

The House Committee on Health offers the following substitute to HB 1302:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the Department of Public Health, so as to provide
3 for maternal mental health screening for perinatal mood and anxiety disorders; to provide for
4 legislative findings and intent; to provide for a short title; to provide for such screening at
5 specific points during and after pregnancy as deemed necessary by a physician or other
6 healthcare provider; to provide for additional screening; to provide for referral information
7 and resources and educational materials regarding perinatal mood and anxiety disorders; to
8 provide for rules and regulations; to provide for related matters; to provide for an effective
9 date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 The General Assembly finds that:

- 13 (1) Georgia has prioritized advancements in access to mental health care and addressing
14 issues of maternal health and maternal mortality;
- 15 (2) The largest demographic of Americans grappling with depression is women of
16 childbearing age. The mental well-being of women before, during, and after giving birth

17 is a matter of significant concern for women, their families, their communities, and their
18 healthcare providers. This issue is of particular interest to the General Assembly in that it
19 has far-reaching impact on the public health and the welfare of people in this state;

20 (3) Statistics from experts in the field show that one in five perinatal women will
21 experience mood and anxiety disorders at some time during the period spanning from
22 pregnancy through 12 months after the birth of a child;

23 (4) Maternal depression, anxiety, and other mood disorders can be debilitating conditions,
24 but they are treatable if properly diagnosed;

25 (5) Children born to mothers with untreated depression face a higher likelihood of
26 encountering developmental challenges and increased utilization of medical and mental
27 health services throughout their lives;

28 (6) It is imperative, then, in order to protect and promote public health and welfare, to
29 ensure the prompt diagnosis and treatment of women experiencing postpartum depression
30 or other maternal mental health disorders;

31 (7) The American Medical Association, the American College of Obstetrics and
32 Gynecology, the American College of Nurse Midwives, and the American Academy of
33 Pediatrics recommend perinatal mental health screening at intervals for all pregnant and
34 postpartum women;

35 (8) Universal maternal mental health screening questionnaires test for the presence of
36 prenatal or postpartum mood disorders through validated, evidence based tools;

37 (9) These screening questionnaires are available at little to no cost; and

38 (10) In order to preserve and promote maternal health and strong families, it is imperative
39 that the State of Georgia provide access to periodic mental health screening questionnaires
40 for women throughout and after their pregnancies.

SECTION 2.

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Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Public Health, is amended by adding a new Code section to read as follows:

"31-2A-20.

(a) This Code section shall be known and may be cited as the 'Georgia Maternal Mental Health Improvement Act.'

(b) Except in cases where the woman refuses the maternal mental health screening, a pregnant or postpartum woman seeking healthcare from a physician or other healthcare provider shall be screened for perinatal mood and anxiety disorders, as deemed necessary by such physician or healthcare provider:

(1) At the pregnant woman's first prenatal visit;

(2) When the pregnant woman is at 28-32 weeks' gestation;

(3) Between delivery and discharge from the facility where the pregnant woman gives birth;

(4) At the woman's six-week postpartum obstetrical visit;

(5) If there is a pregnancy loss and at the follow-up obstetric visit after such loss; and

(6) At a pediatric visit occurring when the infant is three months of age, or, if there is no such visit, at the postpartum woman's healthcare visit any time from three months to one year after pregnancy loss or delivery.

(c)(1) The maternal mental health screening provided for in subsection (b) of this Code section shall be conducted by the physician or other healthcare provider who is providing prenatal, obstetric, or postpartum care of the pregnant woman or pediatric care of the woman's infant, as deemed necessary by such physician or healthcare provider. Each such screening shall utilize questionnaires that conform with nationally recognized clinical practice guidelines and consensus statements and shall be used for the purposes of diagnosis, treatment, appropriate management, or ongoing monitoring of a woman's

68 mental health, well-being, disease, or condition as supported by medical and scientific
69 evidence.

70 (2) Additional maternal mental health screenings, which may be refused, may be
71 conducted at any other point during the pregnancy or the postpartum period as deemed
72 necessary by the physician or other healthcare provider. Appropriate referral information
73 and resources addressing perinatal mood or anxiety disorders shall be provided during
74 such screenings.

75 (d) A physician or other healthcare provider who provides obstetric or pediatric care shall
76 provide educational materials on the signs and symptoms of perinatal mood and anxiety
77 disorders to pregnant and postpartum women under their care or to mothers of children
78 under their care, as deemed necessary by such physician or healthcare provider.

79 (e) This Code section shall not preclude any other healthcare provider acting within his or
80 her scope of practice from screening for maternal mental health conditions or from
81 providing referral information and resources or educational materials on perinatal mood
82 and anxiety disorders.

83 (f) The Department of Public Health shall be authorized to promulgate rules and
84 regulations for the purpose of administering the requirements under this Code section."

85 **SECTION 3.**

86 This Act shall become effective on July 1, 2024.

87 **SECTION 4.**

88 All laws and parts of laws in conflict with this Act are repealed.