
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1122 Session of
2009

INTRODUCED BY BROWN, BISHOP, BOYLE, BRIGGS, COHEN, FREEMAN,
GRUCELA, JOHNSON, JOSEPHS, MANDERINO, MANN, MELIO, MIRABITO,
MURPHY, M. O'BRIEN, PARKER, PHILLIPS, READSHAW, SANTARSIERO,
THOMAS AND YOUNGBLOOD, MARCH 26, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, MARCH 26,
2009

AN ACT

1 Requiring information relating to parenting and prenatal
2 depression, postpartum depression, postpartum psychosis and
3 other emotional trauma counseling to be provided to a woman
4 who is pregnant or has just given birth; and providing for
5 the powers 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 Act.

11 Section 2. Counseling information.

12 (a) Duty to provide.--A hospital, birthing center, neonatal
13 intensive care unit, pediatric ward, pediatric intensive care
14 unit, physician, nurse-midwife or midwife who provides prenatal
15 care to a pregnant woman during gestation or at delivery of an
16 infant or provides health care to a child up to one year of age
17 shall:

18 (1) Provide the woman with a fact sheet that includes

1 common symptoms of the medical conditions of prenatal
2 depression, postpartum depression or postpartum psychosis and
3 for emotional traumas associated with pregnancy and
4 parenting. The fact sheet shall present, in a prominent
5 place, information in a patient-friendly format that contains
6 the following information:

7 Prenatal depression, postpartum depression, postpartum
8 psychosis and postpartum anxiety disorders are serious
9 medical conditions that require a physician's evaluation
10 and recommendations for treatment. If you are suffering
11 from any of the signs and symptoms of these conditions,
12 you should immediately inform your treating physician or
13 psychiatric physician.

14 (2) Provide the woman with a resource list of the names,
15 addresses and telephone numbers of professional organizations
16 that provide prenatal and postpartum counseling and
17 assistance to parents.

18 (3) Document in the patient's record that the patient
19 received the information described in paragraph (1).

20 (4) Screen the woman for postpartum depression symptoms
21 prior to discharge from the birthing facility and at the
22 infant's three-month, six-month, nine-month and twelve-month
23 checkups.

24 (5) Retain the documentation for at least three years in
25 the patient records at the hospital, birthing center,
26 neonatal intensive care unit, pediatric ward or pediatric
27 intensive care unit.

28 (b) Resources to be included.--The information under
29 subsection (a) shall include a list of entities or agencies that
30 a woman who is pregnant or has just given birth may contact to

1 receive treatment, counseling and assistance for the medical
2 conditions of prenatal depression, postpartum depression or
3 postpartum psychosis and for emotional traumas associated with
4 pregnancy and parenting.

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

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

13 The Department of Health shall:

14 (1) Adopt and promulgate rules and regulations necessary
15 to carry out the purposes and provisions of this act.

16 (2) Enforce this act and the rules and regulations
17 promulgated under this act.

18 (3) Make available on the department's Internet website
19 a printable list of professional organizations that provide
20 prenatal and postpartum counseling and assistance to parents,
21 along with a fact sheet and the statement in section 2(a)(1).

22 (4) Update the list required under paragraph (3) on a
23 monthly basis.

24 Section 20. Effective date.

25 This act shall take effect in 60 days.