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