

THE SUPPORT THROUGH LOSS ACT

Congresswoman Ayanna Pressley (MA-07) and Senator Tammy Duckworth (D-IL)

BACKGROUND:

For many, the road to parenthood is difficult and can be full of setbacks and disappointments. Pregnancy loss, unsuccessful fertility treatment and failed adoption or surrogacy arrangements take a physical and mental toll, and this private trauma is often compounded by a harsh status quo that fails to provide individuals and families time to grieve and heal.

While often underreported, pregnancy loss is a common occurrence. It is estimated that miscarriage occurs in 10% of known pregnancies¹. Due to a lack of public awareness and cultural stigma, many people are unaware of how prevalent pregnancy loss is until their family experiences it firsthand. Despite the fact that pregnancy loss is an experience shared across communities and backgrounds, and occurs for myriad causes, a lack of accurate information can often foster an isolating experience.

Furthermore, too many workers have been forced to stay at work to finish a big presentation while experiencing a miscarriage or have struggled to maintain focus in the aftermath of receiving life-changing fertility news. This is the cruel reality in far too many workplaces across the Nation, and Federal labor law has failed to address an unfortunately all too common need.

The Support Through Loss Act is a first of its kind bill that aims to shed light on these shared experiences and help ensure that those experiencing the loss of a pregnancy are fully supported with access to resources, workforce supports, and patient centered care. The bill does this by:

- **Raising awareness and disseminating public information and resources about pregnancy loss.** The bill directs the Department of Health and Human Services and the Center for Disease Control to develop and disseminate public information regarding pregnancy loss, including information on the incidence, and prevalence of pregnancy loss as well as the range of treatment options for pregnancy loss and recurrent pregnancy loss. This includes ways to access comprehensive mental health supports, necessary procedures and medications, and culturally responsive supports including pregnancy loss doula care.
- **Investing \$45 million annually in federal research into pregnancy loss.** The bill provides \$45 million in annual funding for and directs the National Institutes of Health to expand, intensify and coordinate research and programs with respect to pregnancy loss.

¹ The American College of Obstetricians and Gynecologists, "Early Pregnancy Loss," February 2020. <https://www.acog.org/womens-health/faqs/early-pregnancy-loss#:~:text=Early%20pregnancy%20loss%20is%20common,about%2010%25%20of%20known%20pregnancies.>

- **Supporting individuals experiencing pregnancy loss and other setbacks expanding their family by ensuring they are eligible for paid family and medical leave.** Employers would be required to provide at least three days of paid leave for workers to process and address health needs following a pregnancy loss; an unsuccessful assisted reproductive technology procedure; a failed adoption arrangement; a failed surrogacy arrangement; or a medical diagnosis or event that impacts pregnancy or fertility.

The bill also acknowledges the overlap and intersection of various experiences with childbirth and pregnancy, supportive of all family models, and inclusive of those who are navigating fertility treatments, surrogacy, and various health conditions.

This bill is responsive legislation crafted in partnership with advocates and impacted families.