

1 HOUSE BILL 214

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO HEALTH; ENACTING THE DOULA CREDENTIALING AND ACCESS
12 ACT; REQUIRING THE SECRETARY OF HEALTH TO PROMULGATE RULES TO
13 ESTABLISH A VOLUNTARY CREDENTIALING PROCESS TO ALLOW DOULAS TO
14 ENROLL AS MEDICAID PROVIDERS; APPOINTING A DOULA CREDENTIALING
15 ADVISORY COUNCIL; ESTABLISHING A PROCESS FOR COLLABORATION
16 AMONG STATE AGENCIES, LOCAL GOVERNMENT ENTITIES AND PRIVATE
17 ENTITIES FOR SHARING CERTAIN INFORMATION REGARDING SERVICES
18 PROVIDED BY CREDENTIALLED DOULAS; REQUIRING ANNUAL REPORTING;
19 CREATING THE DOULA FUND; REQUIRING HOSPITALS AND FREESTANDING
20 BIRTH CENTERS TO CREATE POLICIES TO ALLOW DOULAS TO ACCOMPANY
21 PATIENTS RECEIVING CERTAIN SERVICES ON THEIR PREMISES.
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23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

24 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
25 cited as the "Doula Credentialing and Access Act".

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1 SECTION 2. ~~[NEW MATERIAL]~~ DEFINITIONS.--As used in the
2 Doula Credentialing and Access Act:

3 A. "applicant" means a person applying to be
4 credentialed or recredentialed as a doula;

5 B. "authority" means the health care authority;

6 C. "credentialed doula" means a doula to whom the
7 department has issued a credential to allow the doula to enroll
8 as a medicaid provider;

9 D. "department" means the department of health;

10 E. "doula" means a trained, nonmedical professional
11 who provides services, including health education, advocacy or
12 physical, emotional or social support, to a person during the
13 pre-conception period, pregnancy, childbirth or the postpartum
14 period to promote positive health outcomes;

15 F. "eligible person" means a person who:

16 (1) is eligible for medicaid; and

17 (2) elects to receive services from a
18 credentialed doula, while pregnant or during the first twelve
19 months of the postpartum period, regardless of the person's
20 birth outcome;

21 G. "freestanding birth center" means a birth center
22 licensed by the authority;

23 H. "hospital" means a hospital licensed by the
24 authority; and

25 I. "secretary" means the secretary of health.

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1 SECTION 3. [NEW MATERIAL] RULEMAKING--VOLUNTARY DOULA
2 CREDENTIALING--FEES--DISCIPLINARY ACTION.--

3 A. The secretary shall adopt and promulgate rules
4 relating to the following:

5 (1) the establishment and administration of a
6 voluntary program for credentialing doulas, including the
7 development of criteria for:

- 8 (a) education;
- 9 (b) training;
- 10 (c) experience; and
- 11 (d) other qualifications that the
12 secretary deems appropriate in accordance with the provisions
13 of the Doula Credentialing and Access Act;

14 (2) procedures for the receipt and review of
15 and action upon applications for initial credentialing;

16 (3) standards for continuing education,
17 professional development, mentorship activities and other
18 requirements that the secretary deems appropriate for
19 recertification;

20 (4) the creation of a workforce development
21 plan, including practices for promoting equitable access to
22 doula credentialing for members of underserved communities;

23 (5) procedures for disciplinary action
24 relating to applicants or credentialed doulas, including
25 guidelines for:

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- 1 (a) reprimands;
- 2 (b) probation;
- 3 (c) denial, suspension or revocation of
- 4 credentialing or recredentialing; and
- 5 (d) an appeal process;
- 6 (6) the development and operation of a
- 7 publicly accessible online directory for identifying
- 8 credentialed doulas; and
- 9 (7) other matters that the secretary deems
- 10 appropriate to carry out the provisions of the Doula
- 11 Credentialing and Access Act.

12 B. The secretary may:

- 13 (1) collect credentialing fees; and
- 14 (2) apply any fees collected pursuant to the
- 15 Doula Credentialing and Access Act to cover the costs of
- 16 administering a voluntary program for credentialing doulas
- 17 pursuant to that act.

18 SECTION 4. [NEW MATERIAL] USE OF THE "CREDENTIALLED DOULA"
19 DESIGNATION--UNAUTHORIZED PRACTICE.--

20 A. In order to use the title "credentialed doula"
21 or other designation that indicates that an individual is a
22 credentialed doula, the individual shall be credentialed
23 pursuant to the provisions of the Doula Credentialing and
24 Access Act.

25 B. To ensure compliance with the provisions of the
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1 Doula Credentialing and Access Act or any rule that the
2 secretary has adopted and promulgated pursuant to that act, the
3 department may issue cease-and-desist orders to persons who
4 violate the provisions of the Doula Credentialing and Access
5 Act.

6 C. A credentialed doula shall engage only in those
7 activities authorized pursuant to the Doula Credentialing and
8 Access Act and by rules adopted and promulgated pursuant to
9 that act. While engaging in practice as a credentialed doula,
10 an individual shall not engage in or perform any act or service
11 for which another professional certificate, license or other
12 legal authority is required. Nothing in this section shall be
13 construed to prevent or restrict the practice, service or
14 activities of an individual simultaneously credentialed as a
15 credentialed doula and licensed, certified, registered or
16 otherwise legally authorized in the state to engage in the
17 practice of another profession if that individual does not,
18 while engaged in the authorized practice of another profession,
19 use any name, title or other designation indicating that the
20 individual is a credentialed doula.

21 SECTION 5. [NEW MATERIAL] DOULA CREDENTIALING ADVISORY
22 COUNCIL.--

23 A. The "doula credentialing advisory council" is
24 established and administratively attached to the department.

25 B. The doula credentialing advisory council shall

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1 hold its first meeting no later than September 1, 2025 and
2 thereafter shall meet at least quarterly at the call of the
3 chair.

4 C. The doula credentialing advisory council
5 consists of fifteen members who shall be:

- 6 (1) residents of the state; and
7 (2) appointed by and serve at the pleasure of
8 the secretary.

9 D. Members shall include:

- 10 (1) the secretary or the secretary's designee,
11 who shall serve as chair of the council;
12 (2) the secretary of health care authority or
13 the secretary's designee;
14 (3) the secretary of early childhood education
15 and care or the secretary's designee; and
16 (4) twelve members from diverse linguistic and
17 cultural backgrounds and varied geographic regions, at least
18 eight of whom shall be doulas.

19 E. The secretary shall endeavor to appoint members
20 from underserved communities with experience advocating for or
21 providing or receiving services relating to promoting positive
22 pregnancy-related health outcomes.

23 F. Appointed members may receive per diem and
24 mileage pursuant to the Per Diem and Mileage Act.

25 G. The secretary shall adopt and promulgate rules

1 that establish the doula credentialing advisory council's
2 membership, duties and the conduct of meetings.

3 H. The doula credentialing advisory council's
4 duties shall include making recommendations regarding the doula
5 credentialing process to the secretary on the following
6 matters:

7 (1) developing standards and requirements for
8 minimal levels of education, training and experience for
9 credentialing;

10 (2) developing standards and requirements for
11 approval or acceptance of continuing education courses and
12 programs that the secretary may require for the renewal of a
13 credential;

14 (3) reviewing the materials approved for
15 training and education to ensure that they include practices
16 for providing culturally and linguistically appropriate
17 services to address the needs of underserved communities;

18 (4) creating a workforce development plan to
19 support the establishment and growth of the credentialed doula
20 workforce, with a focus on practices that promote diversity and
21 equitable access to the credentialing process; and

22 (5) developing methods for collecting
23 information regarding the provision of services by credentialed
24 doulas and the pregnancy- and postpartum-related health
25 outcomes of eligible persons.

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1 SECTION 6. [NEW MATERIAL] COLLABORATION INFORMATION

2 SHARING AND REPORTING.--

3 A. The department shall collaborate with state
4 agencies, local governments and private entities to share
5 relevant, disaggregated, non-personal identifying information
6 regarding the provision of credentialed doula services.

7 B. Beginning September 1, 2026 and annually
8 thereafter, the department shall submit to the governor and the
9 legislature an annual report including the following
10 information:

11 (1) the number of credentialed doulas enrolled
12 as medicaid providers;

13 (2) demographic information on credentialed
14 doulas enrolled as medicaid providers;

15 (3) the location, by county, of where
16 credentialed doulas practice;

17 (4) the number of eligible persons receiving
18 services from credentialed doulas;

19 (5) demographic data of eligible persons
20 receiving services from credentialed doulas;

21 (6) the total cost of services provided by
22 credentialed doulas per eligible person;

23 (7) the duration of services provided by
24 credentialed doulas to each eligible person;

25 (8) the average number of credentialed doula

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1 visits, per eligible person, by service type; and

2 (9) the pregnancy-related health outcomes of
3 eligible persons, including instances of gestational diabetes,
4 prenatal and postpartum hospitalizations, premature births,
5 caesarean sections, birth injuries and infant and maternal
6 deaths.

7 C. All demographic information shall be reported in
8 a disaggregated, non-personal-identifying manner.

9 SECTION 7. [NEW MATERIAL] DOULA ACCESS.--

10 A. Each hospital and freestanding birth center
11 shall:

12 (1) adopt and maintain written policies and
13 procedures authorizing a patient to select a doula of the
14 patient's choice to accompany the patient within the facility's
15 premises for the purposes of providing services during
16 pregnancy, childbirth and the twelve-month postpartum period;

17 (2) provide a written copy of the policies and
18 procedures adopted pursuant to Paragraph (1) of this subsection
19 to:

20 (a) health care providers providing
21 services related to pregnancy, childbirth or the twelve-month
22 postpartum period at the facility;

23 (b) patients receiving services related
24 to pregnancy, childbirth or the twelve-month postpartum period
25 at the facility; and

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1 (c) any other person, at the request of
2 the patient; and

3 (3) post a notice of the facility's policies
4 and procedures adopted pursuant to Paragraph (1) of this
5 subsection:

6 (a) in the room of a patient admitted to
7 the facility for services related to pregnancy, childbirth or
8 the twelve-month postpartum period; and

9 (b) on the facility's website.

10 B. The authority may adopt rules in accordance with
11 the Doula Credentialing and Access Act necessary to effectuate
12 the purposes of that act.

13 SECTION 8. [NEW MATERIAL] DOULA FUND--CREATION.--

14 A. The "doula fund" is created as a nonreverting
15 fund in the state treasury. The fund shall be administered by
16 the department and consists of gifts, grants, donations and
17 bequests made to the fund.

18 B. Money in the fund is subject to appropriation by
19 the legislature to the department for purposes relevant to the
20 provisions of the Doula Credentialing and Access Act.

21 C. The department shall adopt rules on
22 qualifications for grants and specify the format, procedure and
23 deadlines for grant applications.

24 D. Disbursements from the fund shall be made upon
25 vouchers issued and signed by the secretary or the secretary's

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1 designee upon warrants drawn by the secretary of finance and
2 administration.

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