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SYNOPSIS:

There is no provision in existing law that requires the assessment of mothers after giving birth for postpartum depression.

This bill would require the Alabama Department of Public Health to develop educational materials on postpartum depression for health care professionals and parents of newborns.

This bill would further require doctors and other health care professionals to assess birth mothers for postpartum depression as part of postnatal or pediatric care.

A BILL
TO BE ENTITLED
AN ACT

Relating to postpartum depression; to add Section 22-20-3.3 to the Code of Alabama 1975, to provide for educational materials concerning postpartum depression; and to add Section 22-20-3.4 to the Code of Alabama 1975, to require assessment for postpartum depression as a part of postnatal care.



29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. Sections 22-20-3.3 and 22-20-3.4 are added
31 to the Code of Alabama 1975, to read as follows:

32 §22-20-3.3

33 (a) (1) The Alabama Department of Public Health shall
34 publish written materials to share with health care
35 professionals and to educate parents about postpartum
36 depression.

37 (2) The materials shall include information from
38 credible sources on the signs and symptoms of postpartum
39 depression and when to seek help.

40 (3) The Alabama Department of Public Health shall
41 periodically review the materials to determine their
42 effectiveness and ensure that they contain current and
43 accurate information.

44 (b) The Alabama Department of Public Health shall post
45 the materials on its website and make the materials available
46 in printed form for distribution to health care professionals
47 and hospitals.

48 (c) Hospitals may provide the materials developed under
49 this section to parents or family members of a newborn upon
50 discharge.

51 (d) Hospitals as defined in Section 22-21-20,
52 physicians, or health care professionals licensed under
53 Chapter 24 of Title 34 or Article 5 of Chapter 21 of Title 34,
54 shall not have legal liability or responsibility for claims
55 resulting from providing, or failing to provide, the
56 information and materials on maternal mental health



57 conditions, including postpartum depression, developed
58 pursuant to this section.

59 §22-20-3.4

60 (a) A physician or other health care professional
61 licensed under Chapter 24 of Title 34 or Article 5 of Chapter
62 21 of Title 34, when rendering postnatal or pediatric infant
63 care, shall assess a birth mother for postpartum depression.

64 (b) A physician or other health care professional
65 licensed under Chapter 24 of Title 34 or Article 5 of Chapter
66 21 of Title 34, shall exercise professional judgment in
67 recommending or not recommending any treatment that he or she
68 believes is in the best interest of the birth mother.

69 (c) Nothing in this section shall be construed to
70 establish a standard of care for physicians or other health
71 care professionals licensed under Chapter 24 of Title 34 or
72 Article 5 of Chapter 21 of Title 34, or otherwise modify,
73 amend, or supersede any provision of the Alabama Medical
74 Liability Act of 1987 or the Alabama Medical Liability Act of
75 1996, or any amendment thereto, or any judicial interpretation
76 thereof.

77 Section 2. This act shall become effective on October
78 1, 2025.