
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1271 Session of
2019

INTRODUCED BY MIHALEK, BARRAR, OTTEN, SCHLOSSBERG, YOUNGBLOOD,
MARSHALL, TOOHIL, KAUFFMAN, HEFFLEY AND RYAN, APRIL 17, 2019

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, APRIL 17, 2019

AN ACT

1 Requiring information relating to parenting and prenatal
2 depression, postpartum depression, postpartum psychosis and
3 other emotional trauma counseling and screening to be
4 provided to a pregnant woman; and providing for the powers
5 and duties of the Department of Health.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Prenatal and
10 Postpartum Counseling and Screening Act.

11 Section 2. Counseling information and screening.

12 (a) Duty to provide.--A hospital, birthing center,
13 physician, nurse-midwife or midwife who provides prenatal care
14 to a pregnant woman during gestation or at delivery of an infant
15 shall:

16 (1) Provide the woman with a fact sheet that includes
17 common symptoms of the medical conditions of prenatal
18 depression, postpartum depression and postpartum psychosis
19 and for emotional traumas associated with pregnancy and

1 parenting. The fact sheet shall present, in a prominent
2 place, the following statement:

3 Prenatal depression, postpartum depression and postpartum
4 psychosis are serious medical conditions that require a
5 physician's evaluation and recommendations for treatment.

6 If you are suffering from any of the signs and symptoms
7 of these conditions, you should immediately inform your
8 treating physician or psychiatric physician.

9 (2) Provide the woman with a resource list of the names,
10 addresses and telephone numbers of professional organizations
11 that provide prenatal counseling, postpartum counseling and
12 assistance to parents.

13 (3) Screen the woman for postpartum depression symptoms
14 prior to discharge from the birthing facility and at the
15 first few postnatal check-up visits.

16 (4) Document in the patient's record that the patient
17 received the information described in paragraph (1).

18 (5) Retain the documentation for at least three years in
19 the hospital's, birthing center's, physician's, nurse-
20 midwife's or midwife's records.

21 (b) Resources to be included.--The information under
22 subsection (a) shall include resources a pregnant woman may
23 contact to receive treatment, counseling and assistance for the
24 medical conditions of prenatal depression, postpartum depression
25 and postpartum psychosis and for emotional traumas associated
26 with pregnancy and parenting.

27 (c) Presumption of compliance.--A hospital, birthing center,
28 physician, nurse-midwife or midwife who provides prenatal care
29 to a woman during gestation or at delivery is presumed to have
30 complied with this section if the woman received prior prenatal

1 care from another hospital, birthing center, physician, nurse-
2 midwife or midwife in this Commonwealth during the same
3 pregnancy.

4 Section 3. Powers and duties of Department of Health.

5 The Department of Health shall:

6 (1) Adopt and promulgate rules and regulations as
7 necessary to carry out the purposes and provisions of this
8 act.

9 (2) Enforce this act and the rules and regulations
10 promulgated under this act.

11 (3) Make available on the department's publicly
12 accessible Internet website a printable list of professional
13 organizations that provide pregnancy counseling and
14 assistance to parents, along with a fact sheet and the
15 statement as referenced in section 2(a)(1).

16 (4) Update the list required under paragraph (3) on a
17 monthly basis.

18 Section 4. Effective date.

19 This act shall take effect in 60 days.