



Testimony submitted to the Joint Committee on Public Health
In Support of S.1415, An Act relative to birthing justice in the Commonwealth
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June 6, 2023

The League of Women Voters of Massachusetts supports S.1415, An Act relative to birthing justice in the Commonwealth. The goal of this omnibus bill is to decrease the high rate of maternal and infant deaths and preventable complications in Massachusetts. Thank you for establishing a Maternal Health Commission in 2021. The Commission completed a study in 2022 which outlined many ways in which our health care system and cultural biases interact to increase maternal mortality, especially for women of color.¹

S.1415 is responding to the complex crisis in maternal and infant healthcare that the Special Commission on Racial Inequities in Maternal Health studied. Almost two times as many Black women compared to white women in our state die from pregnancy related and postpartum complications. The Massachusetts Department of Public Health (MDPH) data also confirm an alarming trend of rising severe maternal morbidity (SMM), defined by the Centers for Disease Control (CDC) as unexpected outcomes of labor and delivery such as hemorrhage, blood clot, kidney failure, stroke, heart attack, and other severe complications.² Overall, the maternal death rate in the United States has been steadily climbing over the past three decades. In Massachusetts we have roughly double the number of maternal deaths compared to other developed countries. Data from the National Center for Health Statistics show a nearly 60% percent increase in maternal mortality rates in 2021 from 2019.³

S.1415 brings together many policy solutions. Research shows a wide range of community-based approaches, including those below, could improve maternal health outcomes and patients' experiences while also potentially reducing costs.⁴

This omnibus bill:

- Establishes and regulates a Board of Registration in Midwifery within DPH, and updates numerous general laws to incorporate references to this new Board or to licensed midwives.
- Requires Medicaid to provide coverage of screenings by pediatricians for postpartum depression in mothers of newly born children.

¹ Report of the Special Commission on RACIAL INEQUITIES IN MATERNAL HEALTH, 2022 (<https://malegislature.gov/Commissions/Detail/539/Documents>).

² Commonwealth of Massachusetts, Population Data Stories: Maternal and Child Health (<https://www.mass.gov/info-details/maternal-and-child-health>).

³ Howard, Jacqueline, US maternal death rate rose sharply in 2021, CDC data shows, and experts worry the problem is getting worse, CNN Health, March 16, 2023 (<https://www.cnn.com/2023/03/16/health/maternal-deaths-increasing-nchs/index.html>).

⁴ The Commonwealth Fund, Community-Based Models to Improve Maternal Health Outcomes and Promote Health Equity, March 4, 2021 (<https://www.commonwealthfund.org/publications/issue-briefs/2021/mar/community-models-improve-maternal-outcomes-equity>).

- Requires DPH to establish local health agencies.
- Requires DPH to evaluate workforce expertise and capacity along with in-depth fetal infant mortality reviews.
- Updates the definition of “medical peer review committee” to include midwives.
- Requires Medicaid coverage for doula services.
- Establishes a mother’s right to have their birth doula’s continuous presence during labor and delivery.
- Requires that newborns be screened for congenital cytomegalovirus.
- Requires health insurance coverage for abortion and abortion-related care and establishes an exemption for churches or qualified church-controlled organizations, at their request.
- Allows pharmacists to prescribe and dispense hormonal contraceptives without unnecessary delays.
- Establishes a Diaper Benefits Trust Fund and a program to help deal with diaper insufficiencies.
- Expands the §51A mandatory reporting statute to require health care providers involved in the delivery or care of infants to report in-utero substance exposure or a Fetal Alcohol Spectrum disorder.
- Requires hospitals to notify DPH of a proposed closure of hospital or essential health service at least one calendar year in advance.
- Requires additional safety regulations for the governing and operation of licensed birth centers.
- Requires active or retired Commonwealth employees with group insurance to have universal postpartum home visits without cost-sharing.
- Requires that only officially licensed free-standing and hospital-affiliated birth centers can use the terms birth center or birthing center in their clinic’s name.
- Restricts the use of restraints on pregnant individuals in prison and requires programs to optimize maternal health outcomes for incarcerated pregnant and postpartum individuals.
- Requires additional studies and reports and makes other miscellaneous changes to the General Laws.

The Leagues of Women Voters of the United States and of Massachusetts have long supported efforts to ensure affordable and equitable access to quality health care for all. The League recommends applying a Diversity, Equity and Inclusion (DEI) lens to our work and that every US resident should have access to a basic level of care that includes the prevention of disease, health promotion and education, primary care (including prenatal and reproductive health), acute care, long-term care, and mental health care. Our reproductive choice positions emphasize preventive measures to avoid unwanted pregnancies, the treatment of abortion as a medical procedure to be decided upon by a woman and her physician, and public funding for birth control and abortion services for the poor.

The weight of the evidence indicates that Massachusetts can improve our healthcare systems to protect the health and lives of pregnant and postpartum women and their children. It will take a comprehensive approach including many of the policies above to reach this goal.

The League, which represents 44 local Leagues representing over 3,000 members from across the Commonwealth, supports the multifaceted strategy of S.1415 and urges you to report it favorably.