



COMMONWEALTH of VIRGINIA

Office of the Governor

Daniel Carey, MD
Secretary of Health and Human Resources

August 24, 2021

Francis McCullough, Associate Regional Administrator
Centers for Medicare & Medicaid Services
801 Market Street, Suite 9400
Philadelphia, PA 19107-3134

Dear Mr. McCullough:

Attached for your review and approval is amendment 21-013, entitled "Doula Services" to the Plan for Medical Assistance for the Commonwealth. I request that your office approve this change as quickly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Carey".

Daniel Carey, MD. MHCM

Attachment

cc: Karen Kimsey, Director, Department of Medical Assistance Services

Transmittal Summary

SPA 21-013

I. IDENTIFICATION INFORMATION

Title of Amendment: Doula Services

II. SYNOPSIS

Basis and Authority: The Code of Virginia (1950) as amended, § 32.1-325, grants to the Board of Medical Assistance Services the authority to administer and amend the Plan for Medical Assistance. The Code of Virginia (1950) as amended, § 32.1-324, authorizes the Director of the Department of Medical Assistance Services (DMAS) to administer and amend the Plan for Medical Assistance according to the Board's requirements.

Item 313.WWWWW in the 2021 Appropriations Act requires DMAS to “amend the State Plan for Medical Assistance to authorize coverage of community doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The Department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care.”

Purpose: Doulas provide support during pregnancy and birth, as well as in the postpartum period. The Virginia General Assembly mandated that DMAS cover doula services as part of an effort to reduce maternal and infant mortality and an effort to reduce health disparities.

Substance and Analysis: The sections of the State Plan for Medical Assistance that are affected by this action are “Amount, Duration, and Scope of Medical and Remedial Care and Services Provided to the Categorically Needy and Medically Needy” and “Methods and Standards for Establishing Payment Rate – Other Types of Care.”

Impact: The expected increase in annual aggregate expenditures is \$584,186 in state general funds and \$ 621,516 in federal funds in federal fiscal year 2022.

Tribal Notice: Please see Attachments A-1 and A-2.

Prior Public Notice: Please see Attachment B-1.

Public Comments and Agency Analysis: Please see Attachment B-2.



McClellan, Emily <emily.mcclellan@dmas.virginia.gov>

Tribal Notice: Implementing Doula Services

1 message

McClellan, Emily <emily.mcclellan@dmas.virginia.gov> Fri, Jul 23, 2021 at 4:01 PM
To: TribalOffice@monacannation.com, "chiefannerich@aol.com" <chiefannerich@aol.com>, Gerald Stewart <wasandson@cox.net>, Pam Thompson <Pamelathompson4@yahoo.com>, rappahannocktrib@aol.com, regstew007@gmail.com, robert.gray@pamunkey.org, Rufus Elliott <tribaladmin@monacannation.com>, Samuel Bass <samflyingeagle48@yahoo.com>, Stephen Adkins <chiefstephenadkins@gmail.com>, Frank <WFrankAdams@verizon.net>, "bradbybrown@gmail.com" <bradbybrown@gmail.com>, heather.hendrix@ihs.gov, "Garrett, Tabitha (IHS/NAS/RIC)" <tabitha.garrett@ihs.gov>, Kara.Kearns@ihs.gov

Dear Tribal Leaders and Indian Health Programs:

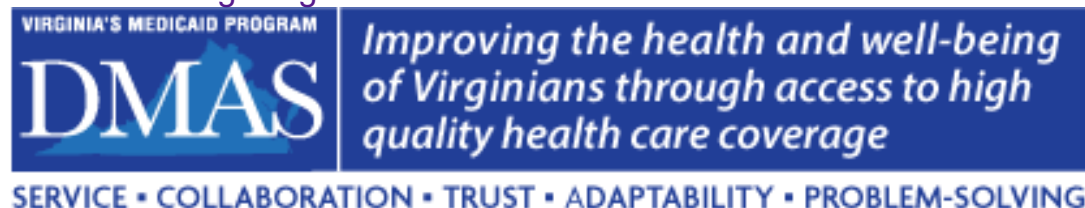
Attached is a Tribal Notice letter from Virginia Medicaid Director Karen Kimsey indicating that the Dept. of Medical Assistance Services (DMAS) plans to submit a State Plan Amendment (SPA) to the federal Centers for Medicare and Medicaid Services. This SPA will allow DMAS to offer and provide doula services.

If you would like a copy of the SPA documents or proposed text changes, or if you have any questions, please let us know.

Thank you! -- Emily McClellan

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Emily McClellan
Policy, Regulation, and Member Engagement Division Director
Virginia Department of Medical Assistance Services
600 East Broad Street
Richmond, VA 23219
(804) 371-4300
www.dmas.virginia.gov



Tribal Notice Letter 7-23-21.pdf
284K



COMMONWEALTH of VIRGINIA

Department of Medical Assistance Services

KAREN KIMSEY
DIRECTOR

SUITE 1300
600 EAST BROAD STREET
RICHMOND, VA 23219
804/786-7933
800/343-0634 (TDD)
www.dmas.virginia.gov

July 23, 2021

SUBJECT: Notice of Opportunity for Tribal Comment – State Plan Amendment related to Coverage for Doula Services

Dear Tribal Leader and Indian Health Programs:

This letter is to notify you that the Department of Medical Assistance Services (DMAS) is planning to amend the Virginia State Plan for Medical Assistance with the Centers for Medicare and Medicaid Services (CMS). Specifically, DMAS is providing you notice about a State Plan Amendment (SPA) that the Agency will file with CMS in order to provide coverage for doula services for Medicaid-enrolled pregnant women. Doulas provide support during pregnancy and birth, as well as in the postpartum period. The Virginia General Assembly mandated that DMAS cover doula services as part of an effort to reduce maternal and infant mortality and an effort to reduce health disparities. Services will include up to eight prenatal/postpartum visits, and support during labor and delivery. The SPA will also provide authority for two linkage-to-care incentive payments for postpartum and newborn care.

The tribal comment period for this SPA is open through August 22, 2021. You may submit your comments directly to Emily McClellan, DMAS Policy Division, by phone (804) 371-4300, or via email: Emily.McClellan@dmas.virginia.gov Finally, if you prefer regular mail you may send your comments or questions to:

Virginia Department of Medical Assistance Services
Attn: Emily McClellan
600 East Broad Street
Richmond, VA 23219

Please forward this information to any interested party.

Sincerely,

A handwritten signature in blue ink that reads "Karen Kimsey".

Karen Kimsey

ATTACHMENT B-1

Virginia.gov Agencies | Governor



Agency Department of Medical Assistance Services

Board Board of Medical Assistance Services

General Notice

Public Notice - Intent to Amend State Plan - Doula Services

Date Posted: 7/23/2021

Expiration Date: 12/23/2021

Submitted to Registrar for publication: YES

[30 Day Comment Forum](#) is underway. Began on 7/23/2021 and will end on 8/22/2021

LEGAL NOTICE

COMMONWEALTH OF VIRGINIA

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

NOTICE OF INTENT TO AMEND

(Pursuant to §1902(a)(13) of the *Act (U.S.C. 1396a(a)(13))*)

THE VIRGINIA STATE PLAN FOR MEDICAL ASSISTANCE

This Notice was posted on July 23, 2021

The Virginia Department of Medical Assistance Services (DMAS) hereby affords the public notice of its intention to amend the Virginia State Plan for Medical Assistance to provide for changes to the *Methods and Standards for Establishing Payment Rates — Other Types of Care (12 VAC 30-80)*.

This notice is intended to satisfy the requirements of 42 C.F.R. § 447.205 and of § 1902(a)(13) of the *Social Security Act*, 42 U.S.C. § 1396a(a)(13). A copy of this notice is available for public review from Emily McClellan, DMAS, 600 Broad Street, Suite 1300, Richmond, VA 23219, or via e-mail at: Emily.McClellan@dmas.virginia.gov.

DMAS is specifically soliciting input from stakeholders, providers and beneficiaries, on the potential impact of the proposed changes discussed in this notice. Comments or inquiries may be submitted, in writing, within 30 days of this notice publication to Emily McClellan and such comments are available for review at the same address. Comments may also be submitted, in writing, on the Town Hall public comment forum attached to this notice.

This notice is available for public review on the Regulatory Town Hall (www.townhall.com), on the General Notices page, found at: <https://townhall.virginia.gov/L/generalnotice.cfm>

In accordance with the 2021 Special Session, Item 313 WWWW, DMAS will be making the following changes:

Methods & Standards for Establishing Payment Rates-Other Types of Care (12 VAC 30-80)

The state plan is being revised to include coverage for doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The Department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care. A copy of the Report of the Virginia Medicaid Benefit for Community Doula Services Work Group, dated December 1, 2020, is available at: <https://rga.lis.virginia.gov/Published/2020/RD669>

The expected increase in annual aggregate expenditures is \$584,186 in state general funds and \$ 621,516 in federal funds in federal fiscal year 2022.

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Contact Information

Name / Title:	Emily McClellan / <i>Regulatory Manager</i>
Address:	Division of Policy and Research 600 E. Broad St., Suite 1300 Richmond, 23219
Email Address:	<u>Emily.McClellan@dmas.virginia.gov</u>
Telephone:	(804)371-4300 FAX: (804)786-1680 TDD: (800)343-0634

ATTACHMENT B-2

Virginia.gov Agencies | Governor



Public comment forums

Make your voice heard! Public comment forums allow all Virginia's citizens to participate in making and changing our state regulations.

[See our public comment policy](#)

Currently showing **1** comment forums closed within the last 3 days for the Department of Medical Assistance Services.

[Recently closed](#)
[Recently opened](#)
[Active Forums](#)
[More filter options](#)

Regulatory Activity Forums (1)

[Guidance Document Forums \(0\)](#)

[Actions \(\)](#)
 [Periodic Reviews \(\)](#)
 [Petitions for Rulemaking \(\)](#)
 [General Notices \(1\)](#)

Board of Medical Assistance Services

View Comments	Public Notice - Intent to Amend State Plan - Doula Services	<p>General Notice Public Notice - Intent to Amend State Plan - Doula Services</p> <p style="background-color: yellow;">Closed: 8/22/21 0 comments</p>
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

**AMOUNT, DURATION, AND SCOPE OF MEDICAL
AND REMEDIAL CARE AND SERVICES PROVIDED TO THE CATEGORICALLY NEEDY
and MEDICALLY NEEDY**

Doula Services

Doula services will be used to provide support for pregnant individuals throughout the perinatal period, which may improve birth-related outcomes. Pursuant to 42 C.F.R. Section 440.130(c), doula services are provided as preventive services and must be recommended by a physician or other licensed practitioner of the healing arts within his or her scope of practice under state law to prevent perinatal complications and/or promote the physical and mental health of the beneficiary.

Service Description:

Virginia intends to provide doula services for pregnant individuals during pregnancy, childbirth and the postpartum period. Doulas support the pregnant individual throughout the pregnancy, childbirth and postpartum experience, with the goal of improving outcomes for birthing parents and infants. Doulas offer support, guidance, evidence-based education, practical support during childbirth, and linkages to community-based resources.

Service components include:

- Perinatal support services, including newborn care, to prevent adverse outcomes;
- Labor support; and
- Coordination with community-based services, to improve beneficiary outcomes

Qualified Provider Specifications:

Doula services shall be provided by qualified individuals who are at least 18 years of age. Doulas must:

- Complete doula training, which must include core competencies (perinatal support services, labor support), community-based/cultural competency training, and care coordination. Doula trainings must be approved by the Virginia Department of Health (VDH); and
- Be certified by a state certifying entity designated by VDH.

TN No. 21-013

Approval Date _____

Effective Date 4-1-2022

Supersedes

TN No. New Page

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

**METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATE -
OTHER TYPES OF CARE**

Doula Services

Doula services may be reimbursed from the date of confirmed conception through 180 days (six months) after delivery, contingent on the client maintaining Medicaid eligibility. Virginia will reimburse up to 8 prenatal/postpartum visits and attendance at birth. Each prenatal/postpartum service visit shall be billed and reimbursed separately. A unit of service is 15 minutes. An initial prenatal visit has a maximum unit capacity of six (6) units to account for assessment while all other visits have a maximum capacity of four (4) units.

During the postpartum period, an additional value-based incentive payment will be made if the Doula performs at least one (1) postpartum service visit and the client is seen by an obstetric clinician for one (1) postpartum visit after a labor and delivery claim. A second additional value-based incentive payment will be made if the Doula performs at least one (1) postpartum service visit (this may be the same postpartum visit used for the first value-based payment) and the newborn is seen by a pediatric clinician for one (1) visit after a labor and delivery claim.

The Agency's fee schedule rates for doula services are set as of April 1, 2022, and are effective for services on or after that date. The rates are the same for both governmental and private providers. All rates are published on the State's website at <https://www.dmas.virginia.gov/for-providers/general-information/procedure-fee-files-cpt-codes/>.

TN No. 21-013

Approval Date _____

Effective Date 4-1-2022

Supersedes

TN No. New Page

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2 1 0 1 3

2. STATE

Virginia

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
CENTERS FOR MEDICARE & MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

04/01/2022

5. TYPE OF PLAN MATERIAL (Check One)

- NEW STATE PLAN AMENDMENT TO BE CONSIDERED AS NEW PLAN AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION

42 CFR 440

7. FEDERAL BUDGET IMPACT

a. FFY 2022 \$ 621,516
b. FFY 2023 \$ 1,243,031

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

Attachment 31A&B, Supplement 1: new page 28.1
Attachment 4.19-B, new page 6.2.1.2

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)

Same as box #8.

10. SUBJECT OF AMENDMENT

Doula Services

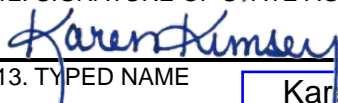
11. GOVERNOR'S REVIEW (Check One)

- GOVERNOR'S OFFICE REPORTED NO COMMENT
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED

Secretary of Health and Human Resources

12. SIGNATURE OF STATE AGENCY OFFICIAL



13. TYPED NAME

Karen Kimsey

14. TITLE

Director

15. DATE SUBMITTED

8/24/2021

16. RETURN TO

Dept. of Medical Assistance Services
600 East Broad Street, #1300
Richmond VA 23219

Attn: Regulatory Coordinator

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED

18. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL

20. SIGNATURE OF REGIONAL OFFICIAL

21. TYPED NAME

22. TITLE

23. REMARKS

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State of VIRGINIA

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