

1 AN ACT relating to Medicaid coverage for doula services.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "doula" means a trained professional who provides
6 physical, emotional, and educational support, but not medical care, to women
7 before, during, and after childbirth.

8 (2) The Department for Medicaid Services and any managed care organization with
9 whom the department contracts for the delivery of Medicaid services shall provide
10 coverage for doula services if the doula has:

11 (a) Applied for and received a National Provider Identification Number from
12 the federal Centers for Medicare and Medicaid Services; and

13 (b) Completed enrollment as a Medicaid provider, as may be required by the
14 Department for Medicaid Services.

15 (3) The Department for Medicaid Services shall:

16 (a) Prior to enrolling doulas as Medicaid providers and in collaboration with
17 the Doula Advisory Council established in Section 2 of this Act, establish
18 training and credentialing requirements for doulas; and

19 (b) Promulgate administrative regulations in accordance with KRS Chapter
20 13A necessary to carry out this section.

21 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 194A IS CREATED TO
22 READ AS FOLLOWS:

23 (1) The Doula Advisory Council is hereby established within the Department for
24 Public Health.

25 (2) The council shall consist of the following nineteen (19) members:

26 (a) The commissioner of the Department for Public Health or his or her
27 designee who shall serve as chair of the council;

- 1 (b) The commissioner of the Department for Behavioral Health, Developmental
2 and Intellectual Disabilities or his or her designee;
- 3 (c) The director of the Division of Maternal and Child Health or his or her
4 designee;
- 5 (d) The executive director of the Kentucky Association of Health Plans or his
6 or her designee;
- 7 (e) Seven (7) individuals appointed by the commissioner of the Department for
8 Public Health of which one (1) shall be:
- 9 1. A mother who has used doula services for at least two (2) child
10 birthday;
- 11 2. A certified nurse midwife;
- 12 3. A certified professional midwife;
- 13 4. A representative of the Kentucky Hospital Association selected from a
14 list of three names provided by the Kentucky Hospital Association;
- 15 5. An obstetrician with demonstrated work-related experience in
16 community, health equity and training in equitable healthcare
17 practices; and
- 18 6. A representative of a community-based maternal and child health
19 organization; and
- 20 (f) Eight (8) individuals who are actively practicing as doulas in the
21 Commonwealth appoint by the commissioner of the Department for Public
22 Health of which:
- 23 1. One (1) shall reside in and represent each of the eight (8) federal
24 Centers for Medicare and Medicaid Services regions in Kentucky; and
- 25 2. At least one (1) shall be a doula with lactation training.
- 26 (3) Members of the council who are not state employees shall be reimbursed for
27 necessary and actual expenses.

1 (4) The council shall meet at least quarterly and at other times as it determines may
2 be necessary to perform its duties. A majority of the members shall constitute a
3 quorum for the transaction of the council's business.

4 (5) The duties of the council shall include:

5 (a) Making recommendations to the Department for Medicaid Services for:

6 1. Training, credentialing, and continuing education standards to be
7 required for a doula to be eligible for Medicaid enrollment;

8 2. Standards for recognizing doula training curricula that may be
9 sufficient to satisfy training, credentialing, and continuing education
10 requirements; and

11 3. Establishing scope of practice for doulas including prenatal and
12 postnatal services and labor and delivery support;

13 (b) Conducting a continuous review of doula training programs; and

14 (c) Advising the Department for Public Health on:

15 1. Increasing access to education and resources for pregnant women and
16 their families;

17 2. Improving access to doula services; and

18 3. Furthering interagency efforts to address maternal health disparities.

19 (6) In make recommendations to the Department for Medicaid Services for training
20 and credentialing requirements as required under subsection (5)(a) of this
21 section, the council shall consider both formal training programs and previous
22 experience an individual may have as a doula or in providing doula services.

23 ➔Section 3. If the Department for Medicaid Services or the Cabinet for Health
24 and Family Services determines that a state plan amendment, waiver, or any other form
25 of authorization or approval from any federal agency is necessary prior to implementation
26 of Section 1 of this Act for any reason, including the loss of federal funds, the department
27 or cabinet shall, within 90 days after the effective date of this Act, request any necessary

1 state plan amendment, waiver, authorization, or approval, and may only delay full
2 implementation of those provisions for which a state plan amendment, waiver,
3 authorization, or approval was deemed necessary until the state plan amendment, waiver,
4 authorization, or approval is granted or approved.

5 ➔Section 4. The Department for Medicaid Services or the Cabinet for Health and
6 Family Services shall, in accordance with KRS 205.525, provide a copy of any state plan
7 amendment, waiver application, or other request for authorization or approval submitted
8 pursuant to Section 3 of this Act to the Legislative Research Commission for referral to
9 the Interim Joint Committee on Health Services and the Interim Joint Committee on
10 Appropriations and Revenue and shall provide an update on the status of any application
11 or request submitted pursuant to Section 3 of this Act at the request of the Legislative
12 Research Commission or any committee thereof.