

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2329

05/13/2015 Authored by Schultz, Laine and Franson

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health licensing; providing licensure for doulas; amending Minnesota
1.3 Statutes 2014, sections 148.995, subdivision 2; 148.996; 148.997, subdivision 1;
1.4 proposing coding for new law in Minnesota Statutes, chapter 148.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 148.995, subdivision 2, is amended to read:

1.7 Subd. 2. **Certified Licensed doula.** "Certified Licensed doula" means an individual
1.8 who has received a certification 18 hours of training to perform doula services from the
1.9 International Childbirth Education Association, the Doulas of North America (DONA),
1.10 the Association of Labor Assistants and Childbirth Educators (ALACE), Birthworks, the
1.11 Childbirth and Postpartum Professional Association (CAPPA), Childbirth International,
1.12 the International Center for Traditional Childbearing, or Commonsense Childbirth, Inc.
1.13 a qualified doula training organization approved by the commissioner. Two hours of
1.14 doula training must be on breastfeeding.

1.15 Sec. 2. **[148.9951] CONTINUING EDUCATION; DISCIPLINARY PROCESS.**

1.16 (a) The doula license issued by the commissioner is effective for three years from the
1.17 date of issuance. A licensed doula must obtain 20 contact hours of continuing education
1.18 units from doula training programs approved by the commissioner prior to license renewal.

1.19 (b) Licensed doulas are subject to section 146A.09.

1.20 (c) Licensed doulas must not engage in the prohibited acts specified in section
1.21 146A.08, subdivision 1, paragraphs (e) to (k), (n), and (r).

1.22 Sec. 3. **[148.9952] REGULATION; LICENSED DOULA.**

2.1 Subdivision 1. **Application for license.** An applicant must:

2.2 (1) be 18 years of age or older;

2.3 (2) apply to the commissioner for a license to perform doula services on an
2.4 application form provided by the commissioner;

2.5 (3) at a minimum, provide the applicant's name, business address, e-mail address,
2.6 and phone number, employer, if any, and information about the applicant's training and
2.7 experience in providing doula services;

2.8 (4) include with the application a statement that the statements in the application are
2.9 true and correct to the best of the applicant's knowledge and belief;

2.10 (5) include with the application a written and signed authorization that authorizes the
2.11 commissioner to make inquiries to appropriate regulatory agencies in this or any other
2.12 state where the applicant has performed doula services;

2.13 (6) submit evidence of continuing education credits; and

2.14 (7) submit all fees as required under section 148.997.

2.15 Subd. 2. **Issuance of license.** The commissioner shall issue a license to each

2.16 applicant who applies under subdivision 1 if the commissioner determines that

2.17 the applicant is in compliance with this section, has met the continuing education

2.18 requirements, if required, and has paid the fee set by the commissioner. The commissioner

2.19 may reject or deny an application for a certificate if there is evidence of a violation or

2.20 failure to comply with this section.

2.21 Subd. 3. **Action on applications for licensure.** The commissioner shall act

2.22 on applications for licensure, and applications for renewal of licensure, according to

2.23 paragraphs (a) to (c).

2.24 (a) The commissioner shall determine if the applicant meets the requirements for
2.25 licensure. The commissioner may investigate information provided by an applicant to
2.26 determine whether the information is accurate and complete.

2.27 (b) The commissioner shall notify each applicant of action taken on the application
2.28 and of the grounds for denying licensure if licensure is denied.

2.29 (c) The commissioner shall comply with contested case procedures in chapter 14
2.30 when suspending, revoking, or refusing to issue or renew a license under this section.

2.31 Subd. 4. **Reapplication following denial, rejection, revocation, or suspension of**
2.32 **licensure.** After two years, upon application and evidence that the disqualifying behavior
2.33 has ceased, the commissioner may restore or approve certification previously denied,
2.34 rejected, revoked, or suspended, provided that the applicant has met all conditions and
2.35 terms of any orders to which the applicant is a subject.

3.1 Subd. 5. **Licensure renewal notice.** Licensure must be renewed every three years.
 3.2 The commissioner shall mail a renewal notice to the licensed doula's last known mailing or
 3.3 e-mail address. The notice must include a renewal application and notice of fees required
 3.4 for renewal. A licensed doula is not relieved from meeting the renewal deadline on the
 3.5 basis that the licensed doula did not receive the renewal notice.

3.6 Subd. 6. **Renewal requirements.** To renew a license, an applicant must:
 3.7 (1) every three years, complete a renewal application on a form provided by the
 3.8 commissioner and submit the renewal fee by the deadline;
 3.9 (2) submit evidence of completion of continuing education requirements; and
 3.10 (3) submit additional information if requested by the commissioner to clarify
 3.11 information presented in the renewal application. The information must be submitted
 3.12 within 30 days of the commissioner's request.

3.13 Subd. 7. **Requirement to maintain current information.** A licensed doula must
 3.14 notify the commissioner in writing within 30 days of a change of name, addresses, home
 3.15 or business telephone number, or business name.

3.16 Sec. 4. Minnesota Statutes 2014, section 148.996, is amended to read:

3.17 **148.996 REGISTRY.**

3.18 Subdivision 1. **Establishment.** The commissioner of health shall maintain a registry
 3.19 ~~of certified doulas who have met the requirements listed in subdivision 2~~ nonprofit and
 3.20 tribal organizations that employ or contract with licensed doulas.

3.21 Subd. 2. **Qualifications.** The commissioner shall include on the registry any
 3.22 ~~individual who~~ nonprofit or tribal organization that:

3.23 (1) submits an application on a form provided by the commissioner. The form must
 3.24 include the ~~applicant's~~ organization's name, address, and contact information; and

3.25 ~~(2) maintains a current certification from one of the organizations listed in section~~
 3.26 ~~148.995, subdivision 2; and~~

3.27 ~~(3)~~ (2) pays the fees required under section 148.997.

3.28 Subd. 3. **Criminal background check.** The commissioner shall conduct a criminal
 3.29 background check on each licensed individual doula and those licensed doulas listed with
 3.30 the nonprofit or tribal organization by reviewing the Bureau of Criminal Apprehension's
 3.31 Web site. If the review indicates that ~~an applicant~~ a licensed doula has been engaged in
 3.32 criminal behavior, the commissioner shall indicate this on the licensed doula organization
 3.33 registry and provide a link to the Bureau of Criminal Apprehension's Web site.

3.34 Subd. 4. **Renewal.** Inclusion on the registry maintained by the commissioner is
 3.35 valid for three years. At the end of the three-year period, the ~~certified doula~~ organization

4.1 may submit a new application to remain on the licensed doula organization registry by
4.2 meeting the requirements described in subdivision 2.

4.3 Subd. 5. **Public access.** The commissioner shall provide a link to the licensed doula
4.4 organization registry on the Department of Health's Web site.

4.5 Sec. 5. Minnesota Statutes 2014, section 148.997, subdivision 1, is amended to read:

4.6 Subdivision 1. **Fees.** (a) The doula license application fee for initial license and
4.7 relicense is \$130 \$163. The commissioner may waive the license or relicense fee for
4.8 applicants who demonstrate a financial hardship.

4.9 (b) The criminal background check fee payable by the doula license applicant is \$6.

4.10 (c) The registry fee for nonprofit and tribal organizations is \$142.

4.11 (d) Fees collected under this section shall be deposited in the state treasury and
4.12 credited to the state government special revenue fund.