

Oklahoma Health Care Authority

The Oklahoma Health Care Authority (OHCA) values your feedback and input. It is very important that you provide your comments regarding the proposed rule change by the comment due date. Comments can be submitted on the OHCA's [Proposed Changes Blog](#).

OHCA COMMENT DUE DATE: January 6, 2025

The proposed policy changes are Permanent Rules. The proposed policy changes were presented at the Tribal Consultation held on November 5, 2024. The proposed rule changes will be presented at a Public Hearing on January 6, 2025. Additionally, the proposed rules are scheduled to be presented to the Medical Advisory Committee on January 9, 2025 and the OHCA Board of Directors on January 15, 2025.

REFERENCE: APA WF #24-11

SUMMARY

The proposed revisions clarify the Oklahoma Health Care Authority's requirements for agency recognition of doula certifying organizations. The proposed criteria for doula certifying organizations address specialty certifications offered by the organization, frequency of recertification, training modalities, support experience required, references, and practice guidelines and standards (including ethics guidelines and a grievance/disciplinary policy).

LEGAL AUTHORITY

The Oklahoma Health Care Authority Act, Section 5007 (C)(2) of Title 63 of Oklahoma Statutes; The Oklahoma Health Care Authority Board

RULE IMPACT STATEMENT

STATE OF OKLAHOMA OKLAHOMA HEALTH CARE AUTHORITY

SUBJECT: Rule Impact Statement
APA WF # 24-11

A. Brief description of the purpose of the rule:

The proposed policy revisions seek to clarify OHCA's requirements for agency recognition of doula certifying organizations. There are neither national standards nor minimum certification requirements for doulas. Each doula certifying organization sets its own requirements for doula certification. OHCA has developed minimum criteria that doula certifying organizations must meet to be recognized as an approved certifying organization. OHCA will only contract with doulas who are certified by an OHCA-recognized certifying organization to ensure a minimum training standard. The proposed criteria address specialty certifications offered by the organization, frequency of recertification, training modalities, support experience

required, references, and practice guidelines and standards (including ethics guidelines and a grievance/disciplinary policy).

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Doula certifying organizations will be affected by this rule.

- C. A description of the classes of persons who will benefit from the proposed rule:

The proposed rule changes increase clarity and transparency that will benefit doula certifying organizations and doulas seeking to contract with OHCA. SoonerCare members will benefit from the high-quality care provided by doulas who meet OHCA's training and certification standards.

- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

There is no economic impact and there are no fee changes associated with the rule change for the above classes of persons or any political subdivision.

- E. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

The proposed changes are budget neutral.

- F. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

The proposed rule will not have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule.

- G. A determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

The proposed rule will not have an adverse effect on small businesses as provided by the Oklahoma Small Business Regulatory Flexibility Act.

- H. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive

methods for achieving the purpose of the proposed rule:

The Agency has taken measures to determine that there is no less costly or non-regulatory method or less intrusive method for achieving the purpose of the proposed rule.

- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The proposed rule should have no effect on the public health, safety, and environment.

- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:

The Agency does not anticipate any detrimental effect on the public health, safety, or environment if the proposed rule changes are not implemented.

- K. The date the rule impact statement was prepared and if modified, the date modified:

Prepared: November 19, 2024

Modified: December 20, 2024

RULE TEXT:

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE

SUBCHAPTER 5. INDIVIDUAL PROVIDERS AND SPECIALTIES

PART 114. DOULA SERVICES

317:30-5-1216. Eligible providers

- (a) **Provider requirements.** At minimum, providers must:

- (1) Be eighteen (18) years of age;
- (2) Obtain and maintain a National Provider Identifier (NPI); and
- (3) Use the taxonomy number required by the State.

- (b) **Certifications.** Providers must possess one of the following certifications:

- (1) Birth doula;
- (2) Postpartum doula;
- (3) Full-spectrum doula;
- (4) Community-based doula.

- ~~(b)~~(c) **Certifying organization.** Providers must be certified by one of the State's recognized certifying organizations found at www.oklahoma.gov/ohca/. Certifying organizations must meet the criteria in this subsection to be a recognized certifying organization. Certifying organizations

interested in becoming a recognized certifying organization should complete the Doula Certifying Organization Application, Form DCOA, (found at <https://oklahoma.gov/ohca/providers/forms.html>) and follow the instructions on the form for submission.

(1) Records. The certifying organization must maintain a registry of all doulas it has certified, including those who are not practicing or whose certifications have expired. The certifying organization must have a process for prospective clients to verify the certification of a doula.
(2) Certification Discipline. The certifying organization must offer certification in at least one of the following disciplines:

- (A) Birth doula;
- (B) Postpartum doula;
- (C) Full-spectrum doula;
- (D) Community-based doula.

(3) Training. The certifying organization may provide training online, in-person or a combination of both.

- (A) The certifying organization must require a minimum of two in-person birth supports and two postpartum visits with a certified doula from the organization.
- (B) The certifying organization must require a prospective doula to complete all training requirements within one (1) year of training initiation.
- (C) The certifying organization must require and verify that prospective doulas are CPR-certified.
- (D) The certifying organization must provide HIPAA training to prospective doulas.

(4) References. The certifying organization must require prospective doulas to obtain at least two professional references for certification. At least one reference must be from a client.

(5) Continuing Education. The certifying organization must provide Continuing Education (C.E.) training in birth support and postpartum support. The certifying organization may also approve C.E. experiences offered by other organizations for credit towards recertification.

(6) Recertification. The certifying organization must require all doulas to be recertified at least every three (3) years. Lifetime certifications are not permissible. Certifying organizations may require recertification more frequently than every three (3) years. The certifying organization must implement the following minimum requirements for recertification.

- (A) Certifying organizations must require that all doulas complete a minimum of three (3) C.E. experiences to be eligible for recertification. The C.E. experiences may contain any combination of birth support and postpartum support education. The minimum three (3) C.E. experiences must be completed within the doula's current certification period to be eligible for recertification.
- (B) Certifying organizations must require and reverify that doulas maintain CPR certification to be eligible for recertification.
- (C) Certifying organizations must require that doulas complete HIPAA training during each certification period to be eligible for recertification.

(7) Practice Guidelines. The certifying organization must have the following policies. A copy of each must be submitted along with the application.

- (A) Standards of practice
- (B) Code of ethics and conduct
- (C) Social media policy
- (D) Grievance and disciplinary policy

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