

BILL ANALYSIS

H.B. 2044
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Even under normal circumstances childbirth is extremely difficult. Unfortunately, many incarcerated pregnant women experience these challenges while alienated from their personal support systems. Due to incarcerated women's socioeconomic statuses, many have already experienced psychosocial conditions that put them at risk for adverse perinatal outcomes. Although depression screenings for pregnant women are easily accessible to the general public, pregnant inmates are a vulnerable community that is often overlooked. Advocates for these women fear that both the mother and the baby may suffer detrimental health consequences from maternal depression, such as increased risks of prematurity, low birth weight, and intrauterine growth restriction. Additionally, natural hormonal changes, limited resources and decision-making ability, separation anxiety, and the lack of a bonding time with their newborn children could further contribute to enhanced postpartum depression. H.B. 2044 seeks to address these issues by requiring all pregnant individuals in county jails and in the custody of the Texas Department of Criminal Justice to undergo six perinatal depression screenings in accordance with the standards recommended by Postpartum Support International. The screening process will allow correctional care facilities to connect pregnant inmates with existing mental health resources in order to provide necessary treatment. It is imperative that such women receive early intervention in order to achieve a healthy and positive birth experience for themselves and their newborn babies.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commission on Jail Standards in SECTION 3 of this bill.

ANALYSIS

H.B. 2044 amends the Government Code to require the Texas Department of Criminal Justice to ensure that each inmate who is pregnant or has given birth in the preceding year is screened for depression once each trimester during the pregnancy, once during the six-week period after giving birth, and at 6 and 12 months after giving birth. The bill requires the Commission on Jail Standards, not later than December 1, 2023, to adopt reasonable rules and procedures establishing minimum requirements for a county jail to ensure that the jail's health services plan addresses that screening requirement.

EFFECTIVE DATE

September 1, 2023.