| (Original Signature of Member)   |
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| 118TH CONGRESS H. R.   |
| To end the shackling of pregnant individuals, and for other purposes.              |
| IN THE HOUSE OF REPRESENTATIVES  |
| Ms. Pressley introduced the following bill; which was referred to the Committee on |
| A BILL  To end the shackling of pregnant individuals, and for other purposes.      |
| 1 Be it enacted by the Senate and House of Representa-                             |
| 2 tives of the United States of America in Congress assembled,                     |
| 3 SECTION 1. SHORT TITLE.  |
| 4 This Act may be cited as the "Justice for Incarcer-                              |
| 5 ated Moms Act".  |
| 6 SEC. 2. ENDING THE SHACKLING OF PREGNANT INDIVID-                                |
| 7 UALS.  |
| 8 (a) In General.—Beginning on the date that is 6                                  |
| 9 months after the date of enactment of this Act, and annu-                        |

- 2 ally thereafter, in each State that receives a grant under subpart 1 of part E of title I of the Omnibus Crime Con-3 trol and Safe Streets Act of 1968 (34 U.S.C. 10151 et 4 seq.) (commonly referred to as the "Edward Byrne Memorial Justice Grant Program") and that does not have in effect throughout the State for such fiscal year laws re-6 stricting the use of restraints on pregnant individuals in 8 prison that are substantially similar to the rights, procedures, requirements, effects, and penalties set forth in sec-10 tion 4322 of title 18, United States Code, the amount of such grant that would otherwise be allocated to such State under such subpart for the fiscal year shall be decreased 12 13 by 25 percent. 14 (b) Reallocation.—Amounts not allocated to a 15 State for failure to comply with subsection (a) shall be reallocated in accordance with subpart 1 of part E of title 16 I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seg.) to States that have com-18 plied with such subsection. 19 20 SEC. 3. CREATING MODEL PROGRAMS FOR THE CARE OF
- 21 INCARCERATED INDIVIDUALS IN THE PRE-
- 22 NATAL AND POSTPARTUM PERIODS.
- 23 (a) IN GENERAL.—Not later than 1 year after the
- date of enactment of this Act, the Attorney General, act-
- ing through the Director of the Bureau of Prisons, shall

establish, in not fewer than 6 Bureau of Prisons facilities, programs to optimize maternal health outcomes for preg-3 nant and postpartum individuals incarcerated in such fa-4 cilities. The Attorney General shall establish such pro-5 grams in consultation with stakeholders such as— 6 relevant community-based organizations, 7 particularly organizations that represent incarcer-8 ated and formerly incarcerated individuals and orga-9 nizations that seek to improve maternal health out-10 comes for pregnant and postpartum individuals from 11 demographic groups with elevated rates of maternal 12 mortality, morbidity, severe maternal maternal 13 health disparities, or other adverse perinatal or 14 childbirth outcomes; 15 (2) relevant organizations representing patients, with a particular focus on patients from demo-16 17 graphic groups with elevated rates of maternal mor-18 tality, severe maternal morbidity, maternal health 19 disparities, or other adverse perinatal or childbirth 20 outcomes; 21 (3) organizations representing maternity care 22 providers and maternal health care education pro-23 grams; (4) perinatal health workers; and 24

| 1  | (5) researchers and policy experts in fields re-              |
|----|---|
| 2  | lated to maternal health care for incarcerated indi-          |
| 3  | viduals.  |
| 4  | (b) START DATE.—Each selected facility shall begin            |
| 5  | facility programs not later than 18 months after the date     |
| 6  | of enactment of this Act.                                     |
| 7  | (c) Facility Priority.—In carrying out subsection             |
| 8  | (a), the Director shall give priority to a facility based on— |
| 9  | (1) the number of pregnant and postpartum in-                 |
| 10 | dividuals incarcerated in such facility and, among            |
| 11 | such individuals, the number of pregnant and                  |
| 12 | postpartum individuals from demographic groups                |
| 13 | with elevated rates of maternal mortality, severe ma-         |
| 14 | ternal morbidity, maternal health disparities, or             |
| 15 | other adverse perinatal or childbirth outcomes; and           |
| 16 | (2) the extent to which the leaders of such facil-            |
| 17 | ity have demonstrated a commitment to developing              |
| 18 | exemplary programs for pregnant and postpartum                |
| 19 | individuals incarcerated in such facility.                    |
| 20 | (d) Program Duration.—The programs established                |
| 21 | under this section shall be for a 5-year period.              |
| 22 | (e) Programs.—Bureau of Prisons facilities selected           |
| 23 | by the Director shall establish programs for pregnant and     |
| 24 | postpartum incarcerated individuals, and such programs        |
| 25 | mav—  |

| 1  | (1) provide access to perinatal health workers        |
|----|---|
| 2  | from pregnancy through the postpartum period;         |
| 3  | (2) provide access to healthy foods and coun-         |
| 4  | seling on nutrition, recommended activity levels, and |
| 5  | safety measures throughout pregnancy;                 |
| 6  | (3) train correctional officers to ensure that        |
| 7  | pregnant incarcerated individuals receive safe and    |
| 8  | respectful treatment;                                 |
| 9  | (4) train medical personnel to ensure that preg-      |
| 10 | nant incarcerated individuals receive trauma-in-      |
| 11 | formed, culturally and linguistically congruent care  |
| 12 | that promotes the health and safety of the pregnant   |
| 13 | individuals;  |
| 14 | (5) provide counseling and treatment for indi-        |
| 15 | viduals who have suffered from—                       |
| 16 | (A) diagnosed mental or behavioral health             |
| 17 | conditions, including trauma and substance use        |
| 18 | disorders;  |
| 19 | (B) trauma or violence, including domestic            |
| 20 | violence;   |
| 21 | (C) human immunodeficiency virus;                     |
| 22 | (D) sexual abuse;                                     |
| 23 | (E) pregnancy or infant loss; or                      |
| 24 | (F) chronic conditions;                               |

| 1  | (6) provide evidence-based pregnancy and child-       |
|----|---|
| 2  | birth education, parenting support, and other rel-    |
| 3  | evant forms of health literacy;                       |
| 4  | (7) provide clinical education opportunities to       |
| 5  | maternity care providers in training to expand path-  |
| 6  | ways into maternal health care careers serving incar- |
| 7  | cerated individuals;                                  |
| 8  | (8) offer opportunities for postpartum individ-       |
| 9  | uals to maintain contact with the individual's new-   |
| 10 | born child to promote bonding, including enhanced     |
| 11 | visitation policies, access to prison nursery pro-    |
| 12 | grams, or breastfeeding support;                      |
| 13 | (9) provide reentry assistance, particularly to—      |
| 14 | (A) ensure access to health insurance cov-            |
| 15 | erage and transfer of health records to commu-        |
| 16 | nity providers if an incarcerated individual exits    |
| 17 | the criminal justice system during such individ-      |
| 18 | ual's pregnancy or in the postpartum period;          |
| 19 | and   |
| 20 | (B) connect individuals exiting the criminal          |
| 21 | justice system during pregnancy or in the             |
| 22 | postpartum period to community-based re-              |
| 23 | sources, such as referrals to health care pro-        |
| 24 | viders, substance use disorder treatments, and        |

| 1  | social services that address social determinants       |
|----|--|
| 2  | of maternal health; or                                 |
| 3  | (10) establish partnerships with local public en-      |
| 4  | tities, private community entities, community-based    |
| 5  | organizations, Indian Tribes and Tribal organiza-      |
| 6  | tions (as such terms are defined in section 4 of the   |
| 7  | Indian Self-Determination and Education Assistance     |
| 8  | Act (25 U.S.C. 5304)), and Urban Indian organiza-      |
| 9  | tions (as such term is defined in section 4 of the In- |
| 10 | dian Health Care Improvement Act (25 U.S.C.            |
| 11 | 1603)) to establish or expand pretrial diversion pro-  |
| 12 | grams as an alternative to incarceration for preg-     |
| 13 | nant and postpartum individuals. Such programs         |
| 14 | may include—   |
| 15 | (A) evidence-based childbirth education or             |
| 16 | parenting classes;                                     |
| 17 | (B) prenatal health coordination;                      |
| 18 | (C) family and individual counseling;                  |
| 19 | (D) evidence-based screenings, education,              |
| 20 | and, as needed, treatment for mental and be-           |
| 21 | havioral health conditions, including drug and         |
| 22 | alcohol treatments;                                    |
| 23 | (E) family case management services;                   |
| 24 | (F) domestic violence education and pre-               |
| 25 | vention;   |

| 1  | (G) physical and sexual abuse counseling;            |
|----|--|
| 2  | and  |
| 3  | (H) programs to address social deter-                |
| 4  | minants of health such as employment, housing,       |
| 5  | education, transportation, and nutrition.            |
| 6  | (f) Implementation and Reporting.—A selected         |
| 7  | facility shall be responsible for—                   |
| 8  | (1) implementing programs, which may include         |
| 9  | the programs described in subsection (e); and        |
| 10 | (2) not later than 3 years after the date of en-     |
| 11 | actment of this Act, and 6 years after the date of   |
| 12 | enactment of this Act, reporting results of the pro- |
| 13 | grams to the Director, including information de-     |
| 14 | scribing—  |
| 15 | (A) relevant quantitative indicators of suc-         |
| 16 | cess in improving the standard of care and           |
| 17 | health outcomes for pregnant and postpartum          |
| 18 | incarcerated individuals in the facility, including  |
| 19 | data stratified by race, ethnicity, sex, gender,     |
| 20 | primary language, age, geography, disability         |
| 21 | status, the category of the criminal charge          |
| 22 | against such individual, rates of pregnancy-re-      |
| 23 | lated deaths, pregnancy-associated deaths, cases     |
| 24 | of infant mortality and morbidity, rates of          |
| 25 | preterm births and low-birthweight births, cases     |

| 1  | of severe maternal morbidity, cases of violence            |
|----|--|
| 2  | against pregnant or postpartum individuals, di-            |
| 3  | agnoses of maternal mental or behavioral health            |
| 4  | conditions, and other such information as ap-              |
| 5  | propriate;   |
| 6  | (B) relevant qualitative and quantitative                  |
| 7  | evaluations from pregnant and postpartum in-               |
| 8  | carcerated individuals who participated in such            |
| 9  | programs, including measures of patient-re-                |
| 10 | ported experience of care; and                             |
| 11 | (C) strategies to sustain such programs                    |
| 12 | after fiscal year 2028 and expand such pro-                |
| 13 | grams to other facilities.                                 |
| 14 | (g) Report.—Not later than 6 years after the date          |
| 15 | of enactment of this Act, the Director shall submit to the |
| 16 | Attorney General and to the Congress a report describing   |
| 17 | the results of the programs funded under this section.     |
| 18 | (h) Oversight.—Not later than 1 year after the             |
| 19 | date of enactment of this Act, the Attorney General shall  |
| 20 | award a contract to an independent organization or inde-   |
| 21 | pendent organizations to conduct oversight of the pro-     |
| 22 | grams described in subsection (e).                         |
| 23 | (i) AUTHORIZATION OF APPROPRIATIONS.—There is              |
| 24 | authorized to be appropriated to carry out this section    |
| 25 | \$10,000,000 for each of fiscal years 2024 through 2028.   |

| 1  | SEC. 4. GRANT PROGRAM TO IMPROVE MATERNAL HEALTH          |
|----|---|
| 2  | OUTCOMES FOR INDIVIDUALS IN STATE AND                     |
| 3  | LOCAL PRISONS AND JAILS.                                  |
| 4  | (a) Establishment.—Not later than 1 year after            |
| 5  | the date of enactment of this Act, the Attorney General,  |
| 6  | acting through the Director of the Bureau of Justice As-  |
| 7  | sistance, shall award Justice for Incarcerated Moms       |
| 8  | grants to States to establish or expand programs in State |
| 9  | and local prisons and jails for pregnant and postpartum   |
| 10 | incarcerated individuals. The Attorney General shall      |
| 11 | award such grants in consultation with stakeholders such  |
| 12 | as—   |
| 13 | (1) relevant community-based organizations,               |
| 14 | particularly organizations that represent incarcer-       |
| 15 | ated and formerly incarcerated individuals and orga-      |
| 16 | nizations that seek to improve maternal health out-       |
| 17 | comes for pregnant and postpartum individuals from        |
| 18 | demographic groups with elevated rates of maternal        |
| 19 | mortality, severe maternal morbidity, maternal            |
| 20 | health disparities, or other adverse perinatal or         |
| 21 | childbirth outcomes;                                      |
| 22 | (2) relevant organizations representing patients,         |
| 23 | with a particular focus on patients from demo-            |
| 24 | graphic groups with elevated rates of maternal mor-       |
| 25 | tality, severe maternal morbidity, maternal health        |

| 1  | disparities, or other adverse perinatal or childbirth       |
|----|---|
| 2  | outcomes;   |
| 3  | (3) organizations representing maternity care               |
| 4  | providers and maternal health care education pro-           |
| 5  | grams;  |
| 6  | (4) perinatal health workers; and                           |
| 7  | (5) researchers and policy experts in fields re-            |
| 8  | lated to maternal health care for incarcerated indi-        |
| 9  | viduals.  |
| 10 | (b) Applications.—Each applicant for a grant                |
| 11 | under this section shall submit to the Director of the Bu-  |
| 12 | reau of Justice Assistance an application at such time, in  |
| 13 | such manner, and containing such information as the Di-     |
| 14 | rector may require.   |
| 15 | (c) USE OF FUNDS.—A State that is awarded a grant           |
| 16 | under this section shall use such grant to establish or ex- |
| 17 | pand programs for pregnant and postpartum incarcerated      |
| 18 | individuals, and such programs may—                         |
| 19 | (1) provide access to perinatal health workers              |
| 20 | from pregnancy through the postpartum period;               |
| 21 | (2) provide access to healthy foods and coun-               |
| 22 | seling on nutrition, recommended activity levels, and       |
| 23 | safety measures throughout pregnancy;                       |

| 1  | (3) train correctional officers to ensure that       |
|----|--|
| 2  | pregnant incarcerated individuals receive safe and   |
| 3  | respectful treatment;                                |
| 4  | (4) train medical personnel to ensure that preg-     |
| 5  | nant incarcerated individuals receive trauma-in-     |
| 6  | formed, culturally and linguistically congruent care |
| 7  | that promotes the health and safety of the pregnant  |
| 8  | individuals;   |
| 9  | (5) provide counseling and treatment for indi-       |
| 10 | viduals who have suffered from—                      |
| 11 | (A) diagnosed mental or behavioral health            |
| 12 | conditions, including trauma and substance use       |
| 13 | disorders;   |
| 14 | (B) trauma or violence, including domestic           |
| 15 | violence;  |
| 16 | (C) human immunodeficiency virus;                    |
| 17 | (D) sexual abuse;                                    |
| 18 | (E) pregnancy or infant loss; or                     |
| 19 | (F) chronic conditions;                              |
| 20 | (6) provide evidence-based pregnancy and child-      |
| 21 | birth education, parenting support, and other rel-   |
| 22 | evant forms of health literacy;                      |
| 23 | (7) provide clinical education opportunities to      |
| 24 | maternity care providers in training to expand path- |

| 1  | ways into maternal health care careers serving incar- |
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| 2  | cerated individuals;                                  |
| 3  | (8) offer opportunities for postpartum individ-       |
| 4  | uals to maintain contact with the individual's new-   |
| 5  | born child to promote bonding, including enhanced     |
| 6  | visitation policies, access to prison nursery pro-    |
| 7  | grams, or breastfeeding support;                      |
| 8  | (9) provide reentry assistance, particularly to—      |
| 9  | (A) ensure access to health insurance cov-            |
| 10 | erage and transfer of health records to commu-        |
| 11 | nity providers if an incarcerated individual exits    |
| 12 | the criminal justice system during such individ-      |
| 13 | ual's pregnancy or in the postpartum period;          |
| 14 | and   |
| 15 | (B) connect individuals exiting the criminal          |
| 16 | justice system during pregnancy or in the             |
| 17 | postpartum period to community-based re-              |
| 18 | sources, such as referrals to health care pro-        |
| 19 | viders, substance use disorder treatments, and        |
| 20 | social services that address social determinants      |
| 21 | of maternal health; or                                |
| 22 | (10) establish partnerships with local public en-     |
| 23 | tities, private community entities, community-based   |
| 24 | organizations, Indian Tribes and Tribal organiza-     |
| 25 | tions (as such terms are defined in section 4 of the  |

| 1  | Indian Self-Determination and Education Assistance     |
|----|--|
| 2  | Act (25 U.S.C. 5304)), and Urban Indian organiza-      |
| 3  | tions (as such term is defined in section 4 of the In- |
| 4  | dian Health Care Improvement Act (25 U.S.C.            |
| 5  | 1603)) to establish or expand pretrial diversion pro-  |
| 6  | grams as an alternative to incarceration for preg-     |
| 7  | nant and postpartum individuals. Such programs         |
| 8  | may include—   |
| 9  | (A) evidence-based childbirth education or             |
| 10 | parenting classes;                                     |
| 11 | (B) prenatal health coordination;                      |
| 12 | (C) family and individual counseling;                  |
| 13 | (D) evidence-based screenings, education,              |
| 14 | and, as needed, treatment for mental and be-           |
| 15 | havioral health conditions, including drug and         |
| 16 | alcohol treatments;                                    |
| 17 | (E) family case management services;                   |
| 18 | (F) domestic violence education and pre-               |
| 19 | vention;   |
| 20 | (G) physical and sexual abuse counseling;              |
| 21 | and  |
| 22 | (H) programs to address social deter-                  |
| 23 | minants of health such as employment, housing,         |
| 24 | education, transportation, and nutrition.              |

| 1  | (d) Priority.—In awarding grants under this sec-         |
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| 2  | tion, the Director of the Bureau of Justice Assistance   |
| 3  | shall give priority to applicants based on—              |
| 4  | (1) the number of pregnant and postpartum in-            |
| 5  | dividuals incarcerated in the State and, among such      |
| 6  | individuals, the number of pregnant and postpartum       |
| 7  | individuals from demographic groups with elevated        |
| 8  | rates of maternal mortality, severe maternal mor-        |
| 9  | bidity, maternal health disparities, or other adverse    |
| 10 | perinatal or childbirth outcomes; and                    |
| 11 | (2) the extent to which the State has dem-               |
| 12 | onstrated a commitment to developing exemplary           |
| 13 | programs for pregnant and postpartum individuals         |
| 14 | incarcerated in the prisons and jails in the State.      |
| 15 | (e) Grant Duration.—A grant awarded under this           |
| 16 | section shall be for a 5-year period.                    |
| 17 | (f) Implementing and Reporting.—A State that             |
| 18 | receives a grant under this section shall be responsible |
| 19 | for—   |
| 20 | (1) implementing the program funded by the               |
| 21 | grant; and   |
| 22 | (2) not later than 3 years after the date of en-         |
| 23 | actment of this Act, and 6 years after the date of       |
| 24 | enactment of this Act, reporting results of such pro-    |

| 1  | gram to the Attorney General, including information |
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| 2  | describing—   |
| 3  | (A) relevant quantitative indicators of the         |
| 4  | program's success in improving the standard of      |
| 5  | care and health outcomes for pregnant and           |
| 6  | postpartum incarcerated individuals in the facil-   |
| 7  | ity, including data stratified by race, ethnicity,  |
| 8  | sex, gender, primary language, age, geography,      |
| 9  | disability status, category of the criminal         |
| 10 | charge against such individual, incidence rates     |
| 11 | of pregnancy-related deaths, pregnancy-associ-      |
| 12 | ated deaths, cases of infant mortality and mor-     |
| 13 | bidity, rates of preterm births and low-birth-      |
| 14 | weight births, cases of severe maternal mor-        |
| 15 | bidity, cases of violence against pregnant or       |
| 16 | postpartum individuals, diagnoses of maternal       |
| 17 | mental or behavioral health conditions, and         |
| 18 | other such information as appropriate;              |
| 19 | (B) relevant qualitative and quantitative           |
| 20 | evaluations from pregnant and postpartum in-        |
| 21 | carcerated individuals who participated in such     |
| 22 | programs, including measures of patient-re-         |
| 23 | ported experience of care; and                      |
|    |   |

| 1  | (C) strategies to sustain such programs be-                 |
|----|---|
| 2  | yond the duration of the grant and expand such              |
| 3  | programs to other facilities.                               |
| 4  | (g) Report.—Not later than 6 years after the date           |
| 5  | of enactment of this Act, the Attorney General shall sub-   |
| 6  | mit to the Congress a report describing the results of such |
| 7  | grant programs.   |
| 8  | (h) Oversight.—Not later than 1 year after the              |
| 9  | date of enactment of this Act, the Attorney General shall   |
| 10 | award a contract to an independent organization or inde-    |
| 11 | pendent organizations to conduct oversight of the pro-      |
| 12 | grams described in subsection (c).                          |
| 13 | (i) AUTHORIZATION OF APPROPRIATIONS.—There is               |
| 14 | authorized to be appropriated to carry out this section     |
| 15 | \$10,000,000 for each of fiscal years 2024 through 2028.    |
| 16 | SEC. 5. GAO REPORT.   |
| 17 | (a) In General.—Not later than 2 years after the            |
| 18 | date of enactment of this Act, the Comptroller General      |
| 19 | of the United States shall submit to Congress a report      |
| 20 | on adverse maternal and infant health outcomes among        |
| 21 | incarcerated individuals and infants born to such individ-  |
| 22 | uals, with a particular focus on racial and ethnic dispari- |
| 23 | ties in maternal and infant health outcomes for incarcer-   |
| 24 | ated individuals.   |

| 1  | (b) CONTENTS OF REPORT.—The report described in    |
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| 2  | this section shall include—                        |
| 3  | (1) to the extent practicable—                     |
| 4  | (A) the number of pregnant individuals             |
| 5  | who are incarcerated in Bureau of Prisons fa-      |
| 6  | cilities;  |
| 7  | (B) the number of incarcerated individuals,        |
| 8  | including those incarcerated in Federal, State,    |
| 9  | and local correctional facilities, who have expe-  |
| 10 | rienced a pregnancy-related death, pregnancy-      |
| 11 | associated death, or the death of an infant in     |
| 12 | the most recent 10 years of available data;        |
| 13 | (C) the number of cases of severe maternal         |
| 14 | morbidity among incarcerated individuals, in-      |
| 15 | cluding those incarcerated in Federal, State,      |
| 16 | and local detention facilities, in the most recent |
| 17 | 10 years of available data;                        |
| 18 | (D) the number of preterm and low-birth-           |
| 19 | weight births of infants born to incarcerated in-  |
| 20 | dividuals, including those incarcerated in Fed-    |
| 21 | eral, State, and local correctional facilities, in |
| 22 | the most recent 10 years of available data; and    |
| 23 | (E) statistics on the racial and ethnic dis-       |
| 24 | parities in maternal and infant health outcomes    |
| 25 | and severe maternal morbidity rates among in-      |

| 1  | carcerated individuals, including those incarcer-      |
|----|--|
| 2  | ated in Federal, State, and local detention fa-        |
| 3  | cilities;  |
| 4  | (2) in the case that the Comptroller General of        |
| 5  | the United States is unable determine the informa-     |
| 6  | tion required in subparagraphs (A) through (C) of      |
| 7  | paragraph (1), an assessment of the barriers to de-    |
| 8  | termining such information and recommendations         |
| 9  | for improvements in tracking maternal health out-      |
| 10 | comes among incarcerated individuals, including        |
| 11 | those incarcerated in Federal, State, and local deten- |
| 12 | tion facilities;                                       |
| 13 | (3) the implications of pregnant and                   |
| 14 | postpartum incarcerated individuals being ineligible   |
| 15 | for medical assistance under a State plan under title  |
| 16 | XIX of the Social Security Act (42 U.S.C. 1396 et      |
| 17 | seq.) including information about—                     |
| 18 | (A) the effects of such ineligibility on ma-           |
| 19 | ternal health outcomes for pregnant and                |
| 20 | postpartum incarcerated individuals, with em-          |
| 21 | phasis given to such effects for pregnant and          |
| 22 | postpartum individuals from racial and ethnic          |
| 23 | minority groups; and                                   |
| 24 | (B) potential implications on maternal                 |
| 25 | health outcomes resulting from temporarily sus-        |

| 1  | pending, rather than permanently terminating,          |
|----|--|
| 2  | such eligibility when a pregnant or postpartum         |
| 3  | individual is incarcerated;                            |
| 4  | (4) the extent to which Federal, State, and            |
| 5  | local correctional facilities are holding pregnant and |
| 6  | postpartum individuals who test positive for illicit   |
| 7  | drug use in detention with special conditions, such    |
| 8  | as additional bond requirements, due to the individ-   |
| 9  | ual's drug use, and the effect of such detention poli- |
| 10 | cies on maternal and infant health outcomes.           |
| 11 | (5) causes of adverse maternal health outcomes         |
| 12 | that are unique to incarcerated individuals, including |
| 13 | those incarcerated in Federal, State, and local deten- |
| 14 | tion facilities;                                       |
| 15 | (6) causes of adverse maternal health outcomes         |
| 16 | and severe maternal morbidity that are unique to in-   |
| 17 | carcerated individuals from racial and ethnic minor-   |
| 18 | ity groups;  |
| 19 | (7) recommendations to reduce maternal mor-            |
| 20 | tality and severe maternal morbidity among incar-      |
| 21 | cerated individuals and to address racial and ethnic   |
| 22 | disparities in maternal health outcomes for incarcer-  |
| 23 | ated individuals in Bureau of Prisons facilities and   |
| 24 | State and local prisons and jails; and                 |

| 1  | (8) such other information as may be appro-           |
|----|---|
| 2  | priate to reduce the occurrence of adverse maternal   |
| 3  | health outcomes among incarcerated individuals and    |
| 4  | to address racial and ethnic disparities in maternal  |
| 5  | health outcomes for such individuals.                 |
| 6  | SEC. 6. DEFINITIONS.                                  |
| 7  | In this Act:  |
| 8  | (1) CULTURALLY AND LINGUISTICALLY CON-                |
| 9  | GRUENT.—The term "culturally and linguistically       |
| 10 | congruent", with respect to care or maternity care,   |
| 11 | means care that is in agreement with the preferred    |
| 12 | cultural values, beliefs, worldview, language, and    |
| 13 | practices of the health care consumer and other       |
| 14 | stakeholders.   |
| 15 | (2) Maternal mortality.—The term "mater-              |
| 16 | nal mortality" means a death occurring during or      |
| 17 | within a 1-year period after pregnancy, caused by     |
| 18 | pregnancy-related or childbirth complications, in-    |
| 19 | cluding a suicide, overdose, or other death resulting |
| 20 | from a mental health or substance use disorder at-    |
| 21 | tributed to or aggravated by pregnancy-related or     |
| 22 | childbirth complications.                             |
| 23 | (3) Maternity care provider.—The term                 |
| 24 | "maternity care provider" means a health care pro-    |
| 25 | vider who—  |

| 1  | (A) is a physician, a physician assistant, a           |
|----|--|
| 2  | midwife who meets, at a minimum, the inter-            |
| 3  | national definition of a midwife and global            |
| 4  | standards for midwifery education as estab-            |
| 5  | lished by the International Confederation of           |
| 6  | Midwives, an advanced practice registered              |
| 7  | nurse, or a lactation consultant certified by the      |
| 8  | International Board of Lactation Consultant            |
| 9  | Examiners; and   |
| 10 | (B) has a focus on maternal or perinatal               |
| 11 | health.  |
| 12 | (4) Perinatal Health Worker.—The term                  |
| 13 | "perinatal health worker" means a nonclinical health   |
| 14 | worker focused on maternal or perinatal health, such   |
| 15 | as a doula, community health worker, peer sup-         |
| 16 | porter, lactation educator or counselor, nutritionist  |
| 17 | or dietitian, childbirth educator, social worker, home |
| 18 | visitor, patient navigator or coordinator, or language |
| 19 | interpreter.   |
| 20 | (5) Postpartum and Postpartum Period.—                 |
| 21 | The terms "postpartum" and "postpartum period"         |
| 22 | refer to the 1-year period beginning on the last day   |
| 23 | of the pregnancy of an individual.                     |
| 24 | (6) Pregnancy-associated death.—The                    |
| 25 | term "pregnancy-associated death" means a death of     |

- a pregnant or postpartum individual, by any cause, that occurs during, or within 1 year following, the individual's pregnancy, regardless of the outcome, duration, or site of the pregnancy.
  - (7) PREGNANCY-RELATED DEATH.—The term "pregnancy-related death" means a death of a pregnant or postpartum individual that occurs during, or within 1 year following, the individual's pregnancy, from a pregnancy complication, a chain of events initiated by pregnancy, or the aggravation of an unrelated condition by the physiologic effects of pregnancy.
    - (8) RACIAL AND ETHNIC MINORITY GROUP.—
      The term "racial and ethnic minority group" has the meaning given such term in section 1707(g)(1) of the Public Health Service Act (42 U.S.C. 300u–6(g)(1)).
  - (9) SEVERE MATERNAL MORBIDITY.—The term "severe maternal morbidity" means a health condition, including mental health conditions and substance use disorders, attributed to or aggravated by pregnancy or childbirth that results in significant short-term or long-term consequences to the health of the individual who was pregnant.

| 1 | (10) Social determinants of maternal              |
|---|---|
| 2 | HEALTH.—The term "social determinants of mater-   |
| 3 | nal health" means nonclinical factors that impact |
| 4 | maternal health outcomes.                         |