

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Perinatal Mental Health Disorders Prevention and Treatment
6 Act.

7 Section 5. Findings and purposes.

8 (a) The General Assembly finds all of the following:

9 (1) Perinatal mental health disorders, commonly
10 referred to as "postpartum depression", include a wide
11 range of emotional, psychological, and physiological
12 reactions to childbirth, including feelings of
13 hopelessness, excessive guilt, sustained sadness,
14 inability to feel pleasure, low energy, sleep and appetite
15 disturbances, difficulty concentrating, and thoughts of
16 death or suicide, which challenge the stamina of a woman
17 during pregnancy or after childbirth, and impair her
18 ability to function and care for her child.

19 (2) Every year, more than 500,000 women experience the
20 anxiety, hopelessness, desolation, and fatigue of
21 perinatal mental health disorders during pregnancy, in the
22 early postpartum months, and into their child's first year
23 of life.

1 (3) Women at highest risk for perinatal mental health
2 disorders can be those with previous mental health
3 disorders, such as depression, anxiety or panic disorder,
4 and those with a family member with a history of such
5 mental health disorders. However, perinatal mental health
6 disorders frequently strike without warning in women
7 without any past mental health disorders and with or
8 without any complications in pregnancy.

9 (4) Many women suffering from perinatal mental health
10 disorders require counseling and treatment, yet many do not
11 realize that they need help or are unable to find and
12 secure appropriate resources.

13 (5) In addition to the mother, the effects of perinatal
14 mental health disorders can also significantly impact the
15 infant, as well as the father, other children, and extended
16 family members. Perinatal mental health disorders can
17 affect the mother's ability to respond sensitively to her
18 infant's needs and can strain the family relationships.

19 (b) The purpose of this Act is:

20 (1) to provide information to women and their families
21 about perinatal mental health disorders in order to lower
22 the likelihood that new mothers will continue to suffer
23 from this illness in silence;

24 (2) to develop procedures for assessing women for
25 perinatal mental health disorders during prenatal and
26 postnatal visits to licensed health care professionals;

1 and

2 (3) to promote early detection of perinatal mental
3 health disorders to promote early care and treatment and,
4 when medically appropriate, to avoid medication.

5 Section 10. Definitions. In this Act:

6 "Hospital" has the meaning given to that term in the
7 Hospital Licensing Act.

8 "Licensed health care professional" means a physician
9 licensed to practice medicine in all its branches, an advanced
10 practice nurse, or a physician's assistant.

11 "Postnatal care" means an office visit to a licensed health
12 care professional occurring after birth, with reference to the
13 infant or mother.

14 "Prenatal care" means an office visit to a licensed health
15 care professional for pregnancy-related care occurring before
16 birth.

17 "Questionnaire" means an assessment tool administered by a
18 licensed health care professional to detect perinatal mental
19 health disorders, such as the Edinburgh Postnatal Depression
20 Scale, the Postpartum Depression Screening Scale, the Beck
21 Depression Inventory, the Patient Health Questionnaire, or
22 other validated assessment methods.

23 Section 15. Perinatal mental health disorders prevention
24 and treatment. The Department of Human Services, in conjunction

1 with the Department of Healthcare and Family Services, the
2 Department of Public Health, and the Department of Financial
3 and Professional Regulation and the Medical Licensing Board,
4 shall work with hospitals and licensed health care
5 professionals in this State to develop policies, procedures,
6 information, and educational materials to meet each of the
7 following requirements concerning perinatal mental health
8 disorders:

9 (1) Licensed health care professionals providing
10 prenatal care to women shall provide education to women
11 and, if possible and with permission, to their families
12 about perinatal mental health disorders.

13 (2) All hospitals that provide labor and delivery
14 services in the State shall provide new mothers, prior to
15 discharge following childbirth, and, if possible, shall
16 provide fathers and other family members with complete
17 information about perinatal mental health disorders,
18 including its symptoms, methods of coping with the illness,
19 and treatment resources. The Department of Human Services
20 shall provide written information that hospitals may use to
21 satisfy this subsection (2).

22 (3) Licensed health care professionals providing
23 prenatal care at a prenatal check-up visit in the third
24 trimester of pregnancy shall invite each pregnant patient
25 to complete a questionnaire and shall review the completed
26 questionnaire in accordance with the formal opinions and

1 recommendations of the American College of Obstetricians
2 and Gynecologists. Assessment for perinatal mental health
3 disorders must be repeated when, in the professional
4 judgment of the licensed health care professional, a
5 reasonable possibility exists that the woman suffers from
6 perinatal mental health disorders.

7 (4) Licensed health care professionals providing
8 postnatal care to women shall invite each patient to
9 complete a questionnaire and shall review the completed
10 questionnaire in accordance with the formal opinions and
11 recommendations of the American College of Obstetricians
12 and Gynecologists.

13 (5) Licensed health care professionals providing
14 pediatric care to an infant shall invite the infant's
15 mother to complete a questionnaire at any well-baby
16 check-up at which the mother is present prior to the
17 infant's first birthday, and shall review the completed
18 questionnaire in accordance with the formal opinions and
19 recommendations of the American College of Obstetricians
20 and Gynecologists, in order to ensure that the health and
21 well-being of the infant are not compromised by an
22 undiagnosed perinatal mental health disorder in the
23 mother. In order to share results from an assessment with
24 the mother's primary licensed health care professional,
25 consent should be obtained from the mother in accordance
26 with the Illinois Health Insurance Portability and

1 Accountability Act. If the mother is determined to present
2 an acute danger to herself or someone else, consent is not
3 required.