AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for COVID-19 temporary licensure for certified professional midwives.

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

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 59

COVID-19 TEMPORARY LICENSURE FOR
CERTIFIED PROFESSIONAL MIDWIVES

Sec.

5901. Scope of chapter.

5902. Definitions.

5903. Temporary licensure.

5904. Medical assistance reimbursement.

5905. Health insurance reimbursement.

§ 5901. Scope of chapter.
This chapter relates to temporary licensure for certified professional midwives during the COVID-19 disaster emergency.

§ 5902. Definitions.
The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Certified professional midwife." An individual certified to provide maternity care during the antepartum, intrapartum and postpartum periods.

"COVID-19 disaster emergency." The proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

"Department." The Department of State of the Commonwealth.

§ 5903. Temporary licensure.
The department shall issue a temporary license to a certified professional midwife who has received and maintained certification by the North American Registry of Midwives or a certified professional midwife who is licensed in another state. The temporary license shall only be valid for the duration of the COVID-19 disaster emergency and for six months after the expiration or termination of the COVID-19 disaster emergency.

§ 5904. Medical assistance reimbursement.
(a) General rule.--Subject to subsection (b), services provided by a certified professional midwife who holds a temporary license under section 5903 (relating to temporary licensure) shall be eligible for medical assistance reimbursement.

(b) State plan amendment or waiver.--The Department of Human Services shall seek a State plan amendment or Federal waiver...
from the Centers for Medicare and Medicaid Services, if needed, to allow the medical assistance program to provide coverage for certified professional midwife services under section 5903.

§ 5905. Health insurance reimbursement.

If an individual or group health insurance policy, contract or plan provides for reimbursement for any health care service which is within the areas of practice for which a midwife may be licensed under the act of April 4, 1929 (P.L.160, No.155), referred to as the Midwife Regulation Law, or for the cost of birthing facilities, the insured or any other individual covered by the individual or group health insurance policy, contract or plan shall be entitled to benefits for services provided by or use of the birthing facilities by a certified professional midwife who holds a temporary license under section 5903 (relating to temporary licensure).

Section 2. If a necessary State plan amendment or Federal waiver under 35 Pa.C.S. § 5904(b) is approved by the Centers for Medicare and Medicaid Services, the Secretary of Human Services shall transmit notice of the approval to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 3. The addition of 35 Pa.C.S. § 5905 shall apply to health insurance policies, contracts and plans offered, issued or renewed on or after the effective date of this section.

Section 4. This act shall take effect as follows:

(1) The addition of 35 Pa.C.S. § 5904 of the act shall take effect 30 days following publication of the notice under section 2 of this act.

(2) The remainder of this act shall take effect immediately.