
HOUSE BILL 1881

State of Washington

67th Legislature

2022 Regular Session

By Representatives Harris-Talley, Entenman, Berry, J. Johnson, Ortiz-Self, Ryu, Simmons, Stonier, Wicks, Senn, Peterson, Chopp, Ormsby, Goodman, Berg, Ramel, Chase, Taylor, Frame, Davis, Macri, and Pollet

Read first time 01/11/22. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to creating a new health profession for birth
2 doulas; amending RCW 18.130.040; adding a new chapter to Title 18
3 RCW; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Department" means the department of health.

9 (2) "Birth doula" means a person that is a nonmedical birth coach
10 or support person trained to provide physical, emotional, and
11 informational support to birthing persons during labor, birth, and
12 the postpartum period. Birth doulas advocate for and support birthing
13 people and families to self-advocate by helping them to know their
14 rights and make informed decisions. Birth doulas do not provide
15 medical care.

16 (3) "Postpartum period" means the 12-month period beginning on
17 the last day of the pregnancy.

18 (4) "Secretary" means the secretary of health.

19 NEW SECTION. **Sec. 2.** (1) A birth doula may voluntarily apply
20 for certification from the department under this section.

1 (2) The department shall issue a certification to any applicant
2 who has met the following requirements:

3 (a) Submitted a completed application as required by the
4 department;

5 (b) Satisfactorily completed competencies that meet the
6 requirements established by the secretary;

7 (c) Has not engaged in unprofessional conduct as defined in RCW
8 18.130.180;

9 (d) Is not currently subject to any disciplinary proceedings; and

10 (e) Paid a certification fee established by the secretary in
11 rule.

12 (3) The uniform disciplinary act, chapter 18.130 RCW, governs the
13 issuance and denial of certifications and the discipline of certified
14 birth doulas under this chapter.

15 NEW SECTION. **Sec. 3.** (1) The secretary shall:

16 (a) In collaboration with community partners who advance
17 equitable access to improve perinatal outcomes and care through
18 holistic services for black and brown communities, adopt rules
19 establishing the competency-based requirements that a birth doula
20 must meet to obtain certification. The rules must establish processes
21 that allow for applicants to meet the competency-based requirements
22 through the following pathways:

23 (i) Successful completion of training and education programs
24 approved by the secretary; and

25 (ii) Submission of proof of successful completion of culturally
26 congruent ancestral practices, training, and education that the
27 secretary must review and determine whether the training and
28 education meet the competency-based requirements;

29 (b) Establish certification and renewal fees, administrative
30 procedures, continuing education, administrative requirements, and
31 forms necessary to implement this chapter in accordance with RCW
32 43.70.250 and 43.70.280;

33 (c) Maintain a record of all applicants and certifications under
34 this chapter; and

35 (d) Hire clerical, administrative, and investigative staff as
36 needed to implement and administer this chapter.

37 (2) All fees collected under this chapter must be credited to the
38 health professions account as required under RCW 43.70.320.

1 NEW SECTION. **Sec. 4.** (1) Nothing in this chapter prohibits a
2 person from practicing as a birth doula without obtaining
3 certification under this chapter.

4 (2) No person may use the title "state-certified birth doula" in
5 connection with the person's name to indicate or imply, directly or
6 indirectly, that the person is a state-certified birth doula without
7 being certified in accordance with this chapter as a birth doula.

8 **Sec. 5.** RCW 18.130.040 and 2021 c 179 s 7 are each amended to
9 read as follows:

10 (1) This chapter applies only to the secretary and the boards and
11 commissions having jurisdiction in relation to the professions
12 licensed under the chapters specified in this section. This chapter
13 does not apply to any business or profession not licensed under the
14 chapters specified in this section.

15 (2) (a) The secretary has authority under this chapter in relation
16 to the following professions:

17 (i) Dispensing opticians licensed and designated apprentices
18 under chapter 18.34 RCW;

19 (ii) Midwives licensed under chapter 18.50 RCW;

20 (iii) Ocularists licensed under chapter 18.55 RCW;

21 (iv) Massage therapists and businesses licensed under chapter
22 18.108 RCW;

23 (v) Dental hygienists licensed under chapter 18.29 RCW;

24 (vi) Acupuncturists or acupuncture and Eastern medicine
25 practitioners licensed under chapter 18.06 RCW;

26 (vii) Radiologic technologists certified and X-ray technicians
27 registered under chapter 18.84 RCW;

28 (viii) Respiratory care practitioners licensed under chapter
29 18.89 RCW;

30 (ix) Hypnotherapists and agency affiliated counselors registered
31 and advisors and counselors certified under chapter 18.19 RCW;

32 (x) Persons licensed as mental health counselors, mental health
33 counselor associates, marriage and family therapists, marriage and
34 family therapist associates, social workers, social work associates—
35 advanced, and social work associates—independent clinical under
36 chapter 18.225 RCW;

37 (xi) Persons registered as nursing pool operators under chapter
38 18.52C RCW;

- 1 (xii) Nursing assistants registered or certified or medication
2 assistants endorsed under chapter 18.88A RCW;
- 3 (xiii) Dietitians and nutritionists certified under chapter
4 18.138 RCW;
- 5 (xiv) Substance use disorder professionals, substance use
6 disorder professional trainees, or co-occurring disorder specialists
7 certified under chapter 18.205 RCW;
- 8 (xv) Sex offender treatment providers and certified affiliate sex
9 offender treatment providers certified under chapter 18.155 RCW;
- 10 (xvi) Persons licensed and certified under chapter 18.73 RCW or
11 RCW 18.71.205;
- 12 (xvii) Orthotists and prosthetists licensed under chapter 18.200
13 RCW;
- 14 (xviii) Surgical technologists registered under chapter 18.215
15 RCW;
- 16 (xix) Recreational therapists under chapter 18.230 RCW;
- 17 (xx) Animal massage therapists certified under chapter 18.240
18 RCW;
- 19 (xxi) Athletic trainers licensed under chapter 18.250 RCW;
- 20 (xxii) Home care aides certified under chapter 18.88B RCW;
- 21 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;
- 22 (xxiv) Reflexologists certified under chapter 18.108 RCW;
- 23 (xxv) Medical assistants-certified, medical assistants-
24 hemodialysis technician, medical assistants-phlebotomist, forensic
25 phlebotomist, and medical assistants-registered certified and
26 registered under chapter 18.360 RCW; (~~and~~)
- 27 (xxvi) Behavior analysts, assistant behavior analysts, and
28 behavior technicians under chapter 18.380 RCW; and
- 29 (xxvii) Birth doulas certified under chapter 18.--- RCW (the new
30 chapter created in section 7 of this act).
- 31 (b) The boards and commissions having authority under this
32 chapter are as follows:
- 33 (i) The podiatric medical board as established in chapter 18.22
34 RCW;
- 35 (ii) The chiropractic quality assurance commission as established
36 in chapter 18.25 RCW;
- 37 (iii) The dental quality assurance commission as established in
38 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
39 licenses and registrations issued under chapter 18.260 RCW, and
40 certifications issued under chapter 18.350 RCW;

1 (iv) The board of hearing and speech as established in chapter
2 18.35 RCW;

3 (v) The board of examiners for nursing home administrators as
4 established in chapter 18.52 RCW;

5 (vi) The optometry board as established in chapter 18.54 RCW
6 governing licenses issued under chapter 18.53 RCW;

7 (vii) The board of osteopathic medicine and surgery as
8 established in chapter 18.57 RCW governing licenses issued under
9 chapter 18.57 RCW;

10 (viii) The pharmacy quality assurance commission as established
11 in chapter 18.64 RCW governing licenses issued under chapters 18.64
12 and 18.64A RCW;

13 (ix) The Washington medical commission as established in chapter
14 18.71 RCW governing licenses and registrations issued under chapters
15 18.71 and 18.71A RCW;

16 (x) The board of physical therapy as established in chapter 18.74
17 RCW;

18 (xi) The board of occupational therapy practice as established in
19 chapter 18.59 RCW;

20 (xii) The nursing care quality assurance commission as
21 established in chapter 18.79 RCW governing licenses and registrations
22 issued under that chapter;

23 (xiii) The examining board of psychology and its disciplinary
24 committee as established in chapter 18.83 RCW;

25 (xiv) The veterinary board of governors as established in chapter
26 18.92 RCW;

27 (xv) The board of naturopathy established in chapter 18.36A RCW,
28 governing licenses and certifications issued under that chapter; and

29 (xvi) The board of denturists established in chapter 18.30 RCW.

30 (3) In addition to the authority to discipline license holders,
31 the disciplining authority has the authority to grant or deny
32 licenses. The disciplining authority may also grant a license subject
33 to conditions.

34 (4) All disciplining authorities shall adopt procedures to ensure
35 substantially consistent application of this chapter, the uniform
36 disciplinary act, among the disciplining authorities listed in
37 subsection (2) of this section.

38 NEW SECTION. **Sec. 6.** The secretary may adopt any rules
39 necessary to implement this chapter.

1 NEW SECTION. **Sec. 7.** Sections 1 through 4 and 6 of this act
2 constitute a new chapter in Title 18 RCW.

3 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act take
4 effect October 1, 2023.

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