

Introduction

This bill packet includes sample legislation on policies to improve Black Maternal Health (BMH). These bill examples are all based on state legislation crafted by state BMH Caucuses and Reproductive Justice advocates. This packet was produced by State Innovation Exchange (SiX) as part of our Reproductive Freedom Leadership Council (RFLC). Sample bills are organized thematically to reflect the policy agenda of Black Mama's Matter Alliance (BMMA). BMMA is "a Black women-led cross-sectoral alliance that centers Black mamas and birthing people to advocate, drive research, build power, and shift culture for Black maternal health, rights, and justice."

How to use these bill examples

The example bills below are designed to be used within a <u>collaborative governance</u> model in order to secure and sustain meaningful racial, social, and economic justice outcomes. We invite values-aligned state legislators to partner with issue advocates and grassroots leaders. Together, they can commit to centering the people most impacted by systemic and structural oppression to transform the conditions of power at the state level.

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Bill Examples

Birth Centers	3
Black Maternal Health Week Resolution	3
Climate Impact on Pregnant and Parenting People	3
Guaranteed Income	3
Health Insurance	3
Enrollment for Pregnant People	3
Postpartum Medicaid Coverage	3
Human Milk Feeding	3
Incarcerated Pregnant and Parenting People	4
Maternal Mental Health	4
Maternal Mortality Review Committees	4
Paid Family and Medical Leave	. 5
Paid Prenatal Personal Leave	5
Skill Building: Reskilling & Continuing Education	5
Workforce Development: Support Black Maternal, Reproductive, and Perinatal Care	
Providers	5
Doulas	. 6
Midwives	6

Birth Centers

Expand access to birth centers by reducing unnecessary administrative burdens and improving insurance reimbursements.

• Sample bill: Michigan HB 5636 (2024)

Black Maternal Health Week Resolution

Introducing a resolution brings awareness to the Black maternal health crisis in your state.

SiX's & BMMA's Model BMH Week Resolution (2024)

Climate Impact on Pregnant and Parenting People

Incorporate research on the impact of extreme heat during the perinatal period and develop guidance for safe outdoor conditions to protect pregnant workers.

• Sample bill: California AB 2420 (2022)

Guaranteed Income

State legislators can work closely with community networks to leverage available state and federal funds to address maternal health disparities.

Provide a guaranteed income of \$1000 a month to pregnant and postpartum people for 18 months using funds from the American Rescue Plan.

Sample program: The Philly Joy Bank (2024)

Health Insurance

Enrollment for Pregnant People

Permits pregnant individuals to enroll in health insurance policies at any time without penalty.

• Sample bill: New York SB 201 (2024)

Postpartum Medicaid Coverage

Extend Medicaid coverage up to 12 months postpartum.

Sample bill: <u>Washington SB 5068</u> (2021)

Human Milk Feeding

Research reveals that human milk feeding lowers birthing people's risk of developing postpartum depression, Type 2 diabetes, heart disease, breast cancer, ovarian cancer, and osteoporosis.

Require the Department of Health to conduct a review and submit a report on the racial and ethnic disparities on breastfeeding rates.

Sample bill: <u>New York SB 1296</u> (2021)

Recruit, train, and retain a diverse workforce of lactation consultants by funding training programs at Historically Black Colleges or Universities.

• Sample bill: North Carolina SB 840 (2024)

Incarcerated Pregnant and Parenting People

Ensure that correctional facilities provide prenatal and postnatal care, consistent with standards of care; arrange for births to occur outside of the correctional facility, when possible; and prohibits the use of restraints on people who are in labor, giving birth, or during the immediate post delivery period, among other protections.

• Sample bill: Pennsylvania HB 900 (2023)

And also ensure these protections apply to young people who are incarcerated.

Sample bill: <u>Pennsylvania HB 1509</u> (2023-24)

Maternal Mental Health

Provide materials and screenings on mental health to pregnant patients.

Sample bill: <u>Pennsylvania HB 2127</u> (2023-24)

Maternal Mortality Review Committees

Establish a Maternal Mortality Review Committee (MMRC).

Sample bill: New York AB 3276 (2019)

Through the state budgetary process, appropriate funds to cover the MMRC's expenses.

Sample budget: <u>New York, FY 2020 Executive Budget</u> (p.24-25)

Expand an existing MMRC to increase the number of members and/or diversity of the committee's composition.

Sample bill: Tennessee SB 1832 (2024)

Some states have also dedicated funding to expansive maternal and infant health innovations.

Sample bill: New Jersey AB 5472 (2023)

Paid Family and Medical Leave

Enact inclusive paid family and medical leave (PFML) law that covers at least 12 weeks of leave for all covered purposes.

• Sample statute: Washington Title 50A RCW.

Require employers to extend paid bereavement leave to employees who experience pregnancy loss, including miscarriage or stillbirth.

Sample bill: <u>Illinois 820 ILCS 154t</u> (2023)

Paid Prenatal Personal Leave

Amend the labor law's Sick Leave Requirements to enact a stand-alone prenatal leave policy as part of the fiscal year's enacted budget.

Sample statute: New York Chapter 31, Article 6, Section 196-B,*4-a (2024)

Skill Building: Reskilling & Continuing Education

Enact education, training, and support programs, with a significant focus on reducing racial disparities and enhancing the quality of care for all pregnant and postpartum individuals.

Sample bill: North Carolina SB 838 (2024)

Workforce Development: Support Black Maternal, Reproductive, and Perinatal Care Providers

As <u>BMMA</u> explains in their <u>policy agenda</u>, "Non-physician, Black maternal, reproductive, and perinatal workers are often overworked, underpaid, disrespected, and even criminalized." Burdensome licensure requirements by state agencies, low Medicaid and private insurance reimbursement rates, and unequal access to education, funding, and resources all create these harms. Therefore, SiX strongly urges lawmakers to follow the recommendations of your state and local Black-led community birth workers when crafting legislation. Lawmakers continue to develop creative solutions and listed below are several states which have designed policies to suit their needs.

Doulas

Establish a Doula Advisory Board to reduce licensure barriers and require state Medicaid and private insurance to cover doula services.

• Sample bill: Pennsylvania HB 1608 (2023-24)

Provide a qualification pathway where doula applicants can attest to experience and demonstrate their skills.

 Sample statute: <u>California Welfare & Institutions Code Section 14043.75(b)a</u> (2023)

Provide a qualification pathway without formal doula training.

• Sample statute: Oregon Health Authority Chapter 950 Division 60.

Establish Medicaid reimbursement for doula care at living wages.

Currently, the highest Medicaid reimbursement rate in the U.S. is \$3500.

• Sample bill: Washington SB 5950 (2024)

Midwives

Establish a State Board of Community Midwifery to expand licensure to include community midwives.

• Sample bill: <u>Georgia SB 81</u> (2023-24)

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