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JEFFREY A. BROWN
Acting Commissioner

To: General or Special Hospitals Providing Maternity Services Licensed Pursuant to N.J.A.C. 8:43G and Birthing Centers Licensed Pursuant to N.J.A.C. 8:43A

From: Michael J. Kennedy, J.D. ^{MSK}
Executive Director, Division of Certificate of Need and Licensing

Date: May 20, 2025

Re: Doula Policies and Procedures

On January 16, 2024, P.L. 2023, c. 286, ("Act") was signed into law by Governor Philip D. Murphy. The Act is codified at N.J.S.A. 26:2H-12.6i, and requires every hospital and birthing center ("Facility") to adopt and maintain written policies and procedures authorizing a patient to select a doula of the patient's choice to accompany the patient within the facility's premises for the purpose of providing support before, during, and after labor and childbirth.

The Act defines a doula as "a trained professional who provides continuous physical, emotional, and informational support to a mother before, during, and after labor and childbirth, to help her to achieve the healthiest, most satisfying experience possible". Additionally, under the Act, a birthing center is defined as "a birthing center licensed pursuant to P.L. 1971, c. 136 (C.26:2H-1 et seq.) and a hospital includes "every general or special hospital licensed pursuant to P.L. 1971, c.136 (C.26:2H-1 et seq.) that provides maternity services".

The Act also requires each facility to provide a written copy of these policies and procedures to every health care provider providing maternity services at the facility, every patient receiving maternity services at the facility and any other person, at the request of the patient.

Every facility shall also post a summary of the facility's doula policies and procedures on its website as well as designate a staff member to serve as a liaison between the facility and doulas and doula organizations in order to provide information concerning the facility's doula policies and procedures.

Also of note is that on May 15, 2020, P.L. 2020, c. 32 was signed into law by Governor Philip D. Murphy. This statute, which is codified at N.J.S.A. 26:2H-12.6h, requires an acute care general hospital to permit a pregnant woman to have at least one individual accompany

her during labor and delivery, a "support person" of the patient's choice. A patient's right to have a doula throughout the labor and post-partum period, as authorized under P.L. 2023, c. 286, is *in addition* to the "support person" statute passed in 2020.

The Department plans to address the requirements of the Act in future rulemaking.

Questions regarding this memo may be directed to Michael J. Kennedy, Executive Director, Division of Certificate of Need and Licensing at Michael.Kennedy@doh.nj.gov.