

# SENATE BILL 163

J1, J2  
SB 110/20 – FIN

(PRE-FILED)

1lr1488

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By: **Senator Ellis**

Requested: November 1, 2020

Introduced and read first time: January 13, 2021

Assigned to: Finance

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## 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 and 2020 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Health – General  
17 Section 15–103(a)(2)(xv) and (xvi) and (c)  
18 Annotated Code of Maryland  
19 (2019 Replacement Volume and 2020 Supplement)

20 BY adding to  
21 Article – Health – General  
22 Section 15–103(a)(2)(xvii)  
23 Annotated Code of Maryland  
24 (2019 Replacement Volume and 2020 Supplement)

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

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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 (xv) Shall provide, subject to the limitations of the State budget,  
7 mental health services appropriately delivered through telehealth to a patient in the  
8 patient's home setting; [and]

9 (xvi) Beginning on January 1, 2021, shall provide, subject to the  
10 limitations of the State budget and § 15–855(b)(2) of the Insurance Article, and as permitted  
11 by federal law, services for pediatric autoimmune neuropsychiatric disorders associated  
12 with streptococcal infections and pediatric acute onset neuropsychiatric syndrome,  
13 including the use of intravenous immunoglobulin therapy, for eligible Program recipients,  
14 if pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections  
15 and pediatric acute onset neuropsychiatric syndrome are coded for billing and diagnosis  
16 purposes in accordance with § 15–855(d) of the Insurance Article; AND

17 **(XVII) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE**  
18 **STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, CERTIFIED DOULA SERVICES**  
19 **INCLUDING CHILDBIRTH EDUCATION AND SUPPORT SERVICES AND EMOTIONAL AND**  
20 **PHYSICAL SUPPORT PROVIDED DURING PREGNANCY, LABOR, BIRTH, AND**  
21 **POSTPARTUM.**

22 (c) (1) (i) In this subsection the following words have the meanings  
23 indicated.

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

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

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

34 1. Certified under the Health Occupations Article to practice

1 nurse anesthesia; and

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

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

7                                   [(v)] (VI) “Optometrist” has the meaning stated in § 11–101 of the  
8 Health Occupations Article.

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

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

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

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

23                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2021.