

**SENATE . . . . . No. 1452**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Rebecca L. Rausch***

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*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.

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PETITION OF:

| NAME:                    | DISTRICT/ADDRESS:                     |                  |
|--------------------------|---------------------------------------|------------------|
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Bristol and Middlesex</i> |                  |
| <i>Kay Khan</i>          | <i>11th Middlesex</i>                 |                  |
| <i>Jason M. Lewis</i>    | <i>Fifth Middlesex</i>                | <i>1/25/2019</i> |

**SENATE . . . . . No. 1452**

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By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1452) of Rebecca L. Rausch, Kay Khan and Jason M. Lewis for legislation relative to health education in women's correctional institutions. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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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 anytime 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 brochure containing the aforementioned information shall  
7 be created by the department of public health and distributed in the women’s native languages.

8 Section 16C. Not less than four months prior to the date of release for a female prisoner  
9 of child bearing age, the medical director of the correctional institution where the prisoner is  
10 incarcerated shall offer the prisoner contraception counseling and a gynecological exam  
11 including a Pap Test. Following said counseling, the medical director shall offer to provide her  
12 with the form of contraception she so chooses including but not limited to: female condoms,

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

22 SECTION 2. Chapter 127 of the General Laws is hereby amended by inserting after  
23 Section 96B the following new section:-

24 Section 96C. The superintendent of each correctional institution where women are  
25 incarcerated shall at all times offer a course on health education open to all eligible prisoners  
26 incarcerated in said institutions. The course shall include, but not be limited to, the following  
27 topics: general health, nutrition, mental health, women's health concerns, domestic violence,  
28 substance abuse, sexually transmitted infections, contraception, emergency contraception, sex  
29 education, and pregnancy. Said course shall be developed in consultation with the commissioner  
30 of public health.