

Senate Bill 692

Sponsored by Senator REYNOLDS, Representatives GRAYBER, NERON; Senator GELSER BLOUIN, Representative NELSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act expands access to maternal health services. (Flesch Readability Score: 61.2).

Establishes a community-based perinatal provider access program to increase access to culturally specific perinatal services and culturally competent perinatal services providers.

Expands coverage in the medical assistance program and under health insurance policies for doula services, postpartum doula services and lactation consultations.

Requires the reimbursement rate for doula services and postpartum doula services provided in the medical assistance program to be not less than the rate paid in the State of Washington.

A BILL FOR AN ACT

1
2 Relating to perinatal services; creating new provisions; and amending ORS 414.667, 414.668, 414.669
3 and 750.055.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) As used in this section:**

6 (a) **“Doula,” “doula services” and “postpartum doula services” have the meanings given**
7 **those terms in ORS 414.667.**

8 (b) **“Lactation consultation” has the meaning given that term in ORS 676.665.**

9 (c) **“Perinatal services” includes doula services, postpartum doula services and lactation**
10 **consultations.**

11 (2)(a) **The Oregon Health Authority shall establish a community-based perinatal provider**
12 **access program to support activities that increase access to culturally specific perinatal**
13 **services and culturally competent perinatal services providers. The program must issue**
14 **grants to eligible entities that offer the activities described in this subsection, including**
15 **culturally specific organizations, nonprofit organizations and other entities that partner with**
16 **culturally specific organizations and nonprofit organizations.**

17 (b) **Grants issued under this section may be used for purposes including, but not limited**
18 **to:**

19 (A) **Paying for costs of required training and education to provide perinatal services, in-**
20 **cluding tuition, fees, books and other materials and supplies;**

21 (B) **Providing wages and financial benefits for individuals who are training to provide**
22 **perinatal services;**

23 (C) **Outreach and recruitment to attract individuals to training programs to provide**
24 **perinatal services;**

25 (D) **Funding for culturally specific organizations and programs to establish or expand**
26 **perinatal services, support billing insurance for perinatal services, provide training and**
27 **mentoring for perinatal services providers and conducting consumer education and research**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 regarding culturally specific perinatal services; and

2 (E) Funding to establish and expand doula organizations, support billing insurance for
 3 doula services, provide training and mentoring to support individuals in becoming doulas and
 4 conducting consumer education and research about culturally specific doula services.

5 (3) An eligible entity that receives a grant issued under this section may use the grant
 6 to provide funding to partner entities that are organized to meet the purposes of the pro-
 7 gram.

8 (4) The authority may receive gifts, grants or contributions from any source, whether
 9 public or private, to carry out the provisions of this section. Moneys received under this
 10 section shall be deposited in the Perinatal Services Provider Incentive Fund established un-
 11 der section 2 of this 2025 Act.

12 **SECTION 2.** The Perinatal Services Provider Incentive Fund is established in the State
 13 Treasury, separate and distinct from the General Fund. Interest earned by the Perinatal
 14 Services Provider Incentive Fund shall be credited to the fund. The fund consists of moneys
 15 appropriated to the fund by the Legislative Assembly and gifts, grants or other moneys
 16 contributed to the fund by any source, whether public or private. Moneys in the fund are
 17 continuously appropriated to the Oregon Health Authority to carry out section 1 of this 2025
 18 Act.

19 **SECTION 3.** ORS 414.667 is amended to read:

20 414.667. As used in ORS 414.667, 414.668 and 414.669[.]:

21 (1) “Doula” means an individual who meets criteria for a doula adopted by the Oregon Health
 22 Authority in accordance with ORS 414.665, and provides doula services.

23 (2) “Doula services” includes:

24 (a) The development of a trauma-informed and culturally specific birth plan;

25 (b) In-person attendance by a doula with a pregnant person at prenatal visits, ultrasound
 26 imaging appointments and lab testing appointments;

27 (c) Culturally specific and trauma-informed support and assistance during labor and
 28 childbirth and the postpartum period; and

29 (d) Other physical, emotional or informational support provided by a doula to a pregnant
 30 person before, during and after the delivery of a child.

31 (3) “Lactation consultant” and “lactation consultation” have the meanings given those
 32 terms in ORS 676.665.

33 (4) “Postpartum doula” means an individual who provides postpartum doula services and
 34 support in the postpartum period up to one year after birth, regardless of birth outcome.

35 (5) “Postpartum doula services” includes:

36 (a) Providing emotional support by being a safe person to talk with about postpartum
 37 experiences;

38 (b) Providing practical support, such as housekeeping, meal preparation or infant care;

39 (c) Providing information related to the postpartum period;

40 (d) Supporting self-advocacy by clients with medical providers and family members; and

41 (e) Other support provided by a doula during a period of up to one year after the birth
 42 of a child.

43 **SECTION 4.** ORS 414.668 is amended to read:

44 414.668. (1) Notwithstanding ORS 414.065 and 414.690, the Oregon Health Authority and
 45 coordinated care organizations shall ensure that medical assistance recipients have access

1 to:

2 (a) **Doula services and lactation consultations:**

3 (A) **Sufficient to support recipients' robust maternal health and support positive birth**
4 **outcomes; and**

5 (B) **Provided in a culturally competent manner by individuals from the community**
6 **served, using language, structures and settings familiar to members of the community; and**

7 (b) **At a minimum, the following postpartum doula services:**

8 (A) **Twelve postpartum doula services visits; or**

9 (B) **Thirty-six hours of postpartum doula services reimbursed at no less than \$100 for**
10 **each 90-minute visit.**

11 (2) **Access to doulas, postpartum doulas and lactation consultants:**

12 (a) **Must be made available without a referral from another health care provider; and**

13 (b) **May not require a signature from or supervision by any other health care provider.**

14 (3) **A coordinated care organization shall make information about how to access doula**
15 **services, postpartum doula services and lactation consultations available on a website operated**
16 **by or on behalf of the coordinated care organization and shall provide the information in print**
17 **whenever a printed explanation of benefits is available.**

18 **SECTION 5.** ORS 414.669 is amended to read:

19 414.669. (1) **The Oregon Health Authority, in coordination with the Traditional Health Workers**
20 **Commission, shall in each even-numbered year review, and revise if necessary, any rates of re-**
21 **imbursement for doulas. When reviewing and revising rates of reimbursement, the authority shall**
22 **consider factors including retention of doulas, access to culturally specific doulas and evidence-**
23 **based factors and empirical studies related to the cost-effectiveness of services provided by doulas.**

24 (2) **The reimbursement rate paid for doula services and postpartum doula services pro-**
25 **vided in the medical assistance program may not be less than the reimbursement rate paid**
26 **for doula services and postpartum doula services in the State of Washington.**

27 **SECTION 6.** (1) **As used in this section:**

28 (a) **"Doula" and "postpartum doula" have the meanings given those terms in ORS 414.667.**

29 (b) **"Lactation consultant" has the meaning given that term in ORS 676.665.**

30 (2) **To the extent practicable, a doula, postpartum doula or lactation consultant shall**
31 **strive to provide services that are culturally specific, as defined in ORS 413.256, to a client**
32 **or patient.**

33 (3) **A doula, postpartum doula or lactation consultant who is appropriately trained may**
34 **provide direct care services to a client or patient, including blood pressure screening and**
35 **first aid.**

36 **SECTION 7.** (1) **As used in this section:**

37 (a) **"Doula" and "postpartum doula" have the meanings given those terms in ORS 414.667.**

38 (b) **"Lactation consultant" has the meaning given that term in ORS 676.665.**

39 (2) **The Oregon Health Authority shall provide to the Oregon Health Policy Board and the**
40 **Oregon Public Health Advisory Board, and shall make available free of charge on the primary**
41 **website operated by or on behalf of the authority, a report on the status of doulas in this**
42 **state. The report must include, but not be limited to, information on:**

43 (a) **The number of claims for reimbursement of doulas submitted to the authority and**
44 **the percentage of those claims that are reimbursed;**

45 (b) **Any barriers experienced by doulas to accessing the claims process;**

1 (c) The annual increase or decrease in the number of doulas listed on a registry managed
 2 by the authority;

3 (d) The demographics of the registry of doulas managed by the authority;

4 (e) Doula training or certification programs offered in this state;

5 (f) The relationship between the registry of doulas managed by the authority and the
 6 perceived doula workforce need;

7 (g) Recommendations on achieving cultural specificity goals for doula services; and

8 (h) Disaggregated birth outcomes for patients with doula support and without doula
 9 support.

10 (3) Every coordinated care organization as defined in ORS 414.025 shall report informa-
 11 tion about the utilization and costs of doula, postpartum doula and lactation consultant ser-
 12 vices to the authority by June 30 of each year. The authority, in consultation with the
 13 Traditional Health Workers Commission established under ORS 413.600, shall prescribe by
 14 rule the information required to be reported under this subsection.

15 (4) The authority shall provide the report required by subsection (2) of this section by
 16 September 15 of each even-numbered year.

17 **SECTION 8.** Section 9 of this 2025 Act is added to and made a part of the Insurance Code.

18 **SECTION 9.** (1) As used in this section:

19 (a) “Doula,” “doula services,” “postpartum doula” and “postpartum doula services” have
 20 the meanings given those terms in ORS 414.667.

21 (b) “Lactation consultant” and “lactation consultation” have the meanings given those
 22 terms in ORS 676.665.

23 (2) A policy or certificate of health insurance or a health care service contract offered
 24 by a health care service contractor in this state that reimburses the cost of pregnancy and
 25 childbirth expenses shall provide coverage for doula services, postpartum doula services and
 26 lactation consultations.

27 (3) Covered services required under subsection (2) of this section shall include a mini-
 28 mum of:

29 (a) Eight doula visits; and

30 (b) Twelve visits, or 36 hours, of postpartum doula services.

31 (4) The health insurance or health care service contract described in subsection (2) of
 32 this section may not require prior authorization, a referral from another health care pro-
 33 vider or a signature from or supervision by any other health care provider.

34 (5) An entity that provides the services described in subsection (2) of this section shall
 35 provide information on how to access doulas, postpartum doulas and lactation consultants
 36 to all beneficiaries.

37 (6) The coverage required by subsection (2) of this section may be made subject to pro-
 38 visions of the policy, certificate or contract that apply to other benefits under the policy,
 39 certificate or contract, including, but not limited to, provisions related to deductibles and
 40 coinsurance.

41 (7) This section is exempt from ORS 743A.001.

42 **SECTION 10.** ORS 750.055, as amended by section 3, chapter 24, Oregon Laws 2024, section 4,
 43 chapter 35, Oregon Laws 2024, section 21, chapter 70, Oregon Laws 2024, and section 162, chapter
 44 73, Oregon Laws 2024, is amended to read:

45 750.055. (1) The following provisions apply to health care service contractors to the extent not

1 inconsistent with the express provisions of ORS 750.005 to 750.095:

2 (a) ORS 705.137, 705.138 and 705.139.

3 (b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
4 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS
5 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652,
6 731.730, 731.731, 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

7 (c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.596, not
8 including ORS 732.582, and ORS 732.650 to 732.689.

9 (d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
10 to 733.780.

11 (e) ORS 734.014 to 734.440.

12 (f) ORS 742.001 to 742.009, 742.013, 742.016, 742.061, 742.065, 742.150 to 742.162 and 742.518 to
13 742.542.

14 (g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022, 743.023, 743.025,
15 743.028, 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to 743.109, 743.402, 743.405, 743.406,
16 743.417, 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650
17 to 743.656, 743.680 to 743.689, 743.788 and 743.790.

18 (h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 743A.040, 743A.044,
19 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
20 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,
21 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.169,
22 743A.170, 743A.175, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252, 743A.260, 743A.310
23 and 743A.315 and section 2, chapter 771, Oregon Laws 2013, and section 2, chapter 70, Oregon Laws
24 2024, **and section 2 of this 2025 Act.**

25 (i) ORS 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195, 743B.197, 743B.200,
26 743B.202, 743B.204, 743B.220, 743B.221, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253,
27 743B.254, 743B.255, 743B.256, 743B.257, 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310,
28 743B.320, 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 743B.400, 743B.403,
29 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505,
30 743B.550, 743B.555, 743B.601, 743B.602 and 743B.800 and section 2, chapter 24, Oregon Laws 2024,
31 and section 2, chapter 35, Oregon Laws 2024.

32 (j) The following provisions of ORS chapter 744:

33 (A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance produc-
34 ers;

35 (B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and

36 (C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

37 (k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
38 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

39 (2) The following provisions of the Insurance Code apply to health care service contractors ex-
40 cept in the case of group practice health maintenance organizations that are federally qualified
41 pursuant to Title XIII of the Public Health Service Act:

42 (a) ORS 731.485, if the group practice health maintenance organization wholly owns and oper-
43 ates an in-house drug outlet.

44 (b) ORS 743A.024, unless the patient is referred by a physician, physician associate or nurse
45 practitioner associated with a group practice health maintenance organization.

1 (3) For the purposes of this section, health care service contractors are insurers.

2 (4) Any for-profit health care service contractor organized under the laws of any other state that
3 is not governed by the insurance laws of the other state is subject to all requirements of ORS
4 chapter 732.

5 (5)(a) A health care service contractor is a domestic insurance company for the purpose of de-
6 termining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.

7 (b) A health care service contractor's classification as a domestic insurance company under
8 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
9 to 734.710.

10 (6) The Director of the Department of Consumer and Business Services may, after notice and
11 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
12 and 750.045 that are necessary for the proper administration of these provisions.

13 **SECTION 11.** ORS 750.055, as amended by section 21, chapter 771, Oregon Laws 2013, section
14 7, chapter 25, Oregon Laws 2014, section 82, chapter 45, Oregon Laws 2014, section 9, chapter 59,
15 Oregon Laws 2015, section 7, chapter 100, Oregon Laws 2015, section 7, chapter 224, Oregon Laws
16 2015, section 11, chapter 362, Oregon Laws 2015, section 10, chapter 470, Oregon Laws 2015, section
17 30, chapter 515, Oregon Laws 2015, section 10, chapter 206, Oregon Laws 2017, section 6, chapter
18 417, Oregon Laws 2017, section 22, chapter 479, Oregon Laws 2017, section 10, chapter 7, Oregon
19 Laws 2018, section 69, chapter 13, Oregon Laws 2019, section 38, chapter 151, Oregon Laws 2019,
20 section 5, chapter 441, Oregon Laws 2019, section 85, chapter 97, Oregon Laws 2021, section 12,
21 chapter 37, Oregon Laws 2022, section 5, chapter 111, Oregon Laws 2023, section 2, chapter 152,
22 Oregon Laws 2023, section 4, chapter 24, Oregon Laws 2024, section 5, chapter 35, Oregon Laws
23 2024, section 22, chapter 70, Oregon Laws 2024, and section 163, chapter 73, Oregon Laws 2024, is
24 amended to read:

25 750.055. (1) The following provisions apply to health care service contractors to the extent not
26 inconsistent with the express provisions of ORS 750.005 to 750.095:

27 (a) ORS 705.137, 705.138 and 705.139.

28 (b) ORS 731.004 to 731.150, 731.162, 731.216 to 731.362, 731.382, 731.385, 731.386, 731.390, 731.398
29 to 731.430, 731.428, 731.450, 731.454, 731.485, as provided in subsection (2) of this section, ORS
30 731.488, 731.504, 731.508, 731.509, 731.510, 731.511, 731.512, 731.574 to 731.620, 731.640 to 731.652,
31 731.730, 731.731, 731.735, 731.737, 731.750, 731.752, 731.804, 731.808 and 731.844 to 731.992.

32 (c) ORS 732.215, 732.220, 732.230, 732.245, 732.250, 732.320, 732.325 and 732.517 to 732.596, not
33 including ORS 732.582, and ORS 732.650 to 732.689.

34 (d) ORS 733.010 to 733.050, 733.080, 733.140 to 733.170, 733.210, 733.510 to 733.680 and 733.695
35 to 733.780.

36 (e) ORS 734.014 to 734.440.

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38 742.542.

39 (g) ORS 743.004, 743.005, 743.007, 743.008, 743.010, 743.018, 743.020, 743.022, 743.023, 743.025,
40 743.028, 743.029, 743.038, 743.040, 743.044, 743.050, 743.100 to 743.109, 743.402, 743.405, 743.406,
41 743.417, 743.472, 743.492, 743.495, 743.498, 743.522, 743.523, 743.524, 743.526, 743.535, 743.550, 743.650
42 to 743.656, 743.680 to 743.689, 743.788 and 743.790.

43 (h) ORS 743A.010, 743A.012, 743A.014, 743A.020, 743A.034, 743A.036, 743A.040, 743A.044,
44 743A.048, 743A.051, 743A.052, 743A.058, 743A.060, 743A.062, 743A.063, 743A.064, 743A.065, 743A.066,
45 743A.068, 743A.070, 743A.080, 743A.082, 743A.084, 743A.088, 743A.090, 743A.100, 743A.104, 743A.105,

1 743A.108, 743A.110, 743A.124, 743A.140, 743A.141, 743A.148, 743A.150, 743A.160, 743A.168, 743A.169,
2 743A.170, 743A.175, 743A.185, 743A.188, 743A.190, 743A.192, 743A.250, 743A.252, 743A.260, 743A.310
3 and 743A.315 and section 2, chapter 70, Oregon Laws 2024 **and section 2 of this 2025 Act.**

4 (i) ORS 743B.001, 743B.003 to 743B.127, 743B.128, 743B.130, 743B.195, 743B.197, 743B.200,
5 743B.202, 743B.204, 743B.220, 743B.221, 743B.222, 743B.225, 743B.227, 743B.250, 743B.252, 743B.253,
6 743B.254, 743B.255, 743B.256, 743B.257, 743B.258, 743B.280 to 743B.285, 743B.287, 743B.300, 743B.310,
7 743B.320, 743B.323, 743B.330, 743B.340, 743B.341, 743B.342, 743B.343 to 743B.347, 743B.400, 743B.403,
8 743B.407, 743B.420, 743B.423, 743B.450, 743B.451, 743B.452, 743B.453, 743B.470, 743B.475, 743B.505,
9 743B.550, 743B.555, 743B.601, 743B.602 and 743B.800 and section 2, chapter 24, Oregon Laws 2024,
10 and section 2, chapter 35, Oregon Laws 2024.

11 (j) The following provisions of ORS chapter 744:

12 (A) ORS 744.052 to 744.089, 744.091 and 744.093, relating to the regulation of insurance produc-
13 ers;

14 (B) ORS 744.602 to 744.665, relating to the regulation of insurance consultants; and

15 (C) ORS 744.700 to 744.740, relating to the regulation of third party administrators.

16 (k) ORS 746.005 to 746.140, 746.160, 746.220 to 746.370, 746.600, 746.605, 746.607, 746.608, 746.610,
17 746.615, 746.625, 746.635, 746.650, 746.655, 746.660, 746.668, 746.670, 746.675, 746.680 and 746.690.

18 (2) The following provisions of the Insurance Code apply to health care service contractors ex-
19 cept in the case of group practice health maintenance organizations that are federally qualified
20 pursuant to Title XIII of the Public Health Service Act:

21 (a) ORS 731.485, if the group practice health maintenance organization wholly owns and oper-
22 ates an in-house drug outlet.

23 (b) ORS 743A.024, unless the patient is referred by a physician, physician associate or nurse
24 practitioner associated with a group practice health maintenance organization.

25 (3) For the purposes of this section, health care service contractors are insurers.

26 (4) Any for-profit health care service contractor organized under the laws of any other state that
27 is not governed by the insurance laws of the other state is subject to all requirements of ORS
28 chapter 732.

29 (5)(a) A health care service contractor is a domestic insurance company for the purpose of de-
30 termining whether the health care service contractor is a debtor, as defined in 11 U.S.C. 109.

31 (b) A health care service contractor's classification as a domestic insurance company under
32 paragraph (a) of this subsection does not subject the health care service contractor to ORS 734.510
33 to 734.710.

34 (6) The Director of the Department of Consumer and Business Services may, after notice and
35 hearing, adopt reasonable rules not inconsistent with this section and ORS 750.003, 750.005, 750.025
36 and 750.045 that are necessary for the proper administration of these provisions.

37 **SECTION 12. There is appropriated to the Oregon Health Authority, for the biennium**
38 **beginning July 1, 2025, out of the General Fund, the amount of \$ _____, for the purpose of**
39 **carrying out the provisions of section 1 of this 2025 Act.**

40 **SECTION 13. Section 7 of this 2025 Act and the amendments to ORS 414.668 and 414.669**
41 **by sections 4 and 5 of this 2025 Act apply to contracts between coordinated care organiza-**
42 **tions and the Oregon Health Authority entered into, amended or renewed on or after the**
43 **effective date of this 2025 Act.**