



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES
STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-215

Rule Number: He-W 545

1. **Agency:** Department of Health and Human Services

Agency Address: Department of Health and Human Services
Division of Medicaid Services
129 Pleasant Street, Brown Bldg.
Concord, NH 03301

2. **RSA Authority:** RSA 161:4-a, X; RSA 126-A:99, V
3. **Federal Authority:**
4. **Action(s):** Adoption
5. **Short Title:** Doula Services
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

He-W 545 specifies who is covered for doula services, the scope and limitation of coverage for those services, provider requirements, payment information, and provides for departmental monitoring for the utilization of Medicaid covered doula services. This proposed rule has been made in compliance with RSA 126-A:99, V, (Chapter 79 of the Laws of 2023), which went into effect on July 1, 2023.

The Department of Health and Human Services (Department) is proposing to adopt He-W 545. The new rule includes:

- Definitions of important terms used throughout the rule;
- Descriptions of who is eligible to receive care through this program;
- Descriptions of the requirements for providers seeking to provide care through this program;

- Descriptions of the manner as to how prenatal and postpartum services are required to be allocated;
- Descriptions of the types of services covered by this program;
- An establishment of control procedures to prevent waste, fraud, and abuse;
- An establishment of a requirement to exhaust third party billing options prior to Medicaid billing;
- An establishment of the manner and mode for providers to submit claims for reimbursement; and
- An establishment of record keeping requirements.

X Does this rule implement a state statute for the first time? If yes, please explain:

This rule is being adopted pursuant to RSA 126-A:99, V, (Chapter 79 of the Laws of 2023), effective July 1, 2023.

6. (b) Brief description of the groups affected:

This rule affects Medicaid recipients who are eligible for doula services in the fee for service program, and the Medicaid enrolled providers, namely doulas, who provide these services.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State or Federal Statute or Regulations the Rule Implements
He-W 545.01	RSA 161:4-a, X
He-W 545.02	RSA 126-A:99
He-W 545.03	42 CFR 440.210; 42 CFR 440.220
He-W 545.04	42 CFR 440.210; 42 CFR 440.220
He-W 545.05	RSA 126-A:99; 42 CFR 440.210; 42 CFR 440.220
He-W 545.06	42 CFR 455; 42 CFR 456
He-W 545.07	42 CFR 433.139
He-W 545.08	RSA 161:4, VI; 42 CFR 447 Subpart B

7. **Contact person for copies and questions including requests to accommodate persons with disabilities:**

Name: Allyson Raadmae	Title: Administrator- Administrative Rules Unit
Address: Dept. of Health and Human Services Administrative Rules Unit 129 Pleasant Street, 2nd Floor Concord, NH 03301	Phone Number: (603) 271-9604
	FAX Number: (603) 271-5590
	Email: Allyson.E.Raadmae@dhhs.nh.gov

8. **Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:**

Wednesday, November 18, 2026

☒ **Fax**
☒ **Email** at allyson.e.raadmae@dhhs.nh.gov
☐ **Other**

9. **Public hearing scheduled for:**

Date: Tuesday, November 10, 2026

Time: 11:00 AM

Place: DHHS Brown Building, Auditorium, 129 Pleasant Street, Concord, NH 03301

Electronic Access, if applicable: N/A

10. **Fiscal Impact Statement (Prepared by Legislative Budget Assistant):**

FIS #: 26:203, dated: Tuesday, September 22, 2026

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

Not applicable, as this is a new rule.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

Any cost or benefit is attributable not to the rules themselves, but to RSA 126-A:99, which mandates Medicaid coverage of doula services.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rule modifies an existing program or responsibility, but does not mandate any fees, duties, or expenditures on the political subdivisions of the state, and therefore does not violate Part I, Article 28-a of the N.H. Constitution.