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SENATE BILL NO. 1384
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on _____)
(Patron Prior to Substitute—Senator Aird)

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.011, relating to childbirth; postpartum process.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.011 as follows:

§ 32.1-137.011. Childbirth; postpartum process; doulas.

A. For the purposes of this section:

"Birth" includes both vaginal birth and cesarean section.

"Doula" means a person who provides physical, emotional, and informational support to a pregnant person before, during, and after pregnancy.

"Postpartum process" means the biologic process that happens to both the newborn and birthing person after delivery due to endogenous hormone systems.

B. A health care facility that provides services related to labor and childbirth shall develop policies that:

1. Allow every birthing person to have a companion or doula with the person during birth in addition to a partner or spouse when a partner or spouse is permitted to be present;

2. At the discretion of the treating physician, allow every birthing person to have a companion or doula with the person during birth when a partner or spouse is not permitted to be present;

3. Prioritize newborns bonding with their families in order to facilitate the postpartum process;

4. Will not exclude from care any person giving birth, or interrupt the process of birth without the informed consent of the birthing person, unless at the discretion of the treating physician;

5. Detail the facility's process related to receiving a pregnant person's patient information from any provider regulated under Title 54.1 who has provided care for the pregnant person;

6. Establish processes to transfer and receive pregnant persons across levels of care of licensed facilities within the facility's capacity and capability; and

7. Establish a process to receive individuals who are pregnant, giving birth, or in the postpartum process

- 31** *from locations other than licensed facilities, including a process to receive verbal and written information*
- 32** *from individuals with relevant information, including family members, doulas, or a health care provider*
- 33** *regulated under Title 54.1.*