

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2127 Session of 2024

INTRODUCED BY FIEDLER, CURRY, BOROWSKI, MADDEN, SANCHEZ, BULLOCK, SCHLOSSBERG, KHAN, HANBIDGE, PROBST, ROZZI, BOYLE, HILL-EVANS, TAKAC, WAXMAN, FLEMING, CEPEDA-FREYTIZ, OTTEN, SHUSTERMAN, DEASY, HOWARD, STEELE, O'MARA, GILLEN, KRAJEWSKI, GREEN, CERRATO, WEBSTER, MAYES, SIEGEL, BRENNAN, HADDOCK, KINKEAD, D. MILLER, PARKER, HOHENSTEIN, FREEMAN, KENYATTA, KAZEEM, D. WILLIAMS, CEPHAS, ISAACSON, BOYD, SALISBURY, YOUNG AND MADSEN, APRIL 3, 2024

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 5, 2024

AN ACT

1 Requiring information relating to perinatal or postpartum mood
2 and anxiety disorders and resources and screening to be
3 provided to pregnant patients; and providing for powers and
4 duties of the Department of Health.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Perinatal and
9 Postpartum ~~Screening~~ EDUCATION Act. <--

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Birth center." As defined in section 802.1 of the act of
15 July 19, 1979 (P.L.130, No.48), known as the Health Care

1 Facilities Act.

2 "Department." The Department of Health of the Commonwealth.

3 "Hospital." As defined in section 802.1 of the Health Care
4 Facilities Act.

5 "Midwife or nurse-midwife." As defined in section 2 of the
6 act of December 20, 1985 (P.L.457, No.112), known as the Medical
7 Practice Act of 1985.

8 "Physician." Either:

9 (1) As defined in section 2 of the Medical Practice Act
10 of 1985.

11 (2) As defined in section 2 of the act of October 5,
12 1978 (P.L.1109, No.261), known as the Osteopathic Medical
13 Practice Act.

14 "PMAD." A perinatal or postpartum mood and anxiety disorder.

15 ~~"PMAD questionnaire." A clinically valid screening tool for <--~~
16 ~~PMAD that is based on best practices and evidence based research~~
17 ~~and guidelines.~~

18 Section 3. Resource information.

19 (a) Duties.--A hospital, birth center, physician or nurse <--
20 MIDWIFE or nurse-midwife that provides prenatal care to a <--
21 pregnant patient during gestation, stillbirth, delivery of an <--
22 infant or postpartum shall MAY: <--

23 (1) Provide the patient with a THE fact sheet, available <--
24 in the primary language of the patient, that includes common
25 symptoms of the medical conditions of PMAD and emotional
26 traumas associated with pregnancy and parenting. The fact
27 sheet shall present, in a prominent place, the following
28 statement, translated to the appropriate language:

29 Perinatal or postpartum mood and anxiety disorders

30 (PMADs) are serious medical conditions that require a

1 ~~physician's evaluation and recommendations for~~
2 ~~treatment. If you are suffering from any of the signs~~
3 ~~and symptoms of these conditions, you should~~
4 ~~immediately inform your psychiatrist or treating~~
5 ~~physician.~~ MADE AVAILABLE UNDER SECTION 4. <--

6 (2) Provide the patient with a THE resource list of the <--
7 ~~names, addresses and telephone numbers of professional~~
8 ~~organizations that provide prenatal counseling, postpartum~~
9 ~~counseling and assistance to parents.~~ MADE AVAILABLE UNDER <--
10 SECTION 4.

11 (b) Resources to other individuals.--The information
12 provided to the patient under subsection (a) ~~shall~~ MAY be <--
13 provided to any other individuals who accompany the patient to a
14 ~~check up~~ WELL-BABY visit, subject to the patient's consent, as <--
15 well as to any other individuals that the patient may designate.
16 ~~Section 4. PMAD screening.~~ <--

17 ~~A physician or nurse or nurse midwife that provides prenatal~~
18 ~~or postpartum care or well baby check ups shall:~~

19 ~~(1) Request each pregnant patient to complete a PMAD~~
20 ~~questionnaire and review the completed questionnaire in~~
21 ~~accordance with the current PMAD clinical practice guideline.~~

22 The PMAD questionnaire shall be

23 ~~provided in the primary language of the patient or~~
24 ~~administered with the assistance of an interpreter.~~

25 ~~(2) Request an infant's mother to complete a~~
26 ~~questionnaire at each well baby checkup at which the mother~~
27 ~~is present prior to the infant's first birthday and review~~
28 ~~the completed questionnaire in accordance with the clinical~~
29 ~~practice guideline.~~

30 ~~(3) Request consent from the patient or mother to share~~

1 ~~the information with the patient or mother's primary licensed~~
2 ~~health care professional in accordance with Federal law.~~

3 ~~(4) Repeat assessments for perinatal mental health~~
4 ~~disorders when, in the professional judgment of the licensed~~
5 ~~health care professional, a reasonable possibility exists~~
6 ~~that the patient suffers from perinatal mental health~~
7 ~~disorders.~~

8 ~~(5) Provide information detailed in section 3 and~~
9 ~~document in the patient's record that the patient received~~
10 ~~the information.~~

11 Section 5 4. Powers and duties of department. <--

12 The department shall:

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

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

18 ~~(3)~~ (1) Make available on the department's publicly <--
19 accessible Internet website a printable RESOURCE list of the <--
20 names, addresses and telephone numbers of professional
21 organizations that provide pregnancy counseling and
22 assistance to parents, including organizations that provide
23 prenatal counseling, postpartum counseling and assistance
24 with PMAD. The department shall also make available the A <--
25 fact sheet and the statement as referenced in section 3(a) <--

26 ~~(1)~~. THAT INCLUDES COMMON SYMPTOMS OF THE MEDICAL CONDITIONS <--
27 OF PMAD. The department shall publish both the resource list
28 and fact sheet in English, Spanish, Vietnamese, Mandarin
29 Chinese and other languages deemed appropriate by the
30 department.

1 ~~(4)~~ (2) Update the RESOURCE list AND FACT SHEET required <--
2 under paragraph ~~(3)~~ (1) as needed. <--
3 ~~(5)~~ (3) Establish a public awareness campaign to inform <--
4 the general public about the nature and causes of ~~postpartum~~ <--
5 ~~perinatal depression~~ PMAD and its health implications, <--
6 including its symptoms, methods of coping with the illness
7 and the most effective means of treatment.
8 Section ~~6~~ 5. Effective date. <--
9 This act shall take effect ~~as follows:~~ <--
10 ~~(1) Section 4 shall take effect in 180 days.~~
11 ~~(2) This section shall take effect immediately.~~
12 ~~(3) The remainder of this act shall take effect in 240~~
13 days.