

SENATE BILL 110

J1, J2

0lr1131

(PRE-FILED)

By: **Senator Ellis**

Requested: October 30, 2019

Introduced and read first time: January 8, 2020

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Doulas**

3 FOR the purpose of requiring the Maryland Medical Assistance Program, subject to certain
4 limitations, to provide certified doula services; authorizing the Secretary of Health
5 to contract with certified doulas for the provision of care under the Maryland Medical
6 Assistance Program; providing that certified doulas need not be under the
7 supervision of a physician for purposes of certain provisions of this Act; defining a
8 certain term; and generally relating to the Maryland Medical Assistance Program
9 and doulas.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 15–103(a)(1)
13 Annotated Code of Maryland
14 (2019 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 15–103(a)(2)(xiii) and (xiv) and (c)
18 Annotated Code of Maryland
19 (2019 Replacement Volume)

20 BY adding to
21 Article – Health – General
22 Section 15–103(a)(2)(xv)
23 Annotated Code of Maryland
24 (2019 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Health – General**

2 15–103.

3 (a) (1) The Secretary shall administer the Maryland Medical Assistance
4 Program.

5 (2) The Program:

6 (xiii) Beginning on January 1, 2019, may provide, subject to the
7 limitations of the State budget, and as permitted by federal law, dental services for adults
8 whose annual household income is at or below 133 percent of the poverty level; [and]

9 (xiv) Shall provide, subject to the limitations of the State budget,
10 medically appropriate drugs that are approved by the United States Food and Drug
11 Administration for the treatment of hepatitis C, regardless of the fibrosis score, and that
12 are determined to be medically necessary; AND

13 **(XV) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE**
14 **STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, CERTIFIED DOULA SERVICES**
15 **INCLUDING CHILDBIRTH EDUCATION AND SUPPORT SERVICES AND EMOTIONAL AND**
16 **PHYSICAL SUPPORT PROVIDED DURING PREGNANCY, LABOR, BIRTH, AND**
17 **POSTPARTUM.**

18 (c) (1) (i) In this subsection the following words have the meanings
19 indicated.

20 **(II) “CERTIFIED DOULA” MEANS AN INDIVIDUAL WHO HAS**
21 **RECEIVED A CERTIFICATION TO PERFORM DOULA SERVICES FROM THE**
22 **INTERNATIONAL CHILDBIRTH EDUCATION ASSOCIATION, THE DOULAS OF NORTH**
23 **AMERICA, THE ASSOCIATION OF LABOR ASSISTANTS AND CHILDBIRTH**
24 **EDUCATORS, OR THE CHILDBIRTH AND POSTPARTUM PROFESSIONAL**
25 **ASSOCIATION.**

26 **[(ii)] (III) “Certified nurse practitioner” means a registered nurse**
27 **who is licensed in this State, has completed a nurse practitioner program approved by the**
28 **State Board of Nursing, and has passed an examination approved by that Board.**

29 **[(iii)] (IV) “Nurse anesthetist” means a registered nurse who is:**

30 1. Certified under the Health Occupations Article to practice
31 nurse anesthesia; and

32 2. Certified by the Council on Certification or the Council on
33 Recertification of Nurse Anesthetists.

1 [(iv)] (v) “Nurse midwife” means a registered nurse who is licensed
2 in this State and has been certified by the American College of Nurse–Midwives as a nurse
3 midwife.

4 [(v)] (vi) “Optometrist” has the meaning stated in § 11–101 of the
5 Health Occupations Article.

6 (2) The Secretary may contract for the provision of care under the Program
7 to eligible Program recipients.

8 (3) The Secretary may contract with insurance companies or nonprofit
9 health service plans or with individuals, associations, partnerships, incorporated or
10 unincorporated groups of physicians, chiropractors, dentists, podiatrists, optometrists,
11 pharmacists, hospitals, nursing homes, nurses, including nurse anesthetists, nurse
12 midwives and certified nurse practitioners, opticians, **CERTIFIED DOULAS**, and other
13 health practitioners who are licensed or certified in this State and perform services on the
14 prescription or referral of a physician.

15 (4) For the purposes of this section, the nurse midwife **OR CERTIFIED**
16 **DOULA** need not be under the supervision of a physician.

17 (5) Except as otherwise provided by law, a contract that the Secretary
18 makes under this subsection shall continue unless terminated under the terms of the
19 contract by the Program or by the provider.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2020.