

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 22, 2021

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB21-193 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 9 through 13.
- 2 Page 3, strike lines 1 through 6.
- 3 Renumber succeeding sections accordingly.
- 4 Page 5, line 3, strike "PUMPS;" and substitute "PUMPS APPROVED BY THE  
5 EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE;".
- 6 Page 5, line 21, strike "TRANSFER" and substitute "IN ACCORDANCE WITH  
7 THE REQUIREMENTS OF THE FEDERAL "HEALTH INSURANCE PORTABILITY  
8 AND ACCOUNTABILITY ACT OF 1996", AS AMENDED, PUB.L. 104-191,  
9 TRANSFER".
- 10 Page 7, line 9, strike "PUMPS;" and substitute "PUMPS APPROVED BY THE  
11 SHERIFF OR THE SHERIFF'S DESIGNEE;".
- 12 Page 7, line 10, strike "COUNSELING AND".
- 13 Page 7, strike line 14.
- 14 Renumber succeeding subparagraphs accordingly.
- 15 Page 7, line 15, strike "VIRUS;" and substitute "VIRUS; OR".



1 Page 7, strike lines 16 and 17.

2 Renumber succeeding subparagraph accordingly.

3 Page 7, after line 18 insert:

4 "(e) PROVIDE EDUCATIONAL INFORMATION MATERIALS FOR  
5 PREGNANT PEOPLE WHO HAVE SUFFERED FROM:

6 (I) TRAUMA OR VIOLENCE, INCLUDING DOMESTIC VIOLENCE;

7 (II) SEXUAL ABUSE; OR

8 (III) PREGNANT LOSS OR INFANT LOSS;".

9 Reletter succeeding paragraphs accordingly.

10 Page 7, line 27, strike "TRANSFER" and substitute "IN ACCORDANCE WITH  
11 THE REQUIREMENTS OF THE FEDERAL "HEALTH INSURANCE PORTABILITY  
12 AND ACCOUNTABILITY ACT OF 1996", AS AMENDED, PUB.L. 104-191,  
13 TRANSFER".

14 Page 10, line 7, strike "ON" and substitute "EXCEPT AS PROVIDED IN  
15 SUBSECTION (2) OF THIS SECTION, ON".

16 Page 10, after line 24 insert:

17 "(2) FOR LABOR AND CHILDBIRTH SERVICES PROVIDED TO A  
18 BIRTHING PERSON WHO IS IN CUSTODY, A HEALTH FACILITY SHALL  
19 DEMONSTRATE TO THE DEPARTMENT, IN THE FORM AND MANNER  
20 DETERMINED BY THE DEPARTMENT BY RULE, THAT THE HEALTH FACILITY  
21 HAS A POLICY THAT:

22 (a) PROVIDES THAT NEWBORNS REMAIN WITH THEIR FAMILIES TO  
23 FACILITATE THE PHYSIOLOGIC POSTPARTUM PROCESS, UNLESS:

24 (I) THE PARENT OR LEGAL GUARDIAN OF THE NEWBORN CONSENTS  
25 TO MEDICAL TREATMENT;

26 (II) THE NEWBORN IS RELEASED TO A LEGAL GUARDIAN; OR

27 (III) THE BIRTHING PERSON IS RELEASED FROM LABOR AND  
28 DELIVERY; AND

29 (b) WILL NOT EXCLUDE FROM CARE ANY PERSON EXPERIENCING  
30 PHYSIOLOGIC BIRTH OR INTERRUPT THE PROCESS OF PHYSIOLOGIC BIRTH  
31 WITHOUT THE INFORMED CONSENT OF THE BIRTHING PERSON."



- 1 Renumber succeeding subsection accordingly.
- 2 Page 11, line 27, strike "PUMPS;" and substitute "PUMPS APPROVED BY THE  
3 EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE;".
- 4 Page 12, line 18, strike "TRANSFER" and substitute "IN ACCORDANCE WITH  
5 THE REQUIREMENTS OF THE FEDERAL "HEALTH INSURANCE PORTABILITY  
6 AND ACCOUNTABILITY ACT OF 1996", AS AMENDED, PUB.L. 104-191,  
7 TRANSFER".
- 8 Strike "COUNSELING" and substitute "INFORMATION" on: **Page 4**, line 27;  
9 **Page 7**, line 6; and **Page 11**, line 24.
- 10 Page 1, line 101, strike "**PROTECTIONS FOR PREGNANT PEOPLE**" and  
11 substitute "**THE PROTECTION OF A PREGNANT PERSON'S RIGHTS**".

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