

# STATE OF NEW YORK

5435

2023-2024 Regular Sessions

## IN ASSEMBLY

March 10, 2023

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to establishing the New York state community doula directory for doulas serving Medicaid patients

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and declarations. The legislature  
2 hereby finds and declares that poor maternal and infant health outcomes  
3 and disparities are a public health crisis that pose a threat to the  
4 health, welfare, and quality of life of child bearing people, infants  
5 and their families. The legislature acknowledges the imbalances of how  
6 doula care is treated in different communities. Between the rising costs  
7 of reproductive care, the absence of a federal doula Medicaid framework,  
8 and the existing barriers to equitable prenatal, intranatal, and post-  
9 partum care services, the legislature hereby finds the importance in  
10 establishing a community doula directory to increase access to care.  
11 Having doula services in an accessible and centralized location that is  
12 open to the public without an economic barrier, will help connect birth-  
13 ing persons with the doula care services they need.

14 § 2. Article 25 of the public health law is amended by adding a new  
15 title 6-A to read as follows:

16 TITLE VI-A  
17 DOULAS FOR MEDICAID

18 Section 2594-a. Definitions.

19 2594-b. New York state community doula directory.

20 2594-c. Criteria for admittance into the New York state communi-  
21 ty doula directory.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 § 2594-a. Definitions. 1. For the purposes of this title, "doula"  
2 means a trained person who provides continuous physical, emotional, and  
3 informational support to a pregnant person and the family of such preg-  
4 nant person before, during or a reasonable time after childbirth.

5 2. A doula may provide services in hospitals, birthing centers, at  
6 home deliveries and other community settings.

7 § 2594-b. New York state community doula directory. 1. The department  
8 shall establish and maintain a community doula directory for doulas on  
9 the department's internet website for the purposes of Medicaid  
10 reimbursement and promoting doula services to Medicaid recipients.

11 2. The directory shall include the following information concerning  
12 doulas such as:

13 (a) the name of the doula who provides doula services;

14 (b) the address and location of where the doula provides doula  
15 services;

16 (c) the name of each Medicaid provider that employs or contracts with  
17 a doula to provide doula services to eligible Medicaid recipients;

18 (d) the doula's national provider identification number; and

19 (e) all documentation of criteria pursuant to section twenty-five  
20 hundred ninety-four-c of this title.

21 3. The department shall determine the method of registration and the  
22 documentation required to verify such criteria has been met.

23 4. Each doula shall be responsible for completing the requirements  
24 pursuant to section twenty-five hundred ninety-four-c of this title.

25 5. The department shall not impose any fee on any doula to register  
26 for admittance into the New York state community doula directory.

27 6. The community doula directory shall be publicly accessible at no  
28 cost to the doula or birthing person looking to hire a doula in their  
29 community.

30 § 2594-c. Criteria for admittance into the New York state community  
31 doula directory. 1. Each doula seeking Medicaid reimbursement shall  
32 apply to be registered in the New York state community doula directory.

33 2. A doula shall submit to the department a certified copy of such  
34 doula's certification from a doula educational organization or by demon-  
35 stration of satisfactory proficiency pursuant to this section, and his,  
36 her, or their full name, address, phone number, email address, and  
37 national provider identification number.

38 3. In lieu of certification, a doula shall submit proof of the follow-  
39 ing to the department attesting that such doula has:

40 (a) Attended at least twenty-four contact hours of education that  
41 includes any combination of childbirth education, birth doula training,  
42 antepartum doula training, and postpartum doula training;

43 (b) Attended at least one breastfeeding class;

44 (c) Attended at least two childbirth classes;

45 (d) Attended at least two live childbirths;

46 (e) Completed cultural competency training;

47 (f) Completed a doula proficiency exam; and

48 (g) Completed training pursuant to the Health Insurance Portability  
49 and Accountability Act or client confidentiality training.

50 § 3. This act shall take effect six months after it shall have become  
51 a law.