## 2021 Regular Session

## HOUSE CONCURRENT RESOLUTION NO. 85

### BY REPRESENTATIVES LANDRY, CARPENTER, GARY CARTER, ROBBY CARTER, GREEN, JEFFERSON, JENKINS, LARVADAIN, MOORE, NEWELL, PIERRE, AND SELDERS

CORRECTIONS/PRISONERS: Requests a study of policies relative to certain health issues of women prisoners

1	A CONCURRENT RESOLUTION		
2	To urge and request the Louisiana Public Health Institute to study the current policies in		
3	Louisiana's state and local correctional facilities regarding pregnancy management		
4	and care and maternal health, the implementation and enforcement of Act No. 761		
5	of the 2012 Regular Session, Act No. 392 of the 2018 Regular Session, and Act No.		
6	140 of the 2020 Regular Session, and to require the commission to report its		
7	findings.		
8	WHEREAS, there are one thousand two hundred eighty-seven incarcerated females		
9	in Louisiana corrections facilities, the vast majority of which are of reproductive age; and		
10	WHEREAS, incarcerated women and adolescent females often come from		
11	economically, educationally, socially, and emotionally disadvantaged environments; a		
12	disproportionate number have acute and chronic illnesses, substance abuse problems, and		
13	undetected health issues, including reproductive health; and		
14	WHEREAS, pregnancy testing varies across facilities and because there are no		
15	reporting requirements, data may not accurately represent the prevalence of incarcerated		
16	pregnant women, pregnancy outcomes, or the care and accommodations provided; and		
17	WHEREAS, little education and psychosocial support, if any, is provided to prepare		
18	incarcerated pregnant women for childbirth; and		
19	WHEREAS, the effects of imprisonment on pregnancy outcomes are of considerable		
20	public health significance; and		

1	WHEREAS, many local facilities lack written policies for the management of	
2	incarcerated pregnant women.	
3	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby	
4	urge and request the Louisiana Public Health Institute to study the following:	
5	(1) Screening practices for pregnancy and the number of pregnant women entering	
6	jail or prison.	
7	(2) Prenatal and postpartum care and treatment, including an adequate diet, clothing,	
8	appropriate accommodations relating to work, rest, and bed assignment.	
9	(3) Availability of counseling, education, childbirth classes, parenting classes, and	
10	family planning.	
11	(4) The number of live births, miscarriages, abortions, stillbirths, or other pregnancy	
12	outcomes outside of the facility.	
13	(5) The number of live births, miscarriages, stillbirths, or other pregnancy outcomes	
14	occurring within correctional facilities.	
15	(6) The number of cesareans and vaginal deliveries, the number of days patients are	
16	in the hospital for recovery before being transported back to the correctional facility, and the	
17	number of days patients are in the facility infirmary.	
18	(7) The number of women screened for and receiving perinatal mental health care.	
19	(8) The number of women receiving postpartum care.	
20	(9) The location of prenatal care, labor, and delivery.	
21	(10) The number of women diagnosed with cervical cancer.	
22	(11) The number of women having hysterectomies or bilateral tubal ligations while	
23	incarcerated and the medical diagnosis determining the need for the procedure.	
24	(12) The number of women being provided contraception including but not limited	
25	to IUDs, pills, injections, and implants.	
26	(13) Whether corrections officers and medical staff receive training on the use of	
27	restraints policy.	
28	(14) Information regarding the availability of substance use disorder treatment for	
29	incarcerated pregnant and postpartum women.	

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1 (15) Information regarding the process of requesting medical care and obtaining 2 informed consent for medical treatment. 3 (16) Whether incarcerated pregnant women are advised in writing of the 4 requirements of Act No. 140 of the 2020 Regular Session, Act No. 392 of the 2018 Regular 5 Session, and Act No. 761 of the 2012 Regular Session. 6 (17) Whether corrections officers and medical staff are receiving training about the 7 law requiring access to healthcare products and the process by which incarcerated women 8 can access those products. 9 (18) Whether incarcerated women are notified and advised in writing about the 10 process by which those products can be accessed. 11 (19) Whether state and local correctional facilities have the adequate supplies of the 12 products to ensure all incarcerated women have access to sufficient quantities to meet their 13 needs as required by Act No. 392 of the 2018 Regular Session. 14 (20) Whether Act No. 140 of the 2020 Regular Session banning the use of solitary 15 confinement for currently and recently pregnant women has been implemented in prisons. 16 (21) Whether solitary confinement is being used for currently or recently pregnant 17 women in Louisiana jails. 18 (22) Information regarding the justification for using solitary confinement. 19 BE IT FURTHER RESOLVED that this study shall be conducted in collaboration 20 with community organizations and stakeholders. 21 BE IT FURTHER RESOLVED that this study shall be conducted in facilities owned 22 by the Department of Public Safety and Corrections, parish jails or institutions, and in 23 private correctional institutions. 24 BE IT FURTHER RESOLVED that the Louisiana Public Health Institute shall 25 prepare and submit a final report that contains a detailed statement of the findings and policy 26 recommendations of the task force to the governor and leadership of the Louisiana 27 Legislature. The report shall be made available to the public. 28 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 29 executive director of the Louisiana Public Health Institute.

- 1 BE IT FURTHER RESOLVED that the Louisiana Public Health Institute shall
- 2 submit one print copy and one electronic copy of any report produced pursuant to this
- 3 Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

# DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Requests the La. Public Health Institute to study the current policies in state and local correctional facilities regarding pregnancy management and care and maternal health, the implementation and enforcement of Act No. 761 of the 2012 Regular Session, Act No. 392 of the 2018 Regular Session, and Act No. 140 of the 2020 Regular Session, and to require the institute to report its findings.