

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 who has a collaborative agreement with a  
11 collaborating physician that authorizes care, or a physician's  
12 assistant who has been delegated authority to provide care.

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

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

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

1 Section 15. Perinatal mental health disorders prevention  
2 and treatment. The Department of Human Services, in conjunction  
3 with the Department of Healthcare and Family Services, the  
4 Department of Public Health, and the Department of Financial  
5 and Professional Regulation and the Medical Licensing Board,  
6 shall work with hospitals and licensed health care  
7 professionals in this State to develop policies, procedures,  
8 information, and educational materials to meet each of the  
9 following requirements concerning perinatal mental health  
10 disorders:

11 (1) Licensed health care professionals providing  
12 prenatal care to women shall provide education to women  
13 and, if possible and with permission, to their families  
14 about perinatal mental health disorders in accordance with  
15 the formal opinions and recommendations of the American  
16 College of Obstetricians and Gynecologists.

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

26 (3) Licensed health care professionals providing

1 prenatal care at a prenatal visit shall invite each  
2 pregnant patient to complete a questionnaire and shall  
3 review the completed questionnaire in accordance with the  
4 formal opinions and recommendations of the American  
5 College of Obstetricians and Gynecologists. Assessment for  
6 perinatal mental health disorders must be repeated when, in  
7 the professional judgment of the licensed health care  
8 professional, a reasonable possibility exists that the  
9 woman suffers from perinatal mental health disorders.

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

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

1           the mother's primary licensed health care professional,  
2           consent should be obtained from the mother in accordance  
3           with the Illinois Health Insurance Portability and  
4           Accountability Act. If the mother is determined to present  
5           an acute danger to herself or someone else, consent is not  
6           required.