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:

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

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

TITLE VI-A
DOULAS FOR MEDICAID

Section 2594-a. Definitions.
2594-b. New York state community doula directory.
2594-c. Criteria for admittance into the New York state community doula directory.

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

LBD04573-01-3

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. In lieu of certification, a doula shall submit proof of the following to the department attesting that such doula has:

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

(b) Attended at least one breastfeeding class;

(c) Attended at least two childbirth classes;

(d) Attended at least two live childbirths;

(e) Completed cultural competency training;

(f) Completed a doula proficiency exam; and

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

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