

HOUSE No. 2349

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan and Priscila S. Sousa

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to health education in women's correctional institutions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/17/2023</i>
<i>Priscila S. Sousa</i>	<i>6th Middlesex</i>	<i>1/30/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/30/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/30/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/30/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/13/2023</i>

HOUSE No. 2349

By Representatives Khan of Newton and Sousa of Framingham, a petition (accompanied by bill, House, No. 2349) of Kay Khan, Priscila S. Sousa and others relative to health education in women's correctional institutions. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to health education in women's correctional institutions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 127 of the General Laws is hereby amended by inserting after
2 Section 16A the following new sections:-

3 Section 16B. Upon admission to a correctional institution and at any time thereafter, the
4 health services unit in each correctional institution where women are incarcerated shall make
5 available to all prisoners written information on women’s health, contraception, and sexually
6 transmitted infections. A user-friendly, culturally competent, and linguistically diverse brochure
7 containing the aforementioned information shall be created and distributed by the department of
8 public health.

9 Section 16C. Not less than 4 months prior to the date of release for a female prisoner of
10 child-bearing age, the medical director of the correctional institution where the prisoner is
11 incarcerated shall offer the prisoner contraception counseling and a gynecological exam
12 including a Pap Test. Following said counseling, the medical director shall offer to provide her

13 with the form of contraception she so chooses including but not limited to: female condoms,
14 male condoms, diaphragm, cervical cap, intra-uterine device, prescription birth control, or
15 contraceptive sponges. If the prisoner selects a type of contraception that must be taken for a
16 period of time before it becomes effective, then the prisoner shall begin the regimen not less than
17 three months prior to her date of release. Said medication shall be distributed during regular
18 medication distribution. Upon her release, the medical director shall furnish the woman with a 12
19 month prescription to refill her medication, a referral to a pharmacy or doctor where said
20 prescription can be refilled, a referral to a primary care physician or gynecologist for follow up
21 care, and a MassHealth card with access to Medicaid. The foregoing notwithstanding, no
22 prisoner shall be required to undergo a gynecological exam or accept or utilize any type of
23 contraception.

24 SECTION 2. Said chapter 127, as so appearing, is hereby further amended by inserting
25 after Section 96B the following new section:-

26 Section 96C. The superintendent of each correctional institution where women are
27 incarcerated shall offer a curricula on health education open to all eligible incarcerated people in
28 said institutions. A curricula shall be created and shall include, but not be limited to, the
29 following topics: general health, nutrition, mental health, women's health concerns, domestic
30 violence, substance abuse, sexually transmitted infections, contraception, emergency
31 contraception, sex education, pregnancy, infant care, and child development. Said curricula shall
32 be developed in consultation with the department of public health, shall be reevaluated annually,
33 and offered regularly on a monthly basis.