SENATE BILL 163

J1, J2
SB 110/20 – FIN (PRE–FILED)

By: Senator Ellis
Requested: November 1, 2020
Introduced and read first time: January 13, 2021
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

Maryland Medical Assistance Program – Doulas

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

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 15–103(a)(1)
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2020 Supplement)

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

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

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25 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

15–103.

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

(2) The Program:

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

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

(XVII) 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.

[(iv) (V)] “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.

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

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

(3) 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.

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

(5) 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, 2021.