

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 581

Introduced by Cavanaugh, M., 6.

Read first time January 17, 2023

Committee: Judiciary

1 A BILL FOR AN ACT relating to public health; to require the Office of
2 Juvenile Services and the Department of Correctional Services to
3 create pilot programs for doula services as prescribed; and to
4 define terms.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The Office of Juvenile Services shall create a pilot
2 program for doula services at the Youth Rehabilitation and Treatment
3 Center-Geneva as provided in this section.

4 (2) For purposes of this section:

5 (a) Committed juvenile means a juvenile committed by court order to
6 the care and custody of the Office of Juvenile Services for treatment at
7 a youth rehabilitation and treatment center;

8 (b) Doula means a trained professional labor assistant who provides
9 educational, physical, and emotional support to pregnant individuals
10 during pregnancy, childbirth, and postpartum for up to one year. Services
11 a doula may provide include, but are not limited to:

12 (i) Education on pregnancy, birthing, and physical health;

13 (ii) Emotional support;

14 (iii) Attendance at prenatal visits;

15 (iv) Support during labor and delivery; and

16 (v) Providing postpartum educational resources;

17 (c) Labor means any period of time before a birth during which
18 contractions are of sufficient frequency, intensity, and duration to
19 bring about effacement and progressive dilation of the cervix; and

20 (d) Postpartum means the period immediately following delivery,
21 including the entire period a woman is in the hospital or infirmary after
22 birth.

23 (3)(a) A committed juvenile who is pregnant shall be permitted to
24 have access to doula services of her choice, by a trained or certified
25 doula, to educate and support the juvenile throughout the pregnancy and
26 through labor and delivery and postpartum. The doula shall be allowed to
27 accompany the juvenile to the delivery room and remain present during
28 labor and recovery. The doula shall not be (i) required to have
29 previously visited the juvenile or (ii) denied eligibility to serve as a
30 doula solely on the basis of a prior criminal conviction or that the
31 doula is currently on pretrial release, probation, parole, or post-

1 release supervision.

2 (b) If a committed juvenile's request for a doula is denied, such
3 denial shall be provided in writing within five calendar days after
4 receipt of the request by staff at the youth rehabilitation and treatment
5 center and shall include a statement of the reasons for the denial.

6 (c) The doula shall be notified immediately after a committed
7 juvenile goes into labor or immediately after a caesarean section or
8 termination is scheduled. Doulas working with a committed juvenile may
9 assist during labor and delivery when allowed by policies of the birthing
10 facility or hospital where the juvenile gives birth.

11 (d) A committed juvenile shall receive written notice in a language
12 and manner understandable to such juvenile regarding the requirements of
13 this section upon admission to the youth rehabilitation and treatment
14 center. A second notice shall be given to a juvenile at the time such
15 juvenile is known to be pregnant. The Office of Juvenile Services shall
16 publish notice of the requirements of this section in prominent locations
17 where medical care is provided for committed juveniles.

18 Sec. 2. (1) The Department of Correctional Services shall create a
19 pilot program for doula services at the Nebraska Correctional Center for
20 Women as provided in this section.

21 (2) For purposes of this section:

22 (a) Doula means a trained professional labor assistant who provides
23 educational, physical, and emotional support to pregnant individuals
24 during pregnancy, childbirth, and postpartum for up to one year. Services
25 a doula may provide include, but are not limited to:

26 (i) Education on pregnancy, birthing, and physical health;

27 (ii) Emotional support;

28 (iii) Attendance at prenatal visits;

29 (iv) Support during labor and delivery; and

30 (v) Providing postpartum educational resources;

31 (b) Labor means any period of time before a birth during which

1 contractions are of sufficient frequency, intensity, and duration to
2 bring about effacement and progressive dilation of the cervix; and

3 (c) Postpartum means the period immediately following delivery,
4 including the entire period a woman is in the hospital or infirmary after
5 birth.

6 (3)(a) A prisoner who is pregnant shall be permitted to have access
7 to doula services of the prisoner's choice, by a trained or certified
8 doula, to educate and support the prisoner throughout the pregnancy and
9 through labor and delivery and postpartum. The doula shall be allowed to
10 accompany the prisoner to the delivery room and remain present during
11 labor and recovery. The doula shall not be (i) required to have visited
12 the prisoner previously, or (ii) denied eligibility to serve as a doula
13 solely on the basis of a prior criminal conviction or that the doula is
14 currently on pretrial release, probation, parole, or post-release
15 supervision.

16 (b) If a prisoner's request for a doula is denied, such denial shall
17 be provided in writing within five calendar days after the correctional
18 facility's receipt of the request and shall include a statement of the
19 reasons for the denial.

20 (c) The doula shall be notified immediately after a prisoner goes
21 into labor or immediately after a caesarean section or termination is
22 scheduled. Doulas working with a prisoner may assist during labor and
23 delivery when allowed by policies of the birthing facility or hospital
24 where the prisoner gives birth.

25 (d) A prisoner shall receive written notice in a language and manner
26 understandable to such prisoner regarding the requirements of this
27 section upon admission to the correctional facility. A second notice
28 shall be given to a prisoner at the time such prisoner is known to be
29 pregnant. The facility administrator shall publish notice of the
30 requirements of this section in prominent locations where medical care is
31 provided.