



General Assembly

Amendment

January Session, 2019

LCO No. 7650



Offered by:

SEN. MOORE, 22nd Dist.

REP. ABERCROMBIE, 83rd Dist.

To: Subst. Senate Bill No. 1078

File No. 603

Cal. No. 288

"AN ACT CONCERNING DOULA CERTIFICATION AND MEDICAID REIMBURSEMENT FOR DOULA SERVICES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2019*) For purposes of this
4 section, sections 2 to 4, inclusive, and sections 6 and 7 of this act, (1)
5 "antepartum" means the period of pregnancy before labor and
6 childbirth; (2) "state-registered doula" means a trained, nonmedical
7 professional listed on a state-administered registry of doulas available
8 to provide continuous physical, emotional and informational support
9 to a client during the antepartum, intrapartum and postpartum
10 periods of a pregnancy; (3) "doula services" mean services that include,
11 but are not limited to, (A) communications and information related to
12 the perinatal period, (B) time spent attending a birth, (C) prenatal and
13 postpartum visits, and (D) time spent on administrative tasks, such as
14 (i) documentation or paperwork, and (ii) referrals of a client to (I)
15 community-based organizations offering culturally competent social,

16 emotional or other support, or (II) certified or licensed perinatal
17 professionals practicing in multiple disciplines; (4) "competencies"
18 means key skills and applied knowledge necessary for doulas to be
19 effective; (5) "contact hour" means a minimum of fifty minutes of
20 classroom, group or distance learning and training, but not homework,
21 preparatory or reading time; (6) "cultural competence" or "culturally
22 competent" means the ability to interact effectively and respectfully
23 with persons of different cultures; (7) "intrapartum" means the period
24 of pregnancy during labor and delivery; (8) "perinatal" means the
25 antepartum, intrapartum and postpartum periods of a pregnancy; (9)
26 "postpartum" means the period following childbirth; and (10)
27 "registry" means the Registry of Doulas kept by the Commissioner of
28 Public Health pursuant to section 6 of this act.

29 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) The Commissioner of
30 Public Health may, upon receipt of an application on a form prescribed
31 by the commissioner and a fee of one hundred dollars, issue doula
32 certification to any person who presents evidence satisfactory to the
33 commissioner that he or she has achieved competencies by completing
34 at least twenty-four contact hours of education that includes any
35 combination of: (1) Perinatal doula training, including, but not limited
36 to, (A) the physiology of pregnancy, labor, birth and the early
37 postpartum period, (B) perinatal comfort measures, (C) medical tests,
38 procedures and protocols relevant to pregnancy and labor, (D)
39 postpartum health and support, including newborn care, infant
40 feeding, breastfeeding support, maternal physical and mental health,
41 (E) cultural competency training, and (F) business skills; (2)
42 bereavement doula training, including, but not limited to, (A)
43 procedures and protocols relating to pregnancy loss, (B) physical and
44 emotional health needs of the bereaved family, (C) support and
45 comfort measures for the bereaved family, and (D) cultural
46 competency training; and (3) postpartum doula training, including, but
47 not limited to, (A) physical and emotional health needs of the
48 postpartum family, (B) infant care and feeding, (C) safe meal
49 preparation, (D) signs of postpartum complications, (E) cultural

50 competency training, and (F) business skills.

51 (b) The commissioner may accept as satisfactory evidence of
52 completion of the requirements prescribed in subsection (a) of this
53 section a letter signed by an authorized representative of a state,
54 national or international doula certification organization on the
55 organization's letterhead that states the applicant has completed the
56 requirements.

57 (c) No certificate shall be issued under this section to any applicant
58 against whom a professional disciplinary action related to such
59 person's doula services is pending or who is the subject of an
60 unresolved professional complaint relating to such services.

61 (d) Certificates issued under this section or section 3 of this act shall
62 be renewed every three years upon payment of a renewal fee of
63 seventy-five dollars.

64 Sec. 3. (NEW) (*Effective October 1, 2019*) The Commissioner of Public
65 Health may, upon receipt of an application and fee of one hundred
66 dollars, issue doula certification to any person who presents proof of
67 current certification as a doula in another state, the District of
68 Columbia or territory of the United States that maintains standards for
69 certification determined by the commissioner to be equal to or higher
70 than those of this state. No certificate shall be issued under this section
71 to any applicant against whom professional disciplinary action is
72 pending or who is the subject of an unresolved professional complaint
73 related to such person's doula services.

74 Sec. 4. (NEW) (*Effective October 1, 2019*) The Commissioner of Public
75 Health may take any disciplinary action set forth in section 19a-17 of
76 the general statutes against a state-registered doula, and exclude such
77 doula from the registry established pursuant to section 6 of this act, for
78 any of the following reasons: (1) Conviction of a felony committed in
79 the course of actively performing doula services; (2) fraud or deceit in
80 obtaining or seeking reinstatement of certification; (3) fraud or deceit
81 in the performance of doula services; (4) negligent, incompetent or

82 wrongful conduct in the performance of doula services; (5) physical,
83 mental or emotional illness or disorder resulting in an inability to
84 competently perform doula services; (6) alcohol or substance abuse
85 affecting ability to competently perform doula services; or (7) wilful
86 falsification of entries in any record pertaining to doula services. The
87 commissioner may order a certificate holder to submit to a reasonable
88 physical or mental examination if the physical or mental capacity of
89 the certificate holder to perform doula services safely is the subject of
90 an investigation. The commissioner may petition the superior court for
91 the judicial district of Hartford to enforce such order or any action
92 taken pursuant to section 19a-17 of the general statutes. The
93 commissioner shall give notice and an opportunity to be heard on any
94 contemplated action under said section.

95 Sec. 5. Subsection (c) of section 19a-14 of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective*
97 *October 1, 2019*):

98 (c) No board shall exist for the following professions that are
99 licensed or otherwise regulated by the Department of Public Health:

- 100 (1) Speech and language pathologist and audiologist;
- 101 (2) Hearing instrument specialist;
- 102 (3) Nursing home administrator;
- 103 (4) Sanitarian;
- 104 (5) Subsurface sewage system installer or cleaner;
- 105 (6) Marital and family therapist;
- 106 (7) Nurse-midwife;
- 107 (8) Licensed clinical social worker;
- 108 (9) Respiratory care practitioner;

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- 109 (10) Asbestos contractor, asbestos consultant and asbestos training
110 provider;
- 111 (11) Massage therapist;
- 112 (12) Registered nurse's aide;
- 113 (13) Radiographer;
- 114 (14) Dental hygienist;
- 115 (15) Dietitian-Nutritionist;
- 116 (16) Asbestos abatement worker;
- 117 (17) Asbestos abatement site supervisor;
- 118 (18) Licensed or certified alcohol and drug counselor;
- 119 (19) Professional counselor;
- 120 (20) Acupuncturist;
- 121 (21) Occupational therapist and occupational therapist assistant;
- 122 (22) Lead abatement contractor, lead consultant contractor, lead
123 consultant, lead abatement supervisor, lead abatement worker, lead
124 training provider, lead inspector, lead inspector risk assessor and lead
125 planner-project designer;
- 126 (23) Emergency medical technician, advanced emergency medical
127 technician, emergency medical responder and emergency medical
128 services instructor;
- 129 (24) Paramedic;
- 130 (25) Athletic trainer;
- 131 (26) Perfusionist;
- 132 (27) Master social worker subject to the provisions of section 20-

- 133 195v;
- 134 (28) Radiologist assistant, subject to the provisions of section 20-74tt;
- 135 (29) Homeopathic physician;
- 136 (30) Certified water treatment plant operator, certified distribution
137 system operator, certified small water system operator, certified
138 backflow prevention device tester and certified cross connection
139 survey inspector, including certified limited operators, certified
140 conditional operators and certified operators in training;
- 141 (31) Tattoo technician;
- 142 (32) Genetic counselor; [and]
- 143 (33) Behavior analyst; [.] and
- 144 (34) Doula.

145 The department shall assume all powers and duties normally vested
146 with a board in administering regulatory jurisdiction over such
147 professions. The uniform provisions of this chapter and chapters 368v,
148 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
149 and 400c, including, but not limited to, standards for entry and
150 renewal; grounds for professional discipline; receiving and processing
151 complaints; and disciplinary sanctions, shall apply, except as otherwise
152 provided by law, to the professions listed in this subsection.

153 Sec. 6. (NEW) (*Effective October 1, 2019*) (a) The Commissioner of
154 Public Health shall establish a publicly accessible Registry of Doulas
155 who: (1) Are certified pursuant to section 2 or 3 of this act, and (2) are
156 not excluded from the registry pursuant to section 4 of this act.

157 (b) The commissioner shall include in the registry the name, contact
158 information and educational background of each such registered
159 doula, provided the commissioner shall remove the name of such
160 doula from the registry upon written request of such doula. The

161 commissioner shall include a publicly accessible link to the Registry of
162 Doulas on the Internet web site of the Department of Public Health.

163 Sec. 7. (*Effective from passage*) (a) The executive director of the
164 Commission on Women, Children and Seniors shall convene a
165 working group to develop recommendations concerning establishing
166 adequate Medicaid reimbursement for doula services and ensuring
167 access to such services for Medicaid beneficiaries.

168 (b) The working group shall include, but not be limited to, at least
169 one each of the following persons: (1) Doulas who provide services
170 throughout the perinatal period, (2) doulas who provide postpartum
171 services, (3) an obstetrician-gynecologist licensed pursuant to chapter
172 370 of the general statutes or a nurse-midwife licensed pursuant to
173 chapter 377 of the general statutes, (4) a Medicaid recipient, (5) a
174 professional with experience in workforce development, (6) a
175 community health worker or advocate, (7) the Commissioner of Social
176 Services, or the commissioner's designee, and (8) the Commissioner of
177 Public Health or the commissioner's designee. Appointments shall be
178 made not later than sixty days after the effective date of this section.
179 Members of the working group shall choose chairpersons.

180 (c) Not later than December 1, 2019, the working group shall report,
181 in accordance with the provisions of section 11-4a of the general
182 statutes, to the joint standing committees of the General Assembly
183 having cognizance of matters relating to appropriations and the
184 budgets of state agencies, human services and public health on (1) the
185 most appropriate means of providing adequate Medicaid
186 reimbursement for doula services, (2) estimated return on state
187 investment in Medicaid-funded doulas on averted costs associated
188 with pregnancy, birth and post-partum-related complications, (3)
189 estimated number of doulas eligible to participate in Medicaid-funded
190 services, (4) workforce development recommendations to increase the
191 number, preparedness and diversity of doulas, (5) a timeline for a
192 Medicaid state plan amendment to provide Medicaid reimbursement
193 for doula services, and (6) recommendations to increase awareness

194 among Medicaid recipients of the benefits and availability of doula
195 services after reimbursement is established for such services. The
196 working group shall terminate on the date that it submits such report
197 or December 1, 2019, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	New section
Sec. 3	<i>October 1, 2019</i>	New section
Sec. 4	<i>October 1, 2019</i>	New section
Sec. 5	<i>October 1, 2019</i>	19a-14(c)
Sec. 6	<i>October 1, 2019</i>	New section
Sec. 7	<i>from passage</i>	New section