

**241.89 REQUIREMENTS FOR AN INCARCERATED WOMAN.**

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

- (1) incarcerated following conviction; or
- (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.** (a) The head of each correctional facility shall ensure that every woman incarcerated at the facility:

- (1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years of age unless the inmate refuses the test;
- (2) if pregnant, is provided the prevailing standard of care or current practice by the medical care provider's peer group;
- (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 or has given birth in the past six months, is advised, orally or in writing, of applicable laws and policies governing incarcerated pregnant women.

(b) The commissioner of corrections, in consultation with the commissioner of health, may award grants to nonprofit organizations to provide access to doula services by a certified doula in accordance with paragraph (a), clause (4).

**History:** 2014 c 234 s 3; 2015 c 65 art 5 s 4,5