Illinois Health and Hospital Association

September 3, 2025

The Spring 2025 legislative session resulted in several maternal health bills being passed by the Illinois General Assembly and signed into law by Gov. JB Pritzker. This memo provides a summary of those laws, which include new requirements for hospitals.

P.A. 104-0009 – Hospital Policies for Medicaid Certified Doulas – As part of the Medicaid Omnibus, changes were made to the Public Aid Code (pgs. 27-30), that require birthing hospitals and birth centers to have policies and procedures in place to permit a patient enrolled in Medicaid to have an Illinois Medicaid certified and enrolled doula of the patient's choice accompany the patient for the purposes of providing support before, during, and after labor and childbirth.

- Any applicable doula is not to be counted towards a patient's guest quota or as their support person.
- Applicable hospitals must post a summary of their policies and procedures on their website, including contact information to facilitate communication between the hospital and applicable doulas.
- A Medicaid certified and enrolled doula must provide written acknowledgement of their certification upon the hospital's request.
- Hospitals must have policies and procedures in place by Dec. 16.

Through IHA's advocacy efforts, language recognizing the doula as part of the care team was removed. Additionally, language was secured that ensures doula access can be limited when inconsistent with generally accepted medical standards or practices, as well as liability protections for a hospital against any actions taken by a doula.

Due to the continued focus on maternal health and access to obstetric care, IHA strongly encourages, in addition to compliance with these requirements, engaging with doulas in your communities, and considering whether opportunities partnering with doulas make sense for your institution.

P.A. 104-0071 – Prenatal Syphilis Testing Changes – Effective Jan. 1, 2026, this legislation makes changes to the Prenatal Syphilis Act. Under these changes, it specifies that the third trimester syphilis test is to be done between the 27th through the 32nd week of gestation. The Illinois Dept. of Public Health has implemented this change to allow for those women testing positive to receive treatment in enough time to prevent impact on their child.

P.A. 104-0294 – Early Intervention Program Notification – Effective immediately, this legislation amends the Hospital Licensing Act, requiring hospitals to provide written information (which may be electronic) regarding Illinois' Early Intervention program, under the Early Intervention Services System Act, to any parent or legal guardian whose child is admitted to the neonatal intensive care unit (NICU). Prior to the discharge of an infant from the NICU, hospitals are required to initiate referrals to the Early Intervention program for all children who have a physical or mental condition which typically results in developmental delay or is at risk of having substantial developmental delays based on informed clinical opinion.

Note: Beginning Jul. 1, 2026, purview of the Early Intervention program will move to the recently created Department of Early Childhood; however the responsibilities of hospitals set forth above will remain the same.

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