



# State of Tennessee

## PUBLIC CHAPTER NO. 762

HOUSE BILL NO. 1651

By Representatives Lamar, Chism, Dixie, Stewart, Camper, Hardaway, Towns, Clemmons, Hodges, Parkinson

Substituted for: Senate Bill No. 1839

By Senators Akbari, Gilmore, Gardenhire, Yarbrow, Robinson

AN ACT to amend Tennessee Code Annotated, Title 41, Chapter 21, Part 2, relative to pregnant prisoners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-21-204(c), is amended by inserting the following as a new subdivision (2) and renumbering the subsequent subdivisions accordingly:

(2)

(A) The physician shall provide pregnant prisoners and detainees with regular prenatal and postpartum medical care, as necessary.

(B) All prisoners and detainees potentially affected by this subdivision (c)(2) must be advised in writing of the requirements of this subdivision (c)(2), and of § 41-21-227(h), upon admission to the correctional institution and when known to be pregnant.

(C) As used in this subdivision (c)(2):

(i) "Correctional institution" means any facility under the authority of any state, county, or municipal government that has the power to detain or restrain, or both, a person under the laws of this state;

(ii) "Detainee" means any person detained under the immigration laws of the United States at any correctional institution;

(iii) "Postpartum" means the six-week period, or longer as determined by the healthcare professional responsible for the prisoner or detainee's health care, immediately following delivery, stillbirth, miscarriage, ectopic pregnancy, or other non-live birth outcome;

(iv) "Prenatal care" includes pregnancy testing, medical examinations, laboratory and diagnostic tests, including offering HIV testing and prophylaxis when indicated, advice on appropriate levels of activity, safety precautions, nutritional guidance and counseling, routine and high-risk care, management of chemical dependencies, comprehensive counseling and assistance, prescription of appropriate nutritional supplements, and postpartum follow up; and

(v) "Prisoner" means any person incarcerated or detained in any correctional institution who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.

SECTION 2. Tennessee Code Annotated, Title 41, Chapter 21, Part 2, is amended by adding the following language as a new section:

A correctional institution shall provide a pregnant prisoner or detainee with nutritionally appropriate meals and appropriate supplemental provisions between meals.

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As used in this section, "correctional institution," "detainee," and "prisoner" have the same meaning as in § 41-21-204(c)(2).

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.

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PASSED: June 18, 2020



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 30 day of June 2020



BILL LEE, GOVERNOR