SENATE BILL 110

J1, J2

(PRE–FILED)

BY Senator Ellis
Requested: October 30, 2019
Introduced and read first time: January 8, 2020
Assigned to: Finance

A BILL ENTITLED

AN ACT concerning

Maryland Medical Assistance Program – Doulas

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

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Article – Health – General

1 15–103.

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

(2) The Program:

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

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

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

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

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

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

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

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

2. Certified by the Council on Certification or the Council on Recertification of Nurse Anesthetists.
“Nurse midwife” means a registered nurse who is licensed in this State and has been certified by the American College of Nurse–Midwives as a nurse midwife.

“Optometrist” has the meaning stated in § 11–101 of the Health Occupations Article.

The Secretary may contract for the provision of care under the Program to eligible Program recipients.

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

For the purposes of this section, the nurse midwife OR CERTIFIED DOULA need not be under the supervision of a physician.

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

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