

# SENATE BILL 914

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CF HB 1067

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By: **Senators Lam, Carter, and Feldman**  
Introduced and read first time: February 3, 2020  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Doulas – Doula Technical Assistance Advisory Group and Certification**

3 FOR the purpose of establishing the Doula Technical Assistance Advisory Group; providing  
4 for the composition, chair, and staffing of the Advisory Group; requiring the Advisory  
5 Group to make certain determinations related to a vice chair and secretary;  
6 prohibiting a member of the Advisory Group from receiving certain compensation,  
7 but authorizing the reimbursement of certain expenses; authorizing the chair and  
8 vice chair to designate additional members under certain circumstances; requiring  
9 the chair and vice chair to request that the Governor fill vacancies within a certain  
10 time period; providing that a majority of the members serving on the Advisory Group  
11 at the time of a meeting is a quorum; requiring the Advisory Group to provide certain  
12 materials in a certain language; requiring the Advisory Group to provide certain  
13 training and educational opportunities for Advisory Group members; requiring the  
14 Advisory Group to study certain programs, review certain studies and reports, invite  
15 certain stakeholders to meetings, and make certain recommendations; requiring the  
16 Advisory Group to meet on a certain basis; requiring the Advisory Group to submit  
17 an interim and a final report to the Maryland Department of Health and certain  
18 committees of the General Assembly on or before certain dates; requiring the  
19 Department to adopt certain regulations; making certain provisions of this Act  
20 subject to a certain contingency; providing for the termination of certain provisions  
21 of this Act; defining certain terms; and generally relating to doulas.

22 BY adding to

23 Article – Health – General  
24 Section 13–4101 to be under the new subtitle “Subtitle 41. Doulas”  
25 Annotated Code of Maryland  
26 (2019 Replacement Volume)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
28 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 **SUBTITLE 41. DOULAS.**3 **13–4101.**

4 **THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING A**  
5 **VOLUNTARY DOULA CERTIFICATION PROGRAM.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That:

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) “Advisory Group” means the Doula Technical Assistance Advisory  
9 Group.

10 (3) “Doula” means a birth companion who provides personal and physical  
11 nonclinical support to women, or families, throughout the woman’s pregnancy, childbirth,  
12 and postpartum experience.

13 (b) There is a Doula Technical Assistance Advisory Group.

14 (c) The Advisory Group consists of the following members:

15 (1) the Secretary of Health, or the Secretary’s designee; and

16 (2) the following members appointed by the Governor:

17 (i) five doulas who provide care in different regions of the State,  
18 three of whom are affiliated with a community-based doula program;

19 (ii) one individual with expertise in State-administered insurance  
20 programs;

21 (iii) one researcher studying racial disparities and implicit bias in  
22 health care;

23 (iv) one representative of a nonprofit organization that advocates for  
24 children, youth, and families;

25 (v) one representative of a nonprofit reproductive health advocacy  
26 organization;

27 (vi) one representative of a nonprofit legal services organization that  
28 advocates for low-income individuals and families to have access to health care;

- 1 (vii) one health care provider who provides care to low-income  
2 individuals;
- 3 (viii) one nurse midwife licensed in the State;
- 4 (ix) one obstetrician–gynecologist licensed in the State; and
- 5 (x) one community health worker with experience in perinatal care.
- 6 (3) To the extent practicable, the members appointed to the Advisory  
7 Group shall reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.
- 8 (4) Each member appointed to the Advisory Group shall be a resident of  
9 the State.
- 10 (d) (1) The Secretary of Health shall designate the chair of the Advisory  
11 Group.
- 12 (2) The Advisory Group shall determine:
- 13 (i) the manner in which a vice chair and secretary will be  
14 designated; and
- 15 (ii) the duties of the vice chair and secretary.
- 16 (3) The chair and vice chair:
- 17 (i) may designate additional members to serve on the Advisory  
18 Group if considered necessary by the chair and vice chair; and
- 19 (ii) shall request the Governor to fill any vacancy within 60 days  
20 after the date of the vacancy;
- 21 (4) A majority of the members serving on the Advisory Group at the time  
22 of a meeting is a quorum.
- 23 (5) The Advisory Group shall meet at least two times a year at the times  
24 and places determined by the Advisory Group.
- 25 (e) (1) The Maryland Department of Health shall provide staff for the  
26 Advisory Group.
- 27 (2) The Advisory Group shall provide written materials used to conduct the  
28 business of the Advisory Group in the preferred language of an Advisory Group member,  
29 as necessary.
- 30 (3) The Department shall make available to the Advisory Group training

1 or educational opportunities on the processes used to conduct the business of the Advisory  
2 Group.

3 (f) A member of the Advisory Group:

4 (1) may not receive compensation as a member of the Advisory Group; but

5 (2) is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7 (g) The Advisory Group shall:

8 (1) study Medicaid programs in other states that reimburse doulas,  
9 including the benefit structure, reimbursement and participation rates, the revenue  
10 structure, and the effect of the reimbursement on Medicaid fund stability;

11 (2) review studies and reports on the implementation of programs that  
12 reimburse for doula services in Minnesota, Oregon, New York, and any other jurisdiction  
13 that the Advisory Group considers appropriate;

14 (3) review the:

15 (i) 2018 Routes to Success for Medicaid Coverage of Doula Care  
16 report by the National Health Law Program; and

17 (ii) 2019 and 2020 Maryland Maternal Mortality Review Program  
18 reports;

19 (4) invite stakeholders to meetings and consider public testimony from  
20 stakeholders, including:

21 (i) local health care agencies;

22 (ii) community organizations; and

23 (iii) health care professionals; and

24 (5) make recommendations regarding:

25 (i) workforce development for doulas;

26 (ii) whether a voluntary State doula certification program should be  
27 established by the Maryland Department of Health and, if so, the training and  
28 credentialing that should be required of doulas for certification as nonclinical health care  
29 providers;

30 (iii) reimbursement for doula services by the Maryland Medical

1 Assistance Program; and

2 (iv) expansion of doula care to low-income individuals and families.

3 (h) (1) On or before June 1, 2021, the Advisory Group shall submit an interim  
4 report of its findings and recommendations to the Maryland Department of Health and, in  
5 accordance with § 2-1257 of the State Government Article, the Senate Education, Health,  
6 and Environmental Affairs Committee and the House Health and Government Operations  
7 Committee.

8 (2) On or before January 1, 2022, the Advisory Group shall submit a final  
9 report of its findings and recommendations to the Maryland Department of Health and, in  
10 accordance with § 2-1257 of the State Government Article, the Senate Education, Health,  
11 and Environmental Affairs Committee and the House Health and Government Operations  
12 Committee.

13 SECTION 3. AND BE IT FURTHER ENACTED, That the regulations adopted by  
14 the Maryland Department of Health under § 13-4101 of the Health – General Article, as  
15 enacted by Section 1 of this Act, shall be consistent with the recommendations made by the  
16 Doula Technical Assistance Advisory Group, established under Section 2 of this Act.

17 SECTION 4. AND BE IT FURTHER ENACTED, That:

18 (a) Sections 1 and 3 of this Act shall take effect contingent on the Doula Technical  
19 Assistance Advisory Group, established under Section 2 of this Act, recommending in its  
20 final report that the Maryland Department of Health establish a voluntary doula  
21 certification program.

22 (b) If the final report of the Doula Technical Assistance Advisory Group does not  
23 include a recommendation that the Maryland Department of Health establish a voluntary  
24 doula certification program, Sections 1 and 3 of this Act, with no further action required by  
25 the General Assembly, shall be null and void.

26 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this  
27 Act, this Act shall take effect June 1, 2020. Section 2 of this Act shall remain effective for a  
28 period of 2 years and 1 month and, at the end of June 30, 2022, Section 2 of this Act, with  
29 no further action required by the General Assembly, shall be abrogated and of no further  
30 force and effect.