

# STATE OF NEW YORK

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1190

2023-2024 Regular Sessions

## IN SENATE

January 10, 2023

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Introduced by Sens. PERSAUD, CLEARE, GOUNARDES, KENNEDY, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to including doulas as medical services providers for Medicaid recipients; directing the commissioner of health to submit an application for amendments and waivers to add doulas to state Medicaid coverage; and directing the commissioner of health and the commissioner of the office of children and family services to add, amend and/or repeal any rule or regulation necessary for the implementation of this act

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

1 Section 1. Paragraph (d) of subdivision 1 of section 364-j of the  
2 social services law, as amended by chapter 653 of the laws of 1997, is  
3 amended to read as follows:

4 (d) "Medical services provider". A physician, nurse, nurse practition-  
5 er, physician assistant, licensed midwife, doula, dentist, optometrist  
6 or other licensed health care practitioner authorized to provide medical  
7 assistance services.

8 § 2. The commissioner of health is directed to apply for such state  
9 Medicaid plan amendments or waivers as may be necessary to implement the  
10 provisions of this act and include doula care as a covered service under  
11 the state Medicaid plan, and to secure federal financial participation  
12 for state Medicaid expenditures for doula care under the federal Medi-  
13 caid program.

14 § 3. The New York state Medicaid doula services pilot program shall be  
15 extended beyond Erie county and be made accessible statewide. Local  
16 localities shall be given the option to opt-in or out based on a locali-  
17 ty's exact need for the doula pilot program. The department of health  
18 shall conduct a yearly study of such program to examine its efficacy and  
19 provide a report with the study's findings to the governor, temporary

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

LBD02566-01-3

1 president of the senate, minority leader of the senate, speaker of the  
2 assembly, and minority leader of the assembly. This report shall be  
3 used as a tool to strengthen the program. The department of health is  
4 directed to inform the public about the program and provide medical  
5 providers with pamphlets detailing the program and locations where it's  
6 being offered to distribute to patients.

7 § 4. This act shall take effect immediately; provided that section one  
8 of this act shall take effect upon receipt by the commissioner of health  
9 of approval from the federal Centers for Medicare & Medicaid Services to  
10 include doula care as a covered service under the state Medicaid plan;  
11 provided, further, that the amendments to section 364-j of the social  
12 services law made by section one of this act shall not affect the repeal  
13 of such section and shall be deemed repealed therewith. The commissioner  
14 of health shall notify the legislative bill drafting commission upon the  
15 occurrence of the receipt of such approval in order that the commission  
16 may maintain an accurate and timely effective data base of the official  
17 text of the laws of the state of New York in furtherance of effectuating  
18 the provisions of section 44 of the legislative law and section 70-b of  
19 the public officers law. Effective immediately, the addition, amendment  
20 and/or repeal of any rule or regulation necessary for the implementation  
21 of this act on its effective date are authorized to be made and  
22 completed on or before such effective date.