

NOTICE OF PUBLIC HEARING

The New Mexico Department of Health (“Department”) will hold a public hearing on the proposed adoption of a new rule, 7.30.16 NMAC, concerning Doula Credentialing for Medicaid Reimbursement (“Doula Credentialing”). The hearing will be held on August 28, 2026 at 11:00 am Mountain time via a live web-based video conference and via telephone. Members of the public who wish to submit public comment regarding the proposed rules will be able to do so via video conference or via telephone during the course of the hearing, and by submitting written comment.

Rule 7.30.16 NMAC is a proposed new rule to establish requirements, processes and procedures governing voluntary credentialing for doulas to allow them to receive Medicaid reimbursement.

The rule includes, but is not limited to, the following:

- Section 7, “Definitions:” defines various terms used in the rule;
- Section 8, “General Program Description:” describes voluntary doula credentialing program, online registry, and grounds for action against a doula credential (denial, suspension, revocation) generally;
- Section 9, “Doula Credential Requirements:” sets application, eligibility and credentialing requirements and application pathways for all applicants seeking a doula credential from the Department;
- Section 10, “Doula Scope of Practice:” describes doula scope of practice and prohibits credentialed doulas from performing clinical tasks or providing medical care;
- Section 11, “Doula Standards of Practice:” requires credentialed doulas to adhere to standards of professional conduct, client safety, ethical practice, body sovereignty and self-determination, and community-based care while providing services;
- Section 12, “Application Process:” sets application process requirements, including process when an application is incomplete and process for doula recredentialing and credential reinstatement;
- Section 13, “Application Processing Time Limits:” establishes timelines for the Department to review and make a determination on new doula credentialing applications, recredentialing applications, and applications for reinstatement of credentials;
- Section 14, “Criminal History Screening:” authorizes the Department to obtain criminal history records of applicants who otherwise meet eligibility requirements for doula credentialing and sets criminal history screening procedure for applicants and the Department.
- Section 15, “Doula Credentialing Advisory Council:” sets Doula Credentialing Advisory Council membership and meeting requirements, duties and responsibilities;
- Section 16, “New Mexico Registry of Credentialed Doulas:” requires the Department to maintain a registry of credentialed doulas;
- Section 17, “Credential Review Committee:” establishes a credential review committee to conduct individualized reviews of grounds for action against a credential and determine whether to pursue action against a credential, and enumerates grounds for action against a credential;
- Section 18, “Hearings:” establishes hearing process for applicants exercising right to appeal a decision by the Department to deny, suspend, revoke or take other adverse action against a doula credential, and process for requesting reinstatement of a suspended or revoked credential;
- Section 19, “Data Collection and Reports:” establishes data collection and reporting requirements;
- Section 20, “Inspection of Records:” requires that certain types of records, including health information protected by state and federal laws, criminal history information, and personal identifier information, as that term is used in the Inspection of Public Records Act, Section 14-2-1.1 NMSA 1978, be maintained in a confidential manner and states that they are not subject to public inspection.

The purpose of the proposed rules is to implement the Doula Credentialing and Access Act, sections 24-36-1 through 24-36-8 NMSA 1978.

The legal authority authorizing the adoption of these rules by the Department are the Department of Health Act, subsection E of section 9-7-6 NMSA 1978, which authorizes the secretary of the department of health to “...make and adopt such reasonable and procedural rules and regulations as may be necessary to carry out the duties of the department and its divisions”; the Public Health Act, subsection S of section 24-1-3 NMSA 1978, which authorizes the Department to maintain and enforce such rules as may be necessary to carry out the provisions of the Public

Health Act; and the Doula Credentialing and Access Act, at section 24-36-3 NMSA 1978, which requires the Secretary of the Department to promulgate rules to establish a voluntary credentialing process to allow doulas to enroll as Medicaid providers.

A free copy of the full text of the proposed rule can be obtained online from the New Mexico Department of Health's website at <http://nmhealth.org/about/asd/cmo/rules/> or by contacting the Department using the contact information below.

The public hearing will be conducted to receive public comment on the proposed rule. Any interested member of the public may attend the hearing and may submit data, views, or arguments on the proposed rule either orally during the hearing or in writing through the close of the hearing.

The hearing will be held on August 28, 2026 at 11:00 a.m. Mountain time via the Microsoft Teams online web conference platform.

To access the hearing via the Internet: please go to <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting> and then enter the following meeting i.d. code and passcode where indicated on the screen: meeting i.d. code 270 590 682 755 07 and passcode As7nT7yn and then click the "Join a meeting" button. To access the hearing by telephone: please call 1-505-312-4308 and enter phone conference i.d. 224 309 764#.

All comments will be recorded.

Written public comment regarding the proposed rule can be submitted either by e-mail to Jacob Clark at jacob.clark@doh.nm.gov, or by U.S. postal mail to the following address:

Jacob Clark
NMDOH OGC
P.O. Box 26110
1190 St. Francis Dr., Suite N-4095
Santa Fe, NM 87502-6110

Written comments must be received by the close of the public rule hearing on August 28, 2026. All written comments will be published on the agency website at <https://www.nmhealth.org/about/asd/cmo/rules/> within 3 days of receipt, and will be available at the New Mexico Department of Health for public inspection.

If you are an individual with a disability and need special assistance or accommodation to attend or participate in the hearing, please contact Jacob Clark by telephone at (505) 827-2997. The Department requests at least ten (10) days' advance notice to provide special accommodation.