

2023 Regular Session

HOUSE BILL NO. 272

BY REPRESENTATIVE WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides relative to maternity support services of doulas

1 AN ACT

2 To amend and reenact R.S. 22:1059.2 and to enact R.S. 22:1059.3, relative to maternity
3 support services provided by doulas; to require health insurance coverage for such
4 maternity support services; to provide for legislative findings; to provide for
5 definitions; to provide for the redesignation of certain statutes; to provide for
6 effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1059.2 is hereby amended and reenacted and R.S. 22:1059.3 is
9 hereby enacted to read as follows:

10 §1059.2. Required coverage for maternity support services provided by doulas;
11 legislative findings; definitions

12 A. The legislature hereby finds and affirms all of the following:

13 (1) A doula is an individual who has been trained to provide physical,
14 emotional, and educational support, but not medical or midwifery care, to pregnant
15 and birthing women and their families before, during, and after childbirth.

16 (2) Leading professional societies such as the American College of
17 Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine, and
18 federal agencies such as the Centers for Disease Control and Prevention, the Health
19 Resources and Services Administration, and the Centers for Medicare and Medicaid
20 Services have recognized the well-established benefits of maternity support services
21 provided by doulas.

1 (3) Research has demonstrated that support from a doula is associated with
2 lower cesarean section rates, fewer obstetric interventions, fewer complications
3 during and after childbirth, decreased use of pain medication, shorter labor hours,
4 and higher scores on the Apgar test, which indicates how well a baby is doing
5 outside the womb.

6 (4) As Louisiana currently ranks as a state with one of the highest maternal
7 and infant mortality rates in the United States, this state has a compelling interest in
8 and obligation to promote practices that improve maternal and infant health
9 outcomes.

10 B.(1) A health coverage plan delivered or issued for delivery in this state that
11 provides benefits for maternity services shall include coverage for maternity support
12 services provided by a doula to pregnant and birthing women and their families
13 before, during, and after childbirth.

14 (2) The coverage required pursuant to this Section may be subject to annual
15 deductibles, coinsurance, and copayment provisions as are consistent with those
16 established under the health coverage plan. The coverage may also be subject to an
17 annual limit not to exceed one thousand five hundred dollars.

18 (3)(a) The requirements established by a health coverage plan to insure the
19 maternity support services provided by a doula before, during, and after childbirth
20 shall not preclude a doula from practice in this state.

21 (b) A doula may opt to practice in this state and forego any eligible
22 reimbursement via a health coverage plan; however, a doula opting for
23 reimbursement via a health coverage plan shall apply to the Louisiana Doula
24 Registry Board for registration and receive an approved registration status.

25 (c) In addition to the registration prescribed in Subparagraph (b) of this
26 Paragraph, a health insurance issuer or health coverage plan may establish additional
27 credentialing standards for contracting with doulas.

1 (4) Terminology in any health coverage plan policy or contract deemed
2 discriminatory against doulas or maternity support services provided by doulas is
3 void and unenforceable.

4 C. For purposes of this Section, the following definitions apply:

5 (1) "Doula" means the same as the term is defined in R.S. 22:1059.1.

6 (2) "Health coverage plan" means the same as the term is defined in R.S.
7 22:1059.

8 (3) "Maternity support services" means the physical, emotional, and
9 educational support services provided by a doula to pregnant and birthing women
10 and their families before, during, and after childbirth. "Maternity support services"
11 includes postpartum bereavement support.

12 §1059.3. Required coverage for prescribed donor human milk

13 A health coverage plan issued for delivery, delivered, renewed, or otherwise
14 contracted for in this state shall provide inpatient and outpatient coverage benefits
15 for up to two months for medically necessary pasteurized donor human milk upon
16 prescription of an infant's pediatrician or licensed pediatric provider stating that the
17 infant is medically or physically unable to receive maternal human milk or
18 participate in breastfeeding, or the infant's mother is medically or physically unable
19 to produce maternal human milk in sufficient quantities. A health coverage plan may
20 limit coverage under this Section to inpatient and outpatient donor human milk
21 obtained from a member bank of the Human Milk Banking Association of North
22 America.

23 Section 2. The provisions of this Act apply to any new policy, contract, program, or
24 health coverage plan issued on and after January 1, 2024. Any policy, contract, or health
25 coverage plan in effect prior to January 1, 2024, shall convert to conform to the provisions
26 of this Act on or before the renewal date, but no later than January 1, 2025.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 272 Engrossed

2023 Regular Session

Willard

Abstract: Requires health insurance coverage for maternity support services provided by a doula.

Proposed law affirms a doula as an individual who is trained to provide physical, emotional, and educational support, but not medical or midwifery care, to pregnant and birthing women and their families before, during, and after childbirth.

Proposed law outlines legislative findings with respect to doulas. Affirms the state of La. as a state with one of the highest maternal and infant mortality rates in the U.S. Further affirms that the state of La. has a compelling interest and obligation to promote practices that improve maternal and infant health outcomes.

Proposed law requires a health coverage plan delivered or issued for delivery in this state that provides benefits for maternity services to include coverage for maternity support services provided by a doula to pregnant and birthing women and their families before, during, and after childbirth.

Proposed law provides that the coverage may be subject to annual deductibles, coinsurance, and copayment provisions as are consistent with those established under the health coverage plan. Further provides that such coverage may also be subject to an annual limit of \$1,500.

Proposed law prohibits a health coverage plan from prescribing coverage requirements for maternity support services of a doula that preclude a doula from practice in this state. Authorizes a doula to practice in this state while foregoing eligible reimbursement via a health coverage plan; however, proposed law requires a doula opting for reimbursement via a health coverage plan to have approved registration with the La. Doula Registry Board.

Proposed law authorizes a health insurance issuer or health coverage plan to establish additional credentialing standards for contracting with doulas.

Proposed law prohibits terminology in any health coverage plan or contract deemed discriminatory against doulas and maternity support services provided by doulas. Further provides that such terminology is void and unenforceable.

Proposed law defines "doula", "health coverage plan", and "maternity support services".

Proposed law applies to a policy, contract, or health coverage plan issued on and after Jan. 1, 2024 and requires a current policy, contract, or plan to convert to the provisions of proposed law by Jan. 1, 2025.

Present law (R.S. 22:1059.2) requires a health coverage plan to provide inpatient and outpatient coverage benefits for up to 2 months for medically necessary pasteurized donor human milk under certain conditions. Proposed law redesignates the citation of present law from R.S. 22:1059.2 to R.S. 22:1059.3 and otherwise retains present law.

(Amends R.S. 22:1059.2; Adds R.S. 22:1059.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Create consistency with current proposed law.
2. Add that coverage may also be subject to an annual limit of \$1,500.
3. Add that a health insurance issuer or health coverage plan may establish additional credentialing standards for contracting with doulas.
4. Change the year from 2024 to 2025 for which a current policy, contract, or plan is required to convert to the requirements of proposed law.