

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 twenty (20) 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) Eight (8) individuals appointed by the commissioner of the Department for**

8                   **Public Health of which at least one (1) shall be:**

9                   **1. A mother who has used doula services for at least two (2) child births;**

10                   **2. A certified nurse midwife;**

11                   **3. A certified professional midwife;**

12                   **4. A representative of the Kentucky Hospital Association selected from a**

13                   **list of three (3) names provided by the Kentucky Hospital Association;**

14                   **5. An obstetrician with demonstrated work-related experience in**

15                   **community, health equity, and training in equitable healthcare**

16                   **practices;**

17                   **6. A representative of a community-based maternal and child health**

18                   **organization; and**

19                   **7. A representative of a local health department working in maternal and**

20                   **child health; and**

21                   **(f) Eight (8) individuals who are actively practicing as doulas in the**

22                   **Commonwealth appointed by the commissioner of the Department for**

23                   **Public Health of which:**

24                   **1. One (1) shall reside in and represent each of the eight (8) federal**

25                   **Centers for Medicare and Medicaid Services regions in Kentucky; and**

26                   **2. At least one (1) shall be a doula with lactation training.**

27                   **(3) Members of the council who are not state employees shall be reimbursed for**

1        necessary and actual expenses, including child care.

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

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

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

- 7        1. Training, credentialing, and continuing education standards to be  
8        required for a doula to be eligible for Medicaid enrollment;
- 9        2. Standards for recognizing doula training curricula and practical  
10        experience that may be sufficient to satisfy training, credentialing, and  
11        continuing education requirements; and
- 12        3. Establishing scope of practice for doulas, including prenatal and  
13        postnatal services and labor and delivery support;

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

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

- 16        1. Increasing access to education and resources for pregnant women and  
17        their families;
- 18        2. Improving access to doula services; and
- 19        3. Furthering interagency efforts to address maternal health disparities.

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

25        ➔Section 3. If the Cabinet for Health and Family Services or the Department for  
26        Medicaid Services determines that a state plan amendment, waiver, or any other form of  
27        authorization or approval from any federal agency to implement Section 1 or 2 of this Act

1 is necessary to prevent the loss of federal funds or to comply with federal law, the cabinet  
2 or department:

3 (1) Shall, within 90 days after the effective date of this section, request the  
4 necessary federal authorization or approval to implement Sections 1 and 2 of this Act;  
5 and

6 (2) May only delay implementation of the provisions of Sections 1 and 2 of this  
7 Act for which federal authorization or approval was deemed necessary until the federal  
8 authorization or approval is granted.

9 ➔Section 4. Sections 1, 2, and 3 of this Act shall constitute the specific  
10 authorization required under KRS 205.5372(1).