

241.89 REQUIREMENTS FOR AN INCARCERATED WOMAN.

Subdivision 1. **Applicability.** This section applies only to a woman:

(1) incarcerated following conviction; and

(2) incarcerated before conviction beyond the period specified for the woman's initial appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

Subd. 2. **Requirements.** The head of each correctional facility shall ensure that every woman incarcerated at the facility:

(1) is tested for pregnancy, if under 50 years of age unless the inmate refuses the test;

(2) if pregnant and agrees to testing, is tested for sexually transmitted diseases, including HIV;

(3) if pregnant or has given birth in the past six weeks, is provided appropriate educational materials and resources related to pregnancy, childbirth, breastfeeding, and parenting;

(4) if pregnant or has given birth in the past six weeks, has access to doula services if these services are provided by a certified doula without charge to the correctional facility or the incarcerated woman pays for the certified doula services;

(5) if pregnant or has given birth in the past six months, has access to a mental health assessment and, if necessary, treatment;

(6) if pregnant or has given birth in the past six months and determined to be suffering from a mental illness, has access to evidence-based mental health treatment including psychotropic medication;

(7) if pregnant or has given birth in the past six months and determined to be suffering from postpartum depression, has access to evidence-based therapeutic care for the depression; and

(8) if pregnant, is advised, orally or in writing, of applicable laws and policies governing incarcerated pregnant women.

History: 2014 c 234 s 3

NOTE: This section, as added by Laws 2014, chapter 234, section 3, is effective July 1, 2014, and applies to state correctional facilities on and after that date, and applies to other correctional facilities on and after July 1, 2015. Laws 2014, chapter 234, section 5.