ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

HB 2261: prisoners; health; training; visitation; rules
Sponsor: Representative Blackman, LD 6
Caucus & COW

Overview
Makes changes to health and medical services offered to female inmates.

History
The Arizona Department of Corrections (ADC) is required to provide medical and health services to prisoners and establish reasonable medical and health service fees. Each inmate is charged a medical and health services fee for each medical visit or emergency treatment unless specific conditions, such as pregnancy, apply. Inmates may not be refused medical treatment for financial reasons. (A.R.S. § 31-201.01)

Current statute prohibits ADC from using restraints on a prisoner during delivery, labor or postpartum recovery unless specific conditions apply. If restraints are used, the corrections official must submit a report within 14 days describing the situation. (A.R.S. § 31-601)

Provisions
1. Requires ADC to provide female inmates with feminine hygiene products upon request. (Sec. 1)

2. Prohibits ADC from charging female inmates for feminine hygiene products. (Sec. 1)

3. Defines *feminine hygiene products*. (Sec. 1)

4. Requires ADC to place a prisoner within 250 miles, when possible, of the prisoner's address if the prisoner is a parent to a minor. (Sec. 2)

5. Outlines visitation requirements for a prisoner with minor children. (Sec. 2)

6. Directs ADC to limit male correctional officers from conducting an inspection of a female prisoner in a state of undress whenever possible and submitting a report to the warden within 72 hours of the inspection if an inspection during a state of undress by a male correctional officer does occur. (Sec. 2)

7. Defines *state of undress*. (Sec. 2)

8. Changes the chapter heading of title 31, chapter 5 from *restraints on pregnant prisoners* to *limited restrictions for pregnant prisoners and prisoners with children*. (Sec. 3)

9. Prohibits using restraints on a pregnant prisoner or within 30 days following a child's birth and states if restraints are used, a report must be filed within 72 hours describing the need and circumstances of the situation. (Sec. 4)

10. Prohibits an unlicensed health care professional from conducting a body cavity search on a pregnant prisoner unless the employee has a reasonable belief the prisoner is concealing contraband and submits a report within 72 hours after the search. (Sec. 4)

11. Requires ADC to provide pregnant prisoners with food and dietary supplements that meet prenatal nutritional guidelines. (Sec. 4)

12. Requires ADC to provide necessary hygiene and nutritional products to a prisoner during the 72 hours following birth and provide the products without cost to an indigent prisoner. (Sec. 4)

13. Restricts ADC from placing a pregnant prisoner, or a prisoner who has given birth within 30 days, in restrictive housing unless a specific determination is made and a report filed within 72 hours on the circumstances. (Sec. 4)

14. Prohibits ADC from assigning a pregnant prisoner, or a prisoner who has given birth within 30 days, to a bed more than three feet from the floor. (Sec. 4)

15. Requires ADC to compile a monthly summary of reports of instances when restraints were used or unlicensed health professionals conducted body cavity searches on pregnant prisoners. (Sec. 4)

16. Allows a newborn baby to remain with the mother for 72 hours following birth unless medical staff has a reasonable belief the mother poses a health or safety risk to the baby. (Sec. 4)

17. Requires ADC to develop training and train corrections staff on topics relating to the mental and physical health of pregnant prisoners. (Sec. 4)

18. Requires ADC to develop and provide educational programming on prenatal, pregnancy and parenting-related topics to pregnant prisoners. (Sec. 4)

19. States this act may be cited as the *Dignity for Incarcerated Women Act*. (Sec. 5)

☐ Prop 105 (45 votes)   ☐ Prop 108 (40 votes)   ☐ Emergency (40 votes)   ☐ Fiscal Note