

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2127 Session of
2024

INTRODUCED BY FIEDLER, CURRY, BOROWSKI, MADDEN, SANCHEZ,
BULLOCK, SCHLOSSBERG, KHAN, HANBIDGE, PROBST, ROZZI, BOYLE,
HILL-EVANS, TAKAC, WAXMAN, FLEMING, CEPEDA-FREYTIZ, OTTEN,
SHUSTERMAN, DEASY, HOWARD, STEELE, O'MARA, GILLEN, KRAJEWSKI,
GREEN, CERRATO, WEBSTER, MAYES, SIEGEL, BRENNAN, HADDOCK,
KINKEAD, D. MILLER, PARKER, HOHENSTEIN, FREEMAN, KENYATTA,
KAZEEM, D. WILLIAMS, CEPHAS AND ISAACSON, APRIL 3, 2024

REFERRED TO COMMITTEE ON HEALTH, APRIL 3, 2024

AN ACT

1 Requiring information relating to perinatal or postpartum mood
2 and anxiety disorders and resources and screening to be
3 provided to pregnant patients; and providing for powers and
4 duties of the Department of Health.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Perinatal and
9 Postpartum Screening Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Clinical practice guideline." The Clinical Practice
15 Guideline of the American College of Obstetricians and
16 Gynecologists titled "Screening and Diagnosis of Mental Health

Conditions During Pregnancy and Postpartum Clinical Practice"
(Number 4, published June 2023).

"Department." The Department of Health of the Commonwealth.

"PMAD." A perinatal or postpartum mood and anxiety disorder.

Section 3. Resource information and screening.

(a) Duties.--A hospital, birthing center, physician, nurse-midwife or midwife that provides prenatal care to a pregnant patient during gestation, stillbirth, delivery of an infant or postpartum shall:

(1) Provide the patient with a fact sheet, available in English, Spanish, Vietnamese and Mandarin Chinese, that includes common symptoms of the medical conditions of PMAD and emotional traumas associated with pregnancy and parenting. The fact sheet shall present, in a prominent place, the following statement, translated to the appropriate language:

Perinatal or postpartum mood and anxiety disorders (PMADs) are serious medical conditions that require a physician's evaluation and recommendations for treatment. If you are suffering from any of the signs and symptoms of these conditions, you should immediately inform your treating physician or psychiatric physician.

(2) Provide the patient with a resource list of the names, addresses and telephone numbers of professional organizations that provide prenatal counseling, postpartum counseling and assistance to parents. The resource list shall be available in English, Spanish, Vietnamese and Mandarin Chinese.

(3) Require each pregnant patient to complete a

1 questionnaire and review the completed questionnaire in
2 accordance with the clinical practice guideline. The
3 questionnaire shall be available in English, Spanish,
4 Vietnamese and Mandarin Chinese.

5 (4) Require each patient to complete a questionnaire and
6 review the completed questionnaire in accordance with the
7 clinical practice guideline.

8 (5) Require an infant's mother to complete a
9 questionnaire at each well-baby checkup at which the mother
10 is present prior to the infant's first birthday and review
11 the completed questionnaire in accordance with the clinical
12 practice guideline.

13 (6) Obtain consent from the patient or mother to share
14 the information with the patient or mother's primary licensed
15 health care professional in accordance with Federal law. If
16 the patient or mother is determined to present an acute
17 danger to herself or someone else, consent is not required.

18 (7) Repeat assessments for perinatal mental health
19 disorders when, in the professional judgment of the licensed
20 health care professional, a reasonable possibility exists
21 that the patient suffers from perinatal mental health
22 disorders.

23 (8) Document in the patient's record that the patient
24 received the information described in paragraph (1).

25 (9) Retain the documentation for at least three years in
26 the hospital's, birthing center's, physician's, nurse-
27 midwife's or midwife's records.

28 (b) Resources to be included.--The information under
29 subsection (a) shall include resources a pregnant patient may
30 contact to receive treatment, counseling and assistance for the

1 medical conditions of PMAD and for emotional traumas associated
2 with pregnancy and parenting.

3 (c) Presumption of compliance.--A hospital, birthing center,
4 physician, nurse-midwife or midwife that provides prenatal care
5 to a patient during gestation or at delivery is presumed to have
6 complied with this section if the patient received prior
7 prenatal care from another hospital, birthing center, physician,
8 nurse-midwife or midwife in this Commonwealth during the same
9 pregnancy.

10 (d) Resources to other individuals.--The information
11 provided to the pregnant patient under subsection (a) shall be
12 provided to any other individuals who accompany the pregnant
13 patient to a check-up visit, subject to the patient's consent,
14 as well as to any other individuals that the patient may
15 designate.

16 Section 4. Powers and duties of department.

17 The department shall:

18 (1) Adopt and promulgate rules and regulations as
19 necessary to carry out the purposes and provisions of this
20 act.

21 (2) Enforce this act and the rules and regulations
22 promulgated under this act.

23 (3) Make available on the department's publicly
24 accessible Internet website a printable list of professional
25 organizations that provide pregnancy counseling and
26 assistance to parents, along with a fact sheet and the
27 statement as referenced in section 3(a)(1). The department
28 shall publish both the resource list and fact sheet in
29 English, Spanish, Vietnamese, Mandarin Chinese and other
30 languages deemed appropriate by the department.

1 (4) Update the list required under paragraph (3) on a
2 monthly basis.
3 Section 5. Effective date.
4 This act shall take effect in 60 days.