 individual covered under the medical assistance program during
16 pregnancy, labor and delivery and up to one year postpartum.

17 (b) The department shall maintain a registry of certified
18 doulas who have met the requirements provided under subsection

1 (d) and are entitled to reimbursement under this section.

2 (c) Reimbursement under subsection (a) shall include
3 reimbursement for travel time or mileage expenses in accordance
4 with the annually scheduled rates determined by the Internal
5 Revenue Service.

6 (d) To be listed on the registry of certified doulas and
7 receive reimbursement under subsection (a), a doula shall:

8 (1) Receive and maintain certification by an approved
9 national certification agency identified by the department.

10 (2) Obtain additional training to be reimbursed by an
11 employer at a rate determined by the employer, focused on:

12 (i) Doula care for special populations.

13 (ii) Becoming a Medicaid participating provider.

14 (iii) Any additional topics as the department may require.

15 (3) Submit the following information to the department for
16 the purpose of performing a background check:

17 (i) A report of Federal criminal history record information.

18 (ii) A report of criminal history record information from
19 the Pennsylvania State Police as provided under 18 Pa.C.S. Ch.
20 91 (relating to criminal history record information) or a
21 statement from the Pennsylvania State Police that the
22 Pennsylvania State Police central repository contains no
23 information relating to the individual. The criminal history
24 record information shall be limited to the information which is
25 disseminated under 18 Pa.C.S. § 9121(b)(2) (relating to general
26 regulations).

27 (iii) Fingerprints to the Pennsylvania State Police, its
28 agent or an agent approved for fingerprinting by the Federal
29 Government. The fingerprints may be used by the Pennsylvania
30 State Police to conduct a criminal background check and shall be

1 forwarded to the Federal Bureau of Investigation for a national
2 criminal background check.

3 (4) Maintain personal liability insurance.

4 (e) The department shall:

5 (1) Develop a Doula Advisory Board to act as a workgroup to
6 determine the education requirements and approved accreditation
7 entities from which a doula may receive certification. The
8 following shall apply:

9 (i) The Doula Advisory Board shall include a diverse
10 membership, including providers, administrators and community
11 members, including the following:

12 (A) The secretary.

13 (B) A representative from the Department of State.

14 (C) A representative from the Office of Medical Assistance
15 Programs within the department.

16 (D) A representative from the Bureau of Family Health within
17 the Department of Health.

18 (E) A representative from the Office of Health Equity within
19 the Department of Health.

20 (F) A representative from a nationally recognized doula
21 organization.

22 (G) Practicing doulas in this Commonwealth.

23 (H) A member of the Maternal Mortality Review Committee
24 established under the act of May 9, 2018 (P.L.118, No.24), known
25 as the Maternal Mortality Review Act.

26 (ii) The Doula Advisory Board shall be responsible for
27 developing and updating a list that includes the approved
28 entities from which individuals seeking doula certification may
29 gain the necessary education requirements under subsection (d)
30 and a list of core competencies necessary to be met through the

1 training curriculum. The list shall be updated on a quarterly
2 basis and shall be published on the department's publicly
3 accessible Internet website.

4 (iii) All departments, commissions, agencies and public
5 authorities of the Commonwealth shall provide the Doula Advisory
6 Board with any reasonably requested assistance or information in
7 a timely manner in order for the Doula Advisory Board to fulfill
8 its duties.

9 (iv) The Doula Advisory Board shall report the information
10 required under this paragraph to the department on a regular
11 basis.

12 (2) Set the rates of reimbursement for doula services
13 rendered to a medical assistance enrollee.

14 (f) The department shall seek a State plan amendment or
15 Federal waiver from the Centers for Medicare and Medicaid
16 Services, if needed, to allow the medical assistance program to
17 provide coverage for doula services in accordance with this
18 section.

19 (g) As used in this section, the term "doula" shall mean a
20 professional trained to provide physical, emotional and
21 informational support to a mother before, during and after
22 childbirth.

23 Section 2. If a necessary State plan amendment or Federal
24 waiver under section 449.3(f) of the act is approved by the
25 Centers for Medicare and Medicaid Services, the Secretary of
26 Human Services shall transmit notice of the approval to the
27 Legislative Reference Bureau for publication in the next
28 available issue of the Pennsylvania Bulletin.

29 Section 3. This act shall take effect as follows:

30 (1) Except as provided under paragraph (2), the addition

1 of section 449.3 of the act shall take effect 30 days
2 following publication of the notice under section 2 of this
3 act.

4 (2) The addition of section 449.3(e) and (f) of the act
5 shall take effect immediately.

6 (3) The remainder of this act shall take effect
7 immediately.