

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered*  
3 *32.1-137.011, relating to childbirth; postpartum process.*

4 [S 1384]  
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**  
7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 5 of Title 32.1 a section**  
8 **numbered 32.1-137.011 as follows:**

9 **§ 32.1-137.011. Childbirth; postpartum process; doulas.**

10 *A. For the purposes of this section:*

11 *"Birth" includes both vaginal birth and cesarean section.*

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

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

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

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

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

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

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

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

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

28 *7. Establish a process to receive individuals who are pregnant, giving birth, or in the postpartum process*  
29 *from locations other than licensed facilities, including a process to receive verbal and written information*  
30 *from individuals with relevant information, including family members, doulas, or a health care provider*  
31 *regulated under Title 54.1.*