

(Reprinted with amendments adopted on June 2, 2023)

SECOND REPRINT

A.B. 283

ASSEMBLY BILL NO. 283—ASSEMBLYMEN SUMMERS-ARMSTRONG, MARZOLA, PETERS; BILBRAY-AXELROD, CARTER, GONZÁLEZ, BRITNEY MILLER, C.H. MILLER, NGUYEN AND WATTS

MARCH 14, 2023

Referred to Committee on Health and Human Services

SUMMARY—Makes changes relating to doula services. (BDR 38-844)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to health care; authorizing the Department of Health and Human Services to establish an incentive payment under the Medicaid program for doula services provided in rural areas; requiring the Department to seek an increase to certain reimbursement rates under the Medicaid program for doula services; making an appropriation and authorizing certain expenditures; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Department of Health and Human Services to  
 2 administer the Medicaid program. (NRS 422.270) Existing law requires the  
 3 Director of the Department, to the extent authorized by federal law, to include  
 4 under Medicaid coverage for certain doula services. (NRS 422.27717) **Section 1**  
 5 of this bill authorizes the Department to establish an incentive payment for enrolled  
 6 doulas who provide doula services to recipients of Medicaid in rural areas of this  
 7 State. **Section 1** also makes changes to reflect that federal law requires services  
 8 provided under a federal waiver to be included in a waiver document that is  
 9 separate from the State Plan for Medicaid. **Section 1.5** of this bill requires the  
 10 Department to submit to the United States Secretary of Health and Human Services  
 11 on or before October 1, 2023, a request to amend the State Plan for Medicaid to  
 12 increase the rate of reimbursement which is provided on a fee-for-service basis  
 13 pursuant to the State Plan for certain services provided by a doula to an amount that  
 14 is intended to cover the cost of the services. **Section 1.3** of this bill makes an  
 15 appropriation to the Division of Health Care Financing and Policy of the  
 16 Department and authorizes certain related expenditures for increases in



17 reimbursement rates and actuarial expenses associated with carrying out the  
18 provisions of this bill.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     **Section 1.** NRS 422.27177 is hereby amended to read as  
2 follows:

3     422.27177 1. The Director shall, to the extent authorized by  
4 federal law, include ~~in the State Plan for~~ *under* Medicaid ~~{a~~  
5 ~~requirement that the State pay the nonfederal share of expenditures~~  
6 ~~incurred}~~ *coverage* for doula services provided by an enrolled doula.

7     2. The Department shall apply to the Secretary of Health and  
8 Human Services for a waiver granted pursuant to 42 U.S.C. § 1315  
9 or apply for an amendment of the State Plan for Medicaid that  
10 authorizes the Department to receive federal funding to ~~include in~~  
11 ~~the State Plan for Medicaid}~~ *provide* coverage of doula services  
12 provided by an enrolled doula. The Department shall fully cooperate  
13 in good faith with the Federal Government during the application  
14 process to satisfy the requirements of the Federal Government for  
15 obtaining a waiver or amendment pursuant to this section.

16     3. A person who wishes to receive reimbursement through the  
17 Medicaid program for doula services provided to a recipient of  
18 Medicaid must submit to the Division:

19     (a) An application for enrollment in the form prescribed by the  
20 Division; and

21     (b) Proof that he or she possesses the required training and  
22 qualifications prescribed by the Division pursuant to subsection 4.

23     4. The Division, in consultation with community-based  
24 organizations that provide services to pregnant women in this State,  
25 shall prescribe the required training and qualifications for  
26 enrollment pursuant to subsection 3 to receive reimbursement  
27 through Medicaid for doula services.

28     5. *The Department may establish a program to provide*  
29 *incentive payments for enrolled doulas who provide doula services*  
30 *to recipients of Medicaid in rural areas of this State.*

31     6. As used in this section:

32     (a) "Doula services" means services to provide education and  
33 support relating to childbirth, including, without limitation,  
34 emotional and physical support provided during pregnancy, labor,  
35 birth and the postpartum period.

36     (b) "Enrolled doula" means a doula who is enrolled with the  
37 Division pursuant to this section to receive reimbursement through  
38 Medicaid for doula services.



1 **Sec. 1.3.** 1. There is hereby appropriated from the State  
2 General Fund to the Division of Health Care Financing and Policy  
3 of the Department of Health and Human Services for increases in  
4 reimbursement rates under the Medicaid program for services  
5 provided by doulas and actuarial expenses associated with  
6 implementing the provisions of this act the following sums:

- 7 For the Fiscal Year 2023-2024..... \$165,891
- 8 For the Fiscal Year 2024-2025..... \$205,515

9 2. Any balance of the sums appropriated by subsection 1  
10 remaining at the end of the respective fiscal years must not be  
11 committed for expenditure after June 30 of the respective fiscal  
12 years by the entity to which the appropriation is made or any entity  
13 to which money from the appropriation is granted or otherwise  
14 transferred in any manner, and any portion of the appropriated  
15 money remaining must not be spent for any purpose after  
16 September 20, 2024, and September 19, 2025, respectively, by  
17 either the entity to which the money was appropriated or the entity  
18 to which the money was subsequently granted or transferred, and  
19 must be reverted to the State General Fund on or before  
20 September 20, 2024, and September 19, 2025, respectively.

21 3. Expenditure of \$300,726 not appropriated from the State  
22 General Fund or the State Highway Fund is hereby authorized  
23 during Fiscal Year 2023-2024 by the Division of Health Care  
24 Financing and Policy of the Department of Health and Human  
25 Services for the same purposes as set forth in subsection 1.

26 4. Expenditure of \$378,409 not appropriated from the State  
27 General Fund or the State Highway Fund is hereby authorized  
28 during Fiscal Year 2024-2025 by the Division of Health Care  
29 Financing and Policy of the Department of Health and Human  
30 Services for the same purposes as set forth in subsection 1.

31 **Sec. 1.5.** 1. On or before October 1, 2023, the Department of  
32 Health and Human Services shall submit to the United States  
33 Secretary of Health and Human Services a request to amend the  
34 State Plan for Medicaid to increase the rate of reimbursement which  
35 is provided on a fee-for-service basis pursuant to the State Plan for  
36 services provided by a doula to an amount that is intended to cover  
37 the cost of the services.

38 2. The request submitted pursuant to subsection 1 must be  
39 supported using methods for determining reimbursement rates  
40 accepted by the Secretary.

41 **Sec. 2.** 1. This section and sections 1 and 1.5 of this act  
42 become effective upon passage and approval.

43 2. Section 1.3 of this act becomes effective on July 1, 2023.

