

Assembly Bill No. 283—Assemblymen Summers-Armstrong, Marzola, Peters; Bilbray-Axelrod, Carter, González, Brittney Miller, C.H. Miller, Nguyen and Watts

CHAPTER.....

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:

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

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

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

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

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

2. The Department shall apply to the Secretary of Health and Human Services for a waiver granted pursuant to 42 U.S.C. § 1315



or apply for an amendment of the State Plan for Medicaid that authorizes the Department to receive federal funding to ~~include in the State Plan for Medicaid~~ **provide** coverage of doula services provided by an enrolled doula. The Department shall fully cooperate in good faith with the Federal Government during the application process to satisfy the requirements of the Federal Government for obtaining a waiver or amendment pursuant to this section.

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

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

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

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

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

6. As used in this section:

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

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

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

For the Fiscal Year 2023-2024..... \$165,891

For the Fiscal Year 2024-2025..... \$205,515

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise



transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

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

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

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

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

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

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

