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HB 765
Maryland Medical Assistance Program – Doula Program
Hearing of the House Health and Government Operations Committee
February 16, 2022
1:30 PM

SUPPORT WITH AMENDMENTS

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Health Rights Project supports policies and practices that promote the overall health of Marylanders struggling to make ends meet, with the explicit goal of promoting strategies that work to eliminate racial and ethnic disparities in health outcomes. **PJC supports HB 765 with the amendments described below.** HB 765 would establish the Doula Program as part of the Maryland Medical Assistance (Medicaid) Program to provide doula services to program recipients who are pregnant or postpartum. It would also establish certain provider requirements.

In Maryland, Black birthing people die at a rate that is four times higher than their white counterparts from pregnancy complications. According to the Maryland Maternal Mortality Review Program, the disparities are increasing despite an overall decrease in the Black and white maternal mortality rate (MMR).¹ Research supports that doula care improves health outcomes for pregnant individuals and their infants, including shorter labors, lower cesarean rates and higher breastfeeding initiation rates.² Doulas are non-medical birth workers who provide information, emotional support and advocacy for pregnant individuals during the prenatal, birth and postpartum period. While they do not provide medical advice, they augment routine prenatal care by providing necessary social and emotional support, individualized education and strategies to reduce stress and other barriers to healthy pregnancies.³ HB 765 would codify the regulations for the Maryland Medicaid Doula Program, COMAR 10.09.39

¹ Maryland Department of Health, 2020 *Maryland Maternal Mortality Review Annual Report* (2021), <https://health.maryland.gov/phpa/mch/Documents/MMR/HG%20%20a7%20a7%2013-1207%2013-1208%20and%20%20a713-1212%20-%20Maryland%20Maternal%20Mortality%20Review%202020.pdf>.

² Amy Chen, *Routes to Success for Medicaid Coverage of Doula Care* (December 14, 2018) <https://9kqpw4dcaw91s37koz5jx17-wpengine.netdna-ssl.com/wp-content/uploads/2018/12/NHeathLawP-PTBi-Issue-Brief-DoulaMedicaidCoverage.pdf>.

³ *Id.*
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Doula Services, allowing low-income birthing people to access doula care and improve birth outcomes for Medicaid beneficiaries.

As of January 2022, Maryland Medicaid began covering doula services and conducting informational provider trainings. This coverage was made possible by a grant from the Maryland Health Services Cost Review Commission which authorized \$8 million in funding to be directed to Medicaid to work on maternal and child health initiatives, including reimbursement of doula care for four years.

While we support the overall goal of HB 765, we request two friendly, technical amendments. **We ask that Section (C) describing the certification organizations that the Department will accept as meeting the certification requirement for reimbursement be removed from the bill language. We also ask that Section (G) describing the reimbursement rates for services be removed from the bill language.** In May 2021, the Department, at the request of the House Health and Government Operations committee and Senate Finance committee, convened stakeholders for the Doula Technical Assistance Advisory Group without legislation. The Advisory Group has been working with the Department and Medicaid to study reimbursement and certification issues surrounding doula access, including determining whether Maryland should develop a state-wide voluntary doula certification program. Removing the language from HB 765 that describes the accepted list of certification programs and reimbursement rates would allow the Department to set these parameters and make any needed adjustments with feedback from the Advisory Group.

For these reasons, the Public Justice Center urges the committee to issue a **FAVORABLE** report for **HB 765 with the amendments above**. If you have any questions about this testimony, please contact Ashley Black at 410-625-9409 x 224 or blacka@publicjustice.org.