



General Assembly

Substitute Bill No. 1078

January Session, 2019



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) For purposes of this
2 section, sections 2 to 5, inclusive, and sections 7 and 8 of this act, (1)
3 "antepartum" means the period of pregnancy before labor and
4 childbirth; (2) "state-certified doula" means a trained, nonmedical
5 professional certified by the Commissioner of Public Health to provide
6 continuous physical, emotional and informational support to a
7 pregnant person during the antepartum and intrapartum periods and
8 up to the first six weeks of the postpartum period; (3) "certified doula
9 services" mean services that include, but are not limited to, (A)
10 communications between a state-certified doula and a pregnant
11 person, (B) time spent being on call for a birth, (C) prenatal and
12 postpartum visits, and (D) time spent on administrative tasks, such as
13 (i) documentation or paperwork, and (ii) referrals to (I) community-
14 based organizations offering culturally competent social, emotional or
15 other support, or (II) certified or licensed perinatal professionals
16 practicing in multiple disciplines; (4) "competencies" means key skills
17 and applied knowledge necessary for doulas to be effective; (5)
18 "contact hour" means a minimum of fifty minutes of classroom, group
19 or distance learning and training, but not homework, preparatory or
20 reading time; (6) "culturally competent" means having an ability to
21 interact effectively and respectfully with persons of different cultures;

22 (7) "intrapartum" means the period of pregnancy during labor and
23 delivery and childbirth; (8) "perinatal" means the antepartum,
24 intrapartum and postpartum periods of a pregnancy; (9) "postpartum"
25 means the period following childbirth; and (10) "registry" means the
26 Registry of State Certified Doulas kept by the Commissioner of Public
27 Health pursuant to section 7 of this act.

28 Sec. 2. (NEW) (*Effective October 1, 2019*) (a) The Commissioner of
29 Public Health may, upon receipt of an application on a form prescribed
30 by the commissioner and a fee of one hundred seventy-five dollars,
31 issue a certificate designating the holder a state-certified doula to any
32 person who presents evidence satisfactory to the commissioner that he
33 or she has achieved competencies in providing doula services by
34 completing the following requirements: (1) At least twenty-four
35 contact hours of education that includes any combination of childbirth
36 education, intrapartum doula training, antepartum doula training and
37 postpartum doula training; (2) attendance at a minimum of (A) one
38 breastfeeding class or valid certification as a lactation counselor, (B)
39 one childbirth class, and (C) two births; (3) completion of cultural
40 competency training; (4) completion of training in client confidentiality
41 laws and regulations, including, but not limited to, the Health
42 Insurance Portability and Accountability Act of 1996, P.L. 104-91, as
43 amended from time to time; (5) completion of cardiopulmonary
44 resuscitation training; and (6) certification in safe meal preparation.

45 (b) The commissioner may accept as satisfactory evidence of
46 completion of the requirements prescribed in subsection (a) of this
47 section: (1) A letter signed by an authorized representative of a state,
48 national or international doula certification organization on the
49 organization's letterhead that states the applicant has completed the
50 requirements, or (2) a signed and dated attestation from the applicant
51 that the applicant has completed the requirements, stating where and
52 when such requirements were completed.

53 (c) No certificate shall be issued under this section to any applicant
54 against whom a professional disciplinary action related to such

55 person's doula services is pending or who is the subject of an
56 unresolved professional complaint relating to such services.

57 (d) Certificates issued under this section shall be renewed every two
58 years, subject to the provisions of section 19a-88 of the general statutes,
59 upon payment of a renewal fee of one hundred dollars.

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

71 (b) Certificates issued under this section shall be renewed every two
72 years, subject to the provisions of section 19a-88 of the general statutes,
73 upon payment of a renewal fee of one hundred dollars.

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-certified doula, or exclude such
77 doula from the registry established pursuant to section 7 of this act, for
78 any of the following reasons: (1) Conviction of a felony committed in
79 the course of 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; (7) wilful
86 falsification of entries in any record pertaining to doula services; or (8)

87 violation of any provision of subsection (c) of section 19a-14 of the
88 general statutes, as amended by this act. The commissioner may order
89 a certificate holder to submit to a reasonable physical or mental
90 examination if the physical or mental capacity of the certificate holder
91 to perform doula services safely is the subject of an investigation. The
92 commissioner may petition the superior court for the judicial district of
93 Hartford to enforce such order or any action taken pursuant to section
94 19a-17 of the general statutes. The commissioner shall give notice and
95 an opportunity to be heard on any contemplated action under said
96 section.

97 Sec. 5. (NEW) (*Effective October 1, 2019*) No person who is not
98 certified by the Commissioner of Public Health as a state-certified
99 doula shall represent that such person is so certified, or use in
100 connection with such person's name, the term "Connecticut Certified
101 Doula", or any other letters, words or insignia indicating or implying
102 such certification. Any person who violates the provisions of this
103 section or who obtains or attempts to obtain such certification by any
104 wilful misrepresentation or any fraudulent representation shall be
105 guilty of a class D felony. Failure to renew a state certificate in a timely
106 manner shall not constitute a violation for the purposes of this section.

107 Sec. 6. Subsection (c) of section 19a-14 of the general statutes is
108 repealed and the following is substituted in lieu thereof (*Effective*
109 *October 1, 2019*):

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

- 112 (1) Speech and language pathologist and audiologist;
- 113 (2) Hearing instrument specialist;
- 114 (3) Nursing home administrator;
- 115 (4) Sanitarian;

- 116 (5) Subsurface sewage system installer or cleaner;
- 117 (6) Marital and family therapist;
- 118 (7) Nurse-midwife;
- 119 (8) Licensed clinical social worker;
- 120 (9) Respiratory care practitioner;
- 121 (10) Asbestos contractor, asbestos consultant and asbestos training
122 provider;
- 123 (11) Massage therapist;
- 124 (12) Registered nurse's aide;
- 125 (13) Radiographer;
- 126 (14) Dental hygienist;
- 127 (15) Dietitian-Nutritionist;
- 128 (16) Asbestos abatement worker;
- 129 (17) Asbestos abatement site supervisor;
- 130 (18) Licensed or certified alcohol and drug counselor;
- 131 (19) Professional counselor;
- 132 (20) Acupuncturist;
- 133 (21) Occupational therapist and occupational therapist assistant;
- 134 (22) Lead abatement contractor, lead consultant contractor, lead
135 consultant, lead abatement supervisor, lead abatement worker, lead
136 training provider, lead inspector, lead inspector risk assessor and lead
137 planner-project designer;

138 (23) Emergency medical technician, advanced emergency medical
139 technician, emergency medical responder and emergency medical
140 services instructor;

141 (24) Paramedic;

142 (25) Athletic trainer;

143 (26) Perfusionist;

144 (27) Master social worker subject to the provisions of section 20-
145 195v;

146 (28) Radiologist assistant, subject to the provisions of section 20-74tt;

147 (29) Homeopathic physician;

148 (30) Certified water treatment plant operator, certified distribution
149 system operator, certified small water system operator, certified
150 backflow prevention device tester and certified cross connection
151 survey inspector, including certified limited operators, certified
152 conditional operators and certified operators in training;

153 (31) Tattoo technician;

154 (32) Genetic counselor; [and]

155 (33) Behavior analyst; [.] and

156 (34) Doula.

157 The department shall assume all powers and duties normally vested
158 with a board in administering regulatory jurisdiction over such
159 professions. The uniform provisions of this chapter and chapters 368v,
160 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
161 and 400c, including, but not limited to, standards for entry and
162 renewal; grounds for professional discipline; receiving and processing
163 complaints; and disciplinary sanctions, shall apply, except as otherwise

164 provided by law, to the professions listed in this subsection.

165 Sec. 7. (NEW) (*Effective October 1, 2019*) (a) The Commissioner of
166 Public Health shall establish a publicly accessible Registry of State
167 Certified Doulas who: (1) Are at least eighteen years of age, (2) are not
168 excluded from the registry pursuant to section 4 of this act, (3) provide
169 two positive client references of quality job performance, and (4)
170 maintain professional liability insurance either individually or through
171 a collaborative, association or business of doulas.

172 (b) The commissioner shall include in the registry the name, contact
173 information and educational background of each state-certified doula,
174 provided the commissioner shall remove the name of a state-certified
175 doula upon written request of such doula. The commissioner shall
176 include a publicly accessible link to the Registry of State Certified
177 Doulas on the Internet web site of the Department of Public Health.

178 Sec. 8. (NEW) (*Effective October 1, 2019*) (a) The Commissioner of
179 Social Services shall amend the Medicaid state plan to provide
180 reimbursement for state-certified doulas who provide Medicaid-
181 eligible services to pregnant Medicaid beneficiaries.

182 (b) A state-certified doula shall meet the following requirements to
183 be reimbursed under the Medicaid program: (1) Have a national
184 provider identification number, (2) complete all required Medicaid
185 provider enrollment forms, (3) provide a copy of state doula
186 certification to the commissioner, and (4) perform Medicaid-eligible
187 services.

188 (c) State-certified doula services shall be billed on a fee-for-service
189 basis per pregnancy for Medicaid-eligible services, regardless of the
190 number of infants born, and the fee for all doula services performed
191 during such pregnancy shall not be less than nine hundred dollars or
192 exceed fifteen hundred dollars. For purposes of this section, Medicaid-
193 eligible services include, but need not be limited to: (1) Prenatal visits,
194 (2) physical and emotional support, (3) telephone or virtual

195 communications between the state-certified doula and the Medicaid
 196 beneficiary, (4) time spent being on call for the birth, (5) time spent
 197 providing a Medicaid beneficiary services and support during a birth,
 198 (6) postpartum visits, and (7) time spent on administrative tasks, such
 199 as documentation or paperwork.

200 (d) Not later than January 15, 2021, the commissioner shall report, in
 201 accordance with section 11-4a of the general statutes, to the joint
 202 standing committees of the General Assembly having cognizance of
 203 matters relating to children, human services and public health on (1)
 204 the number of pregnant Medicaid beneficiaries served by state-
 205 certified doulas, and (2) impact of state-certified doula services on
 206 birth outcomes, including, but not limited to, any reduction in (A)
 207 caesarean sections, (B) infants born prematurely, (C) infants of low
 208 birth weight, (D) infant mortality rates, and (E) mortality rates of
 209 Medicaid beneficiaries receiving doula services.

210 (e) The commissioner may adopt regulations in accordance with
 211 chapter 54 of the general statutes to implement the provisions of this
 212 section.

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>	New section
Sec. 6	<i>October 1, 2019</i>	19a-14(c)
Sec. 7	<i>October 1, 2019</i>	New section
Sec. 8	<i>October 1, 2019</i>	New section

Statement of Legislative Commissioners:

In Section 1(6), "having" was inserted after "means" for clarity and in Section 7, Subdiv. (4) was deleted as redundant and Subdiv. (5) was redesignated as Subdiv. (4).

HS *Joint Favorable Subst. -LCO*