

SENATE COMMITTEE OF REFERENCE AMENDMENT
Committee on Judiciary.

SB21-193 be amended as follows:

1 Amend printed bill, page 10, line 7, strike "ON" and substitute "EXCEPT
2 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, ON".

3 Page 10, after line 24 insert:

4 "(2) FOR LABOR AND CHILDBIRTH SERVICES PROVIDED TO A
5 BIRTHING PERSON WHO IS IN CUSTODY, A HEALTH FACILITY SHALL
6 DEMONSTRATE TO THE DEPARTMENT, IN THE FORM AND MANNER
7 DETERMINED BY THE DEPARTMENT BY RULE, THAT THE HEALTH FACILITY
8 HAS A POLICY THAT:

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

11 (I) THE PARENT OR LEGAL GUARDIAN OF THE NEWBORN CONSENTS
12 TO MEDICAL TREATMENT;

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

14 (III) THE BIRTHING PERSON IS RELEASED FROM LABOR AND
15 DELIVERY; AND

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

19 Renumber succeeding subsection accordingly.

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