

HB322 INTRODUCED



1 HB322
2 I3X8I6Z-1
3 By Representatives Holk-Jones, Lee, Givan, Sellers, Shaver,
4 DuBose
5 RFD: Health
6 First Read: 20-Feb-25



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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 Medicaid Agency to cover screening and would also regulate how Medicaid covers prescription drugs used to treat postpartum depression.

This bill would further require the Alabama Department of Public Health to develop educational materials on postpartum depression for health care professionals and parents of newborns. Doctors and other health care professionals would be required 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 22-6-15 to the Code of Alabama 1975, to require Medicaid coverage for screening for postpartum depression; to add



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29 Section 22-6-125 to the Code of Alabama 1975, to prohibit step
30 parity protocol for drugs used to treat postpartum depression
31 in Medicaid patients; to add Section 22-20-3.3 to the Code of
32 Alabama 1975, to provide for educational materials concerning
33 postpartum depression; and to add Section 22-20-3.4 to the
34 Code of Alabama 1975, to require assessment for postpartum
35 depression as a part of postnatal care.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. Sections 22-6-15, 22-6-125, 22-20-3.3, and
38 22-20-3.4 are added to the Code of Alabama 1975, to read as
39 follows:

40 §22-6-15

41 The Alabama Medicaid Agency shall provide coverage for
42 postpartum depression screening consistent with the following
43 goals:

44 (1) The screening complies with evidence-based
45 guidelines.

46 (2) Eligible women have broad access to screening
47 services.

48 (3) Reimbursement is adequate to compensate health care
49 professionals who perform the screening.

50 §22-6-125

51 (a) For the purposes of this section, "step therapy
52 protocol" means a protocol, policy, or program in the
53 administration of medically appropriate prescription drugs to
54 a patient, which establishes a specific sequence in which the
55 drugs are approved for coverage.

56 (b) The Alabama Medicaid Agency may not impose a step



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57 therapy protocol with respect to prescription drugs that are
58 approved by the federal Food and Drug Administration for the
59 treatment of postpartum depression.

60 §22-20-3.3

61 (a) (1) The Alabama Department of Public Health shall
62 develop written materials to educate health care professionals
63 and patients about maternal mental health conditions,
64 especially postpartum depression.

65 (2) The materials shall include information on the
66 symptoms, coping methods, treatment options, and resources for
67 postpartum depression.

68 (3) The Alabama Department of Public Health shall
69 periodically review the materials to determine their
70 effectiveness and ensure that they contain current and
71 accurate information, including, but not limited to, clinical
72 practice guidelines, peer-reviewed studies, and
73 recommendations from experts in maternal mental health care,
74 including the federal Centers for Disease Control and
75 Prevention, from professional societies, and from patient
76 advocacy groups.

77 (b) The Alabama Department of Public Health shall post
78 the materials on its website and make the materials available
79 in printed form for distribution.

80 (c) Hospitals shall provide the materials developed
81 under this section to parents or family members of a newborn
82 upon discharge.

83 (d) Hospitals as defined in Section 22-21-20,
84 physicians, or health care professionals licensed under



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85 Chapter 24 of Title 34 or Article 5 of Chapter 21 of Title 34,
86 shall not have legal liability or responsibility for claims
87 resulting from providing, or failing to provide, the
88 information on maternal mental health conditions, including
89 postpartum depression, developed pursuant to this section.

90 §22-20-3.4

91 (a) A physician or other health care professional
92 licensed under Chapter 24 of Title 34 or Article 5 of Chapter
93 21 of Title 34, when rendering postnatal or pediatric infant
94 care, shall assess a birth mother for postpartum depression.

95 (b) A physician or other health care professional
96 licensed under Chapter 24 of Title 34 or Article 5 of Chapter
97 21 of Title 34, shall exercise professional judgment in
98 recommending or not recommending any treatment that he or she
99 believes is in the best interest of the birth mother.

100 (c) Nothing in this section shall be construed to
101 establish a standard of care for physicians or other health
102 care professionals licensed under Chapter 24 of Title 34 or
103 Article 5 of Chapter 21 of Title 34, or otherwise modify,
104 amend, or supersede any provision of the Alabama Medical
105 Liability Act of 1996, or any amendment thereto, or any
106 judicial interpretation thereof.

107 Section 2. This act shall become effective on October
108 1, 2025.