
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2747 Session of
2020

INTRODUCED BY CEPHAS, MURT, HILL-EVANS, KENYATTA, DALEY, KINSEY,
HOHENSTEIN, GALLOWAY, ROZZI, OTTEN, HOWARD, FIEDLER,
McCLINTON, MADDEN, BULLOCK, ISAACSON, MALAGARI, FRANKEL,
RABB, KOSIEROWSKI AND GREEN, AUGUST 6, 2020

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, AUGUST 6, 2020

AN ACT

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

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

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

8 CHAPTER 59

9 COVID-19 TEMPORARY LICENSURE FOR

10 CERTIFIED PROFESSIONAL MIDWIVES

11 Sec.

12 5901. Scope of chapter.

13 5902. Definitions.

14 5903. Temporary licensure.

15 5904. Medical assistance reimbursement.

16 5905. Health insurance reimbursement.

17 § 5901. Scope of chapter.

1 This chapter relates to temporary licensure for certified
2 professional midwives during the COVID-19 disaster emergency.
3 § 5902. Definitions.

4 The following words and phrases when used in this chapter
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

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

10 "COVID-19 disaster emergency." The proclamation of disaster
11 emergency issued by the Governor on March 6, 2020, published at
12 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
13 disaster emergency.

14 "Department." The Department of State of the Commonwealth.
15 § 5903. Temporary licensure.

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

23 § 5904. Medical assistance reimbursement.

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

29 (b) State plan amendment or waiver.--The Department of Human
30 Services shall seek a State plan amendment or Federal waiver

1 from the Centers for Medicare and Medicaid Services, if needed,
2 to allow the medical assistance program to provide coverage for
3 certified professional midwife services under section 5903.
4 § 5905. Health insurance reimbursement.

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

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

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

24 Section 4. This act shall take effect as follows:

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

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