



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

FACT SHEET FOR S.B. 1181

doulas; voluntary certification

Purpose

Outlines requirements for voluntary state-certification of doulas. Establishes the Doula Community Advisory Committee (Advisory Committee) and prescribes Advisory Committee powers and duties.

Background

A doula is a trained nonmedical professional who provides physical, emotional and informational support to families before, during and after childbirth. Doulas often act as a facilitator between laboring women and their physicians by ensuring the mother is presented with all required information in order to make informed decisions. Additionally, better labor and delivery outcomes may be experienced when continuous support personnel, such as doulas, are present during the childbirth process ([UA Health Sciences](#)).

In Arizona, doulas are not currently required to obtain a license or state-certification in order to practice. Though there are no license requirements in Arizona, other states such as [Oregon](#) have adopted legislation which require practicing doulas to be state-certified. Furthermore, there are several national and state-wide organizations, including [Doulas Of North America](#) and [Arizona Doulas](#), which offer doula certification upon completion of a prescribed program.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

Doula State-Certification Applicant Requirements

1. Allows a person to apply to the Director of the Department of Health Services (DHS) for a certificate to practice as a state-certified doula on a form prescribed by the Director of DHS (Director).
2. Requires an applicant for doula state-certification to provide:
 - a) documentation of completing at least 30 hours of in-person instruction or a combination of in-person and online instruction in core competency topics;
 - b) documentation confirming that core competencies have been met through culturally specific training or education that is subject to review by the Director; and
 - c) other related individualized or experiential training or education that is subject to review by the Director.

3. Requires an applicant to provide DHS-approved written documentation of:
 - a) observing at least one birth after training is completed; and
 - b) attending at least three births while serving as the primary doula support person and receiving a DHS-approved and acceptable evaluation from the laboring mother and from the medical provider who assisted the laboring mother.
4. Requires an applicant for doula state-certification to complete instruction on first aid and cardiopulmonary resuscitation.
5. Allows an individual who does not qualify for doula state-certification but who has been practicing as a doula in Arizona for at least five years to apply to DHS for certification if the individual submits:
 - a) proof of current certification from a nationally recognized doula organization in lieu of proof of the minimum prescribed qualifications; and
 - b) three letters of recommendation from health care professionals who have worked with the applicant within the preceding two years and can attest to the applicant's competency in providing doula services.
6. Requires the Director to grant a certificate to a doula who meets the prescribed qualifications, pays applicable fees and possesses a valid fingerprint clearance card.
7. Specifies that a doula certificate is valid for three years and may be renewed every three years by applying to the Director and paying the applicable fees.
8. Requires a person to file an application for renewal at least 30 days and no more than 90 days before a doula certificate expires.
9. Requires a state-certified doula to complete 15 hours of related continuing education courses and to submit documentation of completion with the renewal application.
10. Requires an applicant for doula state-certification to submit a code of ethics agreement as prescribed by the Director.
11. Stipulates that a doula is not required to be certified by DHS in order to practice as a doula in Arizona.

Regulation and Violations

12. Requires the Director, by rule, to:
 - a) outline the scope of practice and core competencies of state-certified doulas regarding the skills and areas of knowledge that are essential to expand health and wellness, to reduce health disparities and to promote culturally relevant practices within diverse communities;
 - b) describe and define reasonable and necessary minimum qualifications for certification;
 - c) adopt standards and requirements to establish state-certified doula education and training programs in Arizona;
 - d) adopt standards to approve or accept continuing education courses for renewing state-certified doula certificates;
 - e) establish criteria for granting, denying, suspending and revoking state-certified doula certificates in order to protect the public health and safety;

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- f) prescribe a sliding fee scale for doula state-certification fees in rule; and
 - g) establish and collect nonrefundable fees for state-certified doula certification and deposit the fees in a segregated account in the Health Services Licensing Fund.
13. Allows the Director to consult with subject matter experts from an integrated public health program at a higher education institution located in Arizona to develop rules regarding doula certification.
 14. Allows the Director to adopt rules that are necessary to administer and enforce doula state-certification and that allow for reciprocity agreements, including with the Indian Health Service.
 15. Requires the Director to waive the minimum training and education requirements for doula state-certification for applicants who provide documents of current certification with a nationally recognized doula organization.
 16. Allows the Director to deny, suspend or revoke the certification of any state-certified doula who violates any state laws or DHS rules, or indulges in conduct or practice that is detrimental to the public health or safety.
 17. Allows DHS to deny, suspend or revoke a state-certified doula certificate.
 18. Allows a doula certificate applicant or a state-certified doula to request a hearing to review the denial, suspension or revocation of a certificate and requires DHS to conduct the hearing in accordance with administrative hearing processes.
 19. Specifies that a state-certified doula who is employed by an Indian tribe and who violates doula certification laws and standards is under tribal government jurisdiction and deems that internal hearings, appeals or penalties resulting from disciplinary actions by a tribal government are the final decision.
 20. Specifies that, if a state-certified doula is determined to have violated doula certification laws and standards, the Director may deny, suspend or revoke a doula state-certificate.
 21. Allows the Director to investigate information that indicates a person may have violated or may be violating any state laws or DHS rules.
 22. Allows the Director to examine and copy documents and other physical evidence wherever located that relate to the conduct or competency of a state-certified doula.
 23. Prohibits Arizona and any of its political subdivision from providing a preference in awarding a public contract for state-certified doula services or an entity that employs state-certified doulas.

Advisory Committee

24. Establishes the Advisory Committee consisting of at least nine Director-appointed doulas, including those who represent diverse and underrepresented communities.

25. Limits term lengths for Advisory Committee members to two years.
26. Requires the Director to consult with the Advisory Committee regarding implementation of doula-certification rules and standards.
27. Mandates that the Advisory Committee:
 - a) develop a list of acceptable organizations that provide doula certification based on the minimum qualifications and prescribed core competencies and adopted rules;
 - b) identify classes that address culturally relevant doula practices; and
 - c) review rules and advise the Director of any necessary updates.
28. Terminates the Advisory Committee on July 1, 2029.

Miscellaneous

29. Exempts DHS from rulemaking requirements for 18 months.
30. Defines relevant terms.
31. Makes technical and conforming changes.
32. Becomes effective on the general effective date.

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