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Massachusetts Legislature passes comprehensive maternal health bill

Bill expands access to midwifery care and out-of-hospital birth options

BOSTON – On August 15th, the Massachusetts Legislature passed a comprehensive maternal health bill which creates a state licensure pathway for midwives and lactation consultants, encourages the creation of more freestanding birth centers, establishes a grant program to address maternal mental health and substance use disorder, and expands the statewide universal postpartum home visiting program. This legislation also mandates that insurers provide coverage for postpartum depression and major depressive disorder screenings for perinatal individuals.

“This bill is an important step to improving birthing outcomes and reducing racial inequities in maternal health care in Massachusetts, and as the Ranking Minority Member of the Joint Committee on Public Health I have supported and advocated for this bill’s passage,” said **Representative Hannah Kane (R-Shrewsbury)**. “The Massachusetts Caucus of Women Legislators supported legislation to increase access to postpartum depression screening which was included in this omnibus bill, and I shared that support as the Caucus’ House chair. In addition, I cosponsored the House bill to increase access to midwifery care, which was also part of this omnibus maternal health bill. By establishing a licensing process for midwives and lactation consultants, modernizing birth center regulations, and expanding access to perinatal mood disorder treatment, this legislation ensures that every family in Massachusetts can access maternal health care they want and need.”

“While the Commonwealth’s health care system is amongst the best in the world, inequities in maternal health remain prevalent, and certain aspects of care are woefully insufficient. That’s why the reforms included in this legislation are so important, as they will help to close racial inequities and improve maternal health care statewide,” said **House Speaker Ronald J. Mariano (D-Quincy)**. “I want to thank Chair Marjorie Decker for her tireless work on this legislation, as well as the members of the conference committee, my colleagues in the House, and our partners in the Senate for recognizing the need for action on this critical issue.”

“Today the legislature took much needed action to strengthen access to physical and mental health care for pregnant people and new parents in Massachusetts,” said **Senate President Karen E. Spilka (D-Ashland)**. This is an important step to help ensure all expecting individuals regardless of background or economic status have access to the health services they need. I offer my sincere gratitude to Senator Friedman for her leadership of the committee, each conferee, and our partners in the House for their hard work on this legislation.

“This maternal health bill will save lives for all birthing families in Massachusetts. It responds to the call of action issued by the Special Commission on Racial Inequities in Maternal Health to address the maternal health crisis and improve birthing outcomes for all families, particularly Black birthing people,” said **Representative Marjorie C. Decker (D-Cambridge)**, **House Chair of the Joint Committee on Public Health and of the**

conference committee. “I am so proud that we continue to lead the nation in safeguarding reproductive health and honoring birthing autonomy by allowing more birthing options, expanding equitable access to midwifery care and postpartum support, and providing better insurance coverage for perinatal individuals in the Commonwealth. This bill shows our deep commitment to the entire maternal health experience - before, during, and after pregnancy.”

“Today we made important strides to reduce maternal health disparities by breaking down barriers to safe, adequate and equitable maternal health care,” said **Senator Cindy F. Friedman (D-Arlington), Senate Chair of the Joint Committee on Health Care Financing and of the conference committee.** “This bill takes significant steps to expand coverage and protections for essential health services that are key to improving maternal and perinatal health outcomes, as well as increasing access to care for those whose needs and pain have often been ignored. While we still have work to do to cover and protect the full spectrum of pregnancy care, this legislation addresses some of the most pressing needs and improves the health care system statewide.”

The legislation passed today creates a state license that certified professional midwives must receive in order to practice midwifery, and requires certain insurance providers, such as MassHealth, to cover doula and midwifery services including prenatal care, childbirth, and postpartum care. The bill creates the Board of Registration in Midwifery within the Department of Public Health (DPH) to license and provide oversight of licensed certified professional midwives. Licensed certified professional midwives would be required to coordinate emergency care if needed and would also be able to issue prescriptions for certain drugs, under regulations to be promulgated by the Board and DPH. The bill also ensures equitable reimbursement of certified nurse-midwives by requiring that they receive payment rates equal to those for the same services performed by a physician under MassHealth.

To encourage the creation of more freestanding birth centers, which operate independent from hospital systems, the bill requires DPH to promulgate updated regulations governing the licensure of freestanding birth centers to ensure safe, equitable, and accessible birth options.

“I want to thank Speaker Mariano, Chair Decker, and my fellow conferees for all their work to improve maternal health care by closing health inequity gaps for people of color and ensuring that every mother receives the care they deserve,” said **Representative Michael J. Moran (D-Brighton), House Majority Leader and a member of the conference committee.**

“It is with immense gratitude that we get to revel in this moment of progress, celebrating the Senate’s monumental commitment to improving the quality of life, maternal and mental health care for our most at-risk constituents. With the birth justice bill on its way to Governor Healey’s desk, we are taking a crucial step forward in tackling the Black maternal health crisis by expanding prenatal, postpartum, mental health, midwifery, and doula care, while enabling the growth of free-standing birth centers across our Commonwealth,” said **Senator Liz Miranda (D-Boston).** “I extend my heartfelt thanks to the 28-member, Special Legislative Commission on Racial Inequities in Maternal Health for their vital recommendations, as well as the coalition of advocates who have committed unwavering support to seeing this bill through to the end. Together, we are advancing perinatal care and ensuring better health outcomes for individuals and families throughout our Commonwealth. I am proud to share this moment with you all and look forward to a brighter, more equitable future for all.”

The legislation also requires that MassHealth cover noninvasive prenatal screenings to detect whether a pregnancy is at increased risk for chromosomal abnormalities for all pregnant patients regardless of age, baseline risk, or family history. The bill requires health insurers to provide coverage for medically necessary pasteurized donor human milk and products derived from it, serving as a critical source of nutrition for the growth and development of babies, particularly for vulnerable premature infants. To better support new mothers in their feeding journeys, the bill also authorizes the Board of Allied Health Professionals to license lactation consultants to ensure their services are eligible for reimbursement through the patient’s insurance.

The legislation passed today provides critical support for birthing people and their families during the postpartum period, including requiring DPH to conduct a public awareness campaign about perinatal mood and anxiety disorders, and to develop and maintain a digital resource center that will be available to the public. It also requires that perinatal individuals be offered a screening for postpartum depression and major depressive disorder, and that those services be covered by health insurance plans. To better address barriers in access to care and reduce racial inequities in maternal health, the bill expands the universal postpartum home visiting program administered by DPH and provides coverage for the program's services.

"I'm pleased the House and Senate were able to work together to come to an agreement on this bill, which will expand access to non-hospital childbirth options for expectant parents in Massachusetts and establish a formal licensing process for certified professional midwives and lactation consultants," said **Representative Kimberly N. Ferguson (R-Holden), First Assistant Minority Leader and a member of the conference committee.**

"The maternal health care bill will also ensure that new mothers have access to postpartum depression screenings, universal postpartum home visiting services, and additional resources to help them maintain a healthy balance in their lives throughout their pregnancy and after they give birth."

"I am proud that this important legislation will take positive steps toward addressing the disparities in maternal healthcare," said **Senator Patrick O'Connor (R-Weymouth).** "Strengthening access to physical and mental health in Massachusetts will provide a more inclusive support system that keeps parents and children healthy as they embark on their new journey. Every single family in our Commonwealth deserves high quality care and support. Not only are we safeguarding the health of new families, but also laying a stronger foundation for future generations. I want to thank my fellow conferees, bill sponsors, and advocates for their dedication and work on getting this bill passed."

"Massachusetts has some of the best health outcomes in the country, but we have a glaring and persistent disparity in maternal health outcomes, especially when it comes to the experience of Black mothers," said **Senator Julian Cyr (D-Truro), who co-chairs the Joint Committee on Public Health.**

"The maternal health bill passed by the Legislature will expand access to care for all mothers and ameliorate the maternal mortality and morbidity crisis here in Massachusetts. I am proud to stand behind so many brilliant women colleagues in advancing this vital legislation."

Additionally, the bill requires DPH to develop and disseminate public information about pregnancy loss to the public and perinatal health care workers to prioritize the physical and mental health care of patients affected. It also requires DPH to establish a program to conduct fetal and infant mortality reviews (FIMR) to identify social, economic, and systems level factors associated with fetal and infant deaths and inform public health policy programs. The bill also includes a provision that will allow Massachusetts residents to use earned paid sick time in the event of a pregnancy loss.

The bill ensures that the Maternal Mortality and Morbidity Review Committee will have access to essential records required to conduct thorough and timely reviews of maternal deaths and pregnancy complications. This will enable the Committee to formulate comprehensive recommendations to improving maternal outcomes and prevent mortality. The bill also establishes a grant program under the Executive Office of Health and Human Services aimed at addressing maternal mental health. This program will support the establishment or expansion of initiatives serving perinatal individuals, particularly those in underserved populations, to improve mental health, behavioral health, and substance use disorder.

The bill establishes a nine-member task force to study the current availability of, and access to, maternal health services and care, as well as essential service closures of inpatient maternity units and acute-level birthing centers. The task force will identify methods of increasing financial investment in, and patient access to, maternal health care in the Commonwealth.

Having passed both chambers, the bill now goes to the Governor's desk for her signature.

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