

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1175 Session of
2021

INTRODUCED BY CEPHAS, DALEY, SANCHEZ, HANBIDGE, FIEDLER, PARKER,
HILL-EVANS, KRAJEWSKI, HOHENSTEIN, GUENST, ISAACSON,
A. DAVIS, SCHLOSSBERG, HOWARD, O'MARA, BRADFORD, LEE, KINSEY,
McCLINTON, SCHWEYER, WHEATLEY, BENHAM, MADDEN, FITZGERALD,
MERSKI, SHUSTERMAN, KIM, D. WILLIAMS AND KENYATTA,
APRIL 14, 2021

REFERRED TO COMMITTEE ON HEALTH, APRIL 14, 2021

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 449.2. 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

1 doulas who have met the requirements provided under subsection
2 (d) and are entitled to reimbursement under this section.

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

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

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

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

13 (i) Doula care for special populations.

14 (ii) Becoming a Medicaid participating provider.

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

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

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

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

29 (iii) Fingerprints to the Pennsylvania State Police, its
30 agent or an agent approved for fingerprinting by the Federal

1 Government. The fingerprints may be used by the Pennsylvania
2 State Police to conduct a criminal background check and shall be
3 forwarded to the Federal Bureau of Investigation for a national
4 criminal background check.

5 (4) Maintain personal liability insurance.

6 (e) The department shall:

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

11 (i) The Doula Advisory Board shall include a diverse
12 membership, including providers, administrators and community
13 members, including, but not limited to, the following:

14 (A) The secretary.

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

16 (C) A representative from the Office of Medical Assistance
17 Programs within the department.

18 (D) A representative from the Bureau of Family Health within
19 the Department of Health.

20 (E) A representative from the Office of Health Equity within
21 the Department of Health.

22 (F) A representative from a nationally recognized doula
23 organization.

24 (G) Practicing doulas in this Commonwealth.

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

28 (ii) The Doula Advisory Board shall be responsible for
29 developing and updating a list including the approved entities
30 from which individuals seeking doula certification may gain the

1 necessary education requirements under subsection (d) and a list
2 of core competencies necessary to be met through the training
3 curriculum. The list shall be updated on a quarterly basis and
4 shall be published on the department's publicly accessible
5 Internet website.

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

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

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

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

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

25 Section 2. If a necessary State plan amendment or Federal
26 waiver under section 449.2(f) of the act is approved by the
27 Centers for Medicare and Medicaid Services, the Secretary of
28 Human Services shall transmit notice of the approval to the
29 Legislative Reference Bureau for publication in the Pennsylvania
30 Bulletin.

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

2 (1) Except as provided under paragraph (2), the addition
3 of section 449.2 of the act shall take effect 30 days
4 following publication of the notice under section 2 of this
5 act.

6 (2) The addition of section 449.2(e) and (f) of the act
7 shall take effect immediately.

8 (3) The remainder of this act shall take effect
9 immediately.