

DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH

SUBJECT: Rules Pertaining to Doula Certification, 17 CAR pt. 56

DESCRIPTION: Pursuant to Act 965 of 2025, these rules establish minimum standards for certification of Community-Based Doulas in Arkansas. These standards are not static and are subject to periodic revision in the future as new knowledge and changes in patient care trends become apparent.

These rules include provisions for disqualifying offenses as listed in Arkansas Code § 17-3-102, fines imposed by the Board in accordance with Arkansas Code § 20-7-10, and adherence to Arkansas Code § 25-15-201, the Arkansas Administrative Procedure Act.

The Act establishes certification for Community-Based Doulas through the Arkansas Department of Health for services provided within their scope of practice as outlined and provides insurance and Medicaid reimbursement for covered services.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on March 10, 2026. The agency provided the following public comment summary:

Commenter's Name: Liyah Wasson, Doula Alliance of Arkansas

COMMENT: Thank you for the opportunity to present public comment on the provisions that will be included in the community-based doula certification rules. The Doula Alliance of Arkansas has shared the rules with our board of directors and membership of active doulas for feedback. We are honoured and excited about the opportunity to offer consultation to the Arkansas Department of Health in supporting a smooth, collaborative adoption of the community-based doula benefit and successful implementation of state doula certification. We look forward to co-developing the professional development processes together. Once again, thank you for the opportunity to provide feedback on the proposed rulemaking and all of the attention you have given to this project. **RESPONSE:** No response necessary.

Commenter's Name: Almetria Turner, Roots and River Wellness

COMMENT: As a seasoned doula but new doula to the rural Arkansas community, I want to address several concerns. It is my belief that people shouldn't have to choose between having a community health worker or a doula because both are vital in providing holistic wraparound support and services in the continuum of care. While some of their support might overlap, doulas spend an exorbitant amount of time with clients throughout the perinatal period from being on call weeks at a time, addressing concerns throughout the day and night, as well as offering uninterrupted hours of in person hands-on holistic support that CHW's can't and don't offer. It's this type of hands-on support that reduces inductions, interventions, worries and c-sections amongst our clients and families. All families should have access to doulas without the referrals of physicians especially within the rural communities due to maternal deserts, limited obs/gyns, nurse practitioners, maternal fetal medicine specialists, dietitians, lactation consultants, other perinatal

providers and the drivers of health. Referrals can prolong access to prenatal care, evidence based education and support. Also, many doulas are also lactation counselors and consultants who already have established a relationship with our clients, provide lactation education, make sure a proper latch has been established after birth, and we resolve nonclinical issues and concerns in postpartum. Doulas who are also lactation counselors/consultants should be able to bill for lactation services in addition to providing doula support. Doulas refer out to IBCLCs when medically necessary. •Doulas should also be paid a sustainable wage in addition to a 10% incentive to serve rural communities. Doulas can only take on 3-5 clients per month and sometimes less if this isn't their full time job. Most doulas work a 9-5, have children of their own and households to run. A minimum of \$1500 per client regardless of the type of birth with 5 flexible pre/postnatal visits should be the base because of doulas provide time, effort and resources unaccounted and paid for beyond the visits and birth. We can't take on 30-40 clients per month like OBs as it's not humanly possible and it compromises care. With there being so many maternal deserts, a lack of providers serving many counties, and the need to build up the workforce while trying to reduce our maternal and infant mortality statistics, a 10% rural incentive should be given per client to encourage people to become doulas within those areas as well as current doulas to go out and serve potential clients to cover extra time away from our own families, gas, and wear/tear on our cars. There are so many benefits to having doulas covered under Medicaid and I hope the state of Arkansas will take these considerations to heart to help build up our perinatal workforce, address health disparities, bridge health equity gaps and reduce the maternal and infant mortality rates for our fellow Arkansans. **RESPONSE:** The authority to promulgate rules regarding Medicaid billing and to provide guidance on such billing falls to the Arkansas Medicaid Program that is administered through the Arkansas Department of Human Services.

Commenter's Name: Jenny Kincannon

COMMENT: Thank you for the opportunity to present public comment on the provisions that will be included in the community-based doula certification rules. The Doula Alliance of Arkansas has shared the rules with our board of directors and membership of active doulas for feedback. We are honoured and excited about the opportunity to offer consultation to the Arkansas Department of Health in supporting a smooth, collaborative adoption of the community-based doula benefit and successful implementation of state doula certification. We look forward to co-developing the professional development processes together. Once again, thank you for the opportunity to provide feedback on the proposed rulemaking and all of the attention you have given to this project. **RESPONSE:** No response necessary.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that there is no cost to state, county, or municipal government to implement this rule.

Per the agency, Acts 2025, No. 965 provides for a \$50 biannual initial and renewal fee for certification. As Community-Based Doulas are a new certification created by Acts

2025, No. 965, the agency stated that it is unable to determine the potential financial impact.

LEGAL AUTHORIZATION: This rule implements Act 965 of 2025. The Act, sponsored by Representative Lee Johnson, established the Certified Community-Based Doula Certification Act and certified birth and postpartum doulas in this state to improve maternal and infant outcomes. “The Department of Health may promulgate rules relating to the certification and regulation of certified community-based doulas under [the Certified Community-Based Doula Act] and relating to the designation of an organization as a doula certification organization.” Ark. Code Ann. § 17-108-304(a), *as created by* Act 965.

**QUESTIONNAIRE FOR FILING PROPOSED RULES WITH
THE ARKANSAS LEGISLATIVE COUNCIL**

DEPARTMENT _____
 BOARD/COMMISSION _____
 BOARD/COMMISSION DIRECTOR _____
 CONTACT PERSON _____
 ADDRESS _____
 PHONE NO. _____ EMAIL _____
 NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING _____
 PRESENTER EMAIL(S) _____

INSTRUCTIONS

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, miller-ricer@blr.arkansas.gov, for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, garritym@blr.arkansas.gov, for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

1. What is the official title of this rule?

2. What is the subject of the proposed rule? _____
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes No

4. Is this rule being filed for permanent promulgation? Yes No

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, what was the effective date of the emergency rule? _____

On what date does the emergency rule expire? _____

5. Is this rule required to comply with a *federal* statute, rule, or regulation? Yes No

If yes, please provide the federal statute, rule, and/or regulation citation.

6. Is this rule required to comply with a *state* statute or rule? Yes No

If yes, please provide the state statute and/or rule citation.

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes No

If yes, please list the rules being repealed.

If no, please explain.

8. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes No

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?
Yes No

If yes, please provide the year of the act(s) and act number(s).

11. What is the reason for this proposed rule? Why is it necessary?

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

13. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

Please be sure to advise Bureau Staff if this information changes for any reason.

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. _____

15. What is the proposed effective date for this rule? _____

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes No

If yes, please explain.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE _____

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes No

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes No

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency’s statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
 - (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.



Sarah Huckabee Sanders
GOVERNOR

Renee Mallory, RN, BSN
SECRETARY OF HEALTH

Jennifer Dillaha, MD
DIRECTOR

To: Members, Arkansas State Board of Health

From: Cristy Sellers
Division of Health Advancement

Date: 07/10/2025

Subject: To request approval by the State Board of Health of the rules pertaining to
Community-Based Doula certification

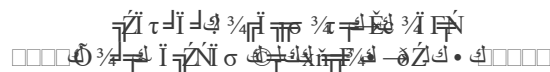
Authority: Arkansas Code 17 CAR §-56-101-114

Relevant Acts: Act 965 of 2025, Certified Community-Based Doula Certification Act

Pursuant to act 965 of 2025, these rules establish minimum standards for certification of Community-Based Doulas in Arkansas. These standards are not static and are subject to periodic revision in the future as new knowledge and changes in patient care trends become apparent.

These rules include provisions for disqualifying offenses as listed in Arkansas code §17-3-102, fines imposed by the Board in accordance with Arkansas code §20-7-10, and adherence to Arkansas code §25-15-201, the Arkansas Administrative Procedure Act.

This Act establishes certification for Community-Based Doulas through the Arkansas Department of Health for services provided within their scope of practice as outlined and provides insurance and Medicaid reimbursement for covered services.



NOTICE OF PUBLIC COMMENT PERIOD

The Arkansas Department of Health (ADH) is accepting public comments on the Certified Community-Based Doula Certification Act from February 8, 2026, to March 10, 2026. The comment period is provided to allow interested parties and the public to provide any comments. The proposed rules have been prepared in response to Act 965 of the 95th General Assembly Regular Session of 2025. The proposed rules can be viewed online at <https://www.healthy.arkansas.gov/proposed-amendment-to-existing-rules> or you may request a copy from our office at 501-614-5221.

Comments on the proposed changes can also be mailed to Arkansas Department of Health, Doula Certification Comments/Slot 41, 4815 West Markham, Little Rock Arkansas, 72205, or emailed to cristy.sellers@arkansas.gov.

Proposed Rulemaking

Title Rules Pertaining to Doula Certification

Promulgated by: Arkansas Department of Health

Title 17. Professions, Occupations, and Businesses

Chapter XI. Department of Health, State Board of Health, Generally

Subchapter A. Generally

Part 56. Rules Pertaining to Doula Certification

Subpart 1. Generally

17 CAR § 56-101. Purpose.

This part is adopted for the purpose of establishing the criteria for certification of a community-based doula, pursuant to the Certified Community-Based Doula Certification Act, Acts 2025, No. 965,

17 CAR § 56-102. Definitions.

As used in this part:

(1) "Certified community-based doula" means an individual who:

(A) Is a trained professional; and

(B) Provides nonclinical emotional, physical, and informational support to

women:

(i) Before pregnancy;

(ii) During pregnancy; and

(iii) Continuing through the postpartum period; and

(2) "Health benefit plan" means an individual, blanket, or group plan, policy, or contract for healthcare services issued or delivered in this state by a:

DRAFT

- _____ (A) Healthcare insurer;
- _____ (B) Health maintenance organization;
- _____ (C) Hospital medical service corporation; or
- _____ (D) Self-insured governmental or church plan in this state.

17 CAR § 56-103. Scope of practice.

_____ (a) A certified community-based doula shall perform only the following types of services:

- _____ (1) Providing childbirth education;
- _____ (2) Helping pregnant women navigate the healthcare system;
- _____ (3) Advocating for pregnant women before, during, and after the birth of a child;
- _____ (4) Connecting pregnant women with community resources; or
- _____ (5) Supporting pregnant women with continuous emotional and physical support throughout labor and birth and intermittently during the prenatal and postpartum periods.

_____ (b) For client needs beyond the scope of the doula’s training, referrals are made to appropriate healthcare resources.

17 CAR § 56-104. Unlawful practice.

_____ (a) A person may not practice or offer to act as a certified community-based doula in Arkansas unless certified by the Department of Health.

_____ (b) It is unlawful for any person not certified as a certified community-based doula by the department to receive compensation from the Arkansas Medicaid Program or a health benefit plan for services rendered.

17 CAR § 56-105. Certification.

_____ (a) A community-based doula certification is valid for two (2) years after date of issuance.

(b) Certification requirements must meet one of the requirements as outlined in 17 CAR §56-106.

(c) It is the responsibility of the certified community-based doula to ensure their certification is current at all times.

(d) If the name used on the application is not the same as that on any of the supporting documentation, the applicant must submit proof of name change with application.

(e) If an application for certification or renewal is denied, the applicant may appeal that denial to the State Board of Health within thirty (30) days of receipt of the denial.

(f) Training requirements:

(1) Certification by the Doula Alliance of Arkansas, or another doula certification organization designated by the Department of Health, will be required in order to be certified by the department.

(2) Certification by the Doula Alliance of Arkansas, or another doula certification organization designated by the department, shall include both formal training and experiential pathways, to be reviewed and approved by the department on a case-by-case basis.

(3) Certification by the Doula Alliance of Arkansas, or another doula certification organization designated by the department, will be sufficient evidence of completion of an approved formal training and experiential pathway.

(g) A certified community-based doula will be eligible for renewal of certification by the department after the community-based doula submits documentation evidencing completion of at least ten (10) hours of professional development training during the previous two (2) years.

17 CAR § 56-106. Eligibility requirements for initial certification.

Applicants for initial certification must submit:

(1) A completed application for initial certification on the form provided by the Department of Health;

(2) Documentation demonstrating the applicant is at least eighteen (18) years of age or older, including but not limited to the applicant's:

(A) Government-issued birth certificate;

(B) United States-issued passport;

(C) Driver's license issued by the State of Arkansas or another state or jurisdiction;

(D) Other state-issued identification document; or

(E) Any document issued by a federal, state, or provincial registrar of vital statistics.

(3) Documentation demonstrating the applicant has not pleaded guilty or nolo contendere to or been found guilty of any of the offenses detailed in Arkansas Code §17-3-102 by any court in the State of Arkansas, of any similar offense by a court in another state, or of any similar offense by a federal court, unless the conviction was:

(A) Lawfully sealed under the Comprehensive Criminal Record Sealing Act of 2013, Arkansas Code §16-90-1401, et seq.; or

(B) Otherwise sealed, pardoned, or expunged under prior law.

(4) Certification by the Doula Alliance of Arkansas or another doula certification organization designated by the department, as outlined by 17 CAR §56-105; and

(5) The initial application fee of fifty dollars (\$50.00).

17 CAR § 56-107. Eligibility requirements for renewal certification.

(a) The community-based doula certification expires two (2) years after date of certification.

(b) Renewal applications and documentation must be submitted ninety (90) days prior to the certification expiration date to be timely.

(c) Renewal will only occur upon receipt of completed application and favorable review of required documentation.

(d) To be eligible for renewal certification, the community-based doula must have completed at least ten (10) hours of professional development training during the previous two (2) years.

(e) An applicant for renewal certification must submit:

(1) A completed application for renewal certification on the form provided by the Department of Health;

(2) Documentation of continuing education requirements or training as provided in 17 CAR §56-107(d); and

(3) The renewal application fee of fifty dollars (\$50.00).

17 CAR § 56-108. Uniformed service members, veterans, and their spouses.

(a) **Applicability.** This section applies to a:

(1) Uniformed service member stationed in the State of Arkansas;

(2) Uniformed service veteran who resides in or establishes residency in the State of Arkansas; and

(3) The spouse of subdivision (a)(1) of this section or subdivision (a)(2) of this section including a uniformed service member who is:

(A) Assigned a tour of duty that excludes the spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; and

(B) Killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

(b) **Automatic certification.** Automatic certification shall be granted to persons listed in subsection (a) of this section if the person:

(1) Is a holder in good standing of occupational licensure or certification with similar scope of practice issued by another state, territory, or district of the United States; and

(2) Pays the initial or renewal certification fee in 17 CAR § 56-106 and 107.

(c) **Credit toward initial certification.** Relevant and applicable uniformed service education, training, national certification, or service-issued credentials shall be accepted toward initial certification.

(d) **Expiration dates and continuing education.**

(1) A certification expiration date shall be extended for a deployed uniformed service member or spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(2) A uniformed service member or spouse exercising the extension shall provide evidence of completion of continuing education before renewal or grant of a subsequent certification.

(e) Application for automatic certification.

(1) An applicant will be eligible for automatic certification under this section upon completed submission of documentation evidencing the following:

(A) The applicant holds a substantially equivalent certification or license in another state;

(B) The applicant is a qualified applicant under either subdivision (a)(1), (2), or (3) of this section;

(C) The applicant has not had any certification or license revoked for:

(i) An act of bad faith; or

(ii) A violation of law, rule, or ethics; and

(D) A completed initial application for certification on the form provided by the Department of Health.

(f) If applicable, certification requirements shall be substantially similar to those required by 17 CAR §56-106.

(g) All applicants who are certified pursuant to this section shall adhere to all provisions of this part.

17 CAR § 56-109. Eligibility requirements for reciprocal certification.

(a) Reciprocal certification will be granted based on substantially equivalent certification or licensure issued by another state, territory, or district of the United States.

(b) An applicant is eligible for reciprocal certification if:

(1) (A) The applicant holds a substantially similar certification or license issued by another state, territory, or district of the United States;

(B) The certification or licensure is relevant and applicable education, training, national certification, or service-issued credential that is substantially similar to certification issued under 17 CAR § 56-106(4);

(C) The occupational certification or licensure is currently in good standing;

(D) The applicant has not had a certification or license revoked for:

(i) An act of bad faith; or

(ii) A violation of law, rule, or ethics; and

(E) The applicant does not hold a suspended or probationary certification or license issued by another state, territory, or district of the United States; and

(2) The applicant is sufficiently competent to be a community-based doula.

(c) An applicant for reciprocal certification shall submit to the Department of Health the following:

(1) A complete reciprocal application on the form provided by the department;

(2) Documentation demonstrating the applicant has not pleaded guilty or nolo contendere to or been found guilty of any of the offenses detailed in Arkansas Code §17-3-102 by any court in the State of Arkansas, of any similar offense by a court in another state, or of any similar offense by a federal court, unless the conviction was:

(A) Lawfully sealed under the Comprehensive Criminal Record Sealing Act of 2013, Arkansas Code §16-90-1401, et seq.; or

(B) Otherwise sealed, pardoned, or expunged under prior law.

(3)(A) A list of all current professional health-related certification or licensure, including those issued by another state, territory, or district of the United States.

(B) The applicant may be required to submit to the department verification of the certification or licensure issued by another state, territory, or district of the United States; and

(4) As evidence that the applicant's certification or license issued by another state, territory, or district of the United States is substantially similar to Arkansas', the applicant shall submit the following information:

(A) Evidence of current and active certification or licensure in that state, territory, or district; and

(B) Evidence that the other state's, territory's, or district's certification or licensure requirements match those listed in 17 CAR §56-106.

(d)(1) The department may either:

(A) Require the applicant provide documentation; or

(B) Inquire directly with the other state's, territory's, or district's licensing or certification board to verify the information provided by the applicant pursuant to subsection (c) of this section.

(2) To demonstrate that the applicant meets the requirements in subsection (b) of this section, the applicant shall provide the department with:

(A) The names of all states, territories, or districts in which the applicant is currently certified or licensed or has been previously certified or licensed; and

(B) Letters of good standing or other information from each state, territory, or district in which the applicant is currently or has ever been certified or licensed showing that the applicant:

(i) Has not had a certification; or license revoked; and

(ii) Does not hold a certification or license on suspended or probationary status.

(e) Applicants from another state, territory, or district of the United States where substantially equivalent certification or licensure is not available shall refer to 17 CAR §56-106 for initial certification requirements.

17 CAR § 56-110. Denial, discipline, suspension, or revocation of certification.

(a) The Department of Health may refuse to issue, suspend, or revoke a certification for any one or more of the following reasons:

(1) Violation of the Certified Community-Based Doula Certification Act, Arkansas Code §17-108-101 et seq.

(2) Conviction of any offense listed in Arkansas Code §17-3-102;

(3) Securing certification through fraud, deceit, or intentional misrepresentation;

(4) Unethical conduct, gross ignorance, or inefficiency in the conduct of his or her practice;

(5) Using a false name or alias in his or her practice;

(6) Performing services as a doula with an expired certification;

(7) Performing services as a doula outside the scope of practice as outlined by this part or as prescribed by Arkansas Code §17-108-101, et seq.;

(8) Violation of any provision of this part; or

(9) Failure to comply with any of the requirements for issuance of certification as set forth in this Part and Arkansas Code § 17-108-101, et seq.

(b) Violations under this section or appeals of denied applications shall be addressed as provided in 17 CAR §56-111.

17 CAR § 56-111. Prohibiting offenses and disciplinary actions.

(a) Any applicant who is not eligible to receive or hold a community-based doula certification because the individual has pleaded guilty or nolo contendere to or or been found guilty of any of the offenses detailed in Arkansas Code §17-3-102 may apply to the State Board of Health for a waiver in certain circumstances, as provided in Arkansas Code §17-3-102.

(b) Suspected cases involving violation of the Certified Community-Based Doula Certification Act, Arkansas Code § 17-108-101 et seq., or this part may be referred to the board for an administrative hearing, in accordance with the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(c) If the board finds that a person holding a certification has violated the Certified Community-Based Doula Certification Act, Arkansas Code §17-108-101 et seq. or this part, the board may impose any one or more of the following disciplinary actions:

(1) Revocation of certification;

(2) Suspension of certification for a determinate period of time;

(3) Probation of certification;

(4) Written or verbal reprimand of a certification holder;
(5) Limitation or conditions on the practice of a person holding a certification;
(6) Continuing education requirements to address known deficiencies; or
(7) Fines as imposed by the board, in accordance with Arkansas Code § 20-7-101.

(d) The Department of Health shall notify the certification holder of any proceedings for disciplinary actions in accordance with the Arkansas Administrative Procedure Act.

(e) Decisions may be appealed pursuant to the Arkansas Administrative Procedure Act.

(f) Any applicable certification or licensing agencies or associations shall be notified of final action on certifications.

17 CAR § 56-112. Inactive status.

(a) Inactive status is automatic on the day immediately after the certification expiration date.

(b) Certified community-based doulas who do not maintain a current certification will be considered inactive.

(c) Inactive status may be maintained for up to four (4) years.

(d) A certified community-based doula with inactive status may not practice until the certification is reactivated.

(e) To reactivate a certification with inactive status, the applicant must submit:

(1) Documentation of professional development credits totaling ten (10) hours for each two-year period of inactive status;

(2) A renewal application as provided in 17 CAR §56-107; and

(3) Renewal application fee of fifty dollars (\$50.00).

(f) (1) After four (4) years of inactive status from the last active expiration date, the certification will automatically expire.

(2) After four (4) years of inactive status from the last active expiration date, the applicant may be recertified by completing the requirements pursuant to 17 CAR §56-106.

17 CAR § 56-113. Department of Health responsibilities.

(a) Granting certification. The Department of Health shall:

(1) Review applications for certification; and

(2) Issue proof of certification for approved applications.

(b) Certification Listing. The department shall:

(1) Maintain a list of all certified community-based doulas in the State of Arkansas; and

(2) Make this list available to the public.

(c) Investigations.

(1) The department shall conduct investigations regarding complaints or deviations from this part.

(2) The department will consider all available information that is relevant and material to the investigations.

(3) Where, in the department's determination, the public's health, safety or welfare requires emergency action, the department may temporarily suspend the certification of a certified community-based doula pending proceedings for revocation or other action, in accordance with the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201, et seq.