



Sen. Lakesia Collins

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10400SB2437sam002

LRB104 10548 KTG 24834 a

1 AMENDMENT TO SENATE BILL 2437

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2437 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by  
5 adding Sections 5-18.6 and 5-18.7 as follows:

6 (305 ILCS 5/5-18.6 new)

7 Sec. 5-18.6. Doula policies; hospitals and birthing  
8 centers.

9 (a) Recognizing the importance that doulas provide in the  
10 support and advocacy for pregnant persons, within 6 months  
11 after this amendatory Act of the 104th General Assembly, all  
12 hospitals with licensed obstetric beds and birthing centers  
13 shall adopt and maintain written policies and procedures to  
14 permit a patient enrolled in the medical assistance program to  
15 have an Illinois Medicaid certified and enrolled doula of the  
16 patient's choice accompany the patient within the facility's

1 premises for the purposes of providing support before, during,  
2 and after labor and childbirth.

3 (1) An Illinois Medicaid certified and enrolled doula  
4 shall not be counted as a support person or against the  
5 guest quota before, during, or after childbirth.

6 (2) Each applicable facility shall post a summary of  
7 the facility's policies and procedures adopted in  
8 accordance with this subsection on its website, including  
9 contact information to facilitate communication between  
10 the facility and Illinois Medicaid enrolled doulas and  
11 doula organizations.

12 (b) Nothing in this Section shall be construed to provide  
13 a doula with access to a patient when that access is  
14 inconsistent with generally accepted medical standards or  
15 practices.

16 (c) Nothing in this Section is intended to expand or limit  
17 the malpractice liability of a hospital beyond the limits  
18 existing in current Illinois statutory and common law;  
19 however, no hospital shall be liable for any act or omission  
20 resulting from the provision of services by any doula solely  
21 on the basis that the hospital permitted an Illinois Medicaid  
22 certified and enrolled doula of the patient's choice to  
23 accompany the patient within the facility's premises for the  
24 purposes of providing support before, during, and after labor  
25 and childbirth. The hospital and Illinois Medicaid certified  
26 and enrolled doula providing care are responsible for their

1 own acts and omissions.

2 (d) At the request of the hospital or birthing facility,  
3 Illinois Medicaid enrolled doulas must provide written  
4 acknowledgment of Illinois Medicaid doula certification and  
5 enrollment in the medical assistance program.

6 (305 ILCS 5/5-18.7 new)

7 Sec. 5-18.7. Standing recommendations. The Department of  
8 Healthcare and Family Services and the Department of Public  
9 Health may establish standing recommendations to meet Centers  
10 for Medicare and Medicaid Services requirements and ensure  
11 access to preventive services, including Medicaid-covered  
12 maternal and reproductive health supports and services, such  
13 as, but not limited to, doulas, lactation consultants, home  
14 visitors, community health workers, and 1115 Waiver services.  
15 No employee of the Department of Healthcare and Family  
16 Services or the Department of Public Health issuing a standing  
17 recommendation in accordance with this Section shall, as a  
18 result of the employee's acts or omissions in issuing the  
19 standing recommendation, be subject to (i) any disciplinary or  
20 other adverse action under the Medical Practice Act of 1987,  
21 (ii) any civil liability, or (iii) any criminal liability."