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**TESTIMONY ON 18-H 7695,  
RELATING TO HEALTH AND SAFETY – MATERNAL MENTAL HEALTH  
April 11, 2018**

The ACLU of Rhode Island appreciates the efforts of the legislature to address the serious issue of maternal mental health disorders, but has several concerns with the bill as written.

H-7695 would require women be given a mental health screening before leaving a birthing facility. While education and knowledge of treatment options for perinatal women should be ubiquitous, screening should be done with consent and not on an automatic and mandatory basis. The experience of giving birth is difficult enough for the mother, with or without a history of mental health disorders, only to then be put through a screening process to prove her mental fitness, potentially by a person she has never met, before leaving the hospital with her baby. It is worth noting that no fathers, even those with known, serious mental health problems, are required to undergo such a screening before bringing their child home.

If the screenings were optional, the ACLU would most likely support this legislation. We recognize the value of mental health assessments in identifying women in need of help and we support such screening when it is offered on a voluntary basis. But help will not be effective if forced on women whose consent and cooperation is essential to successful screening and to any ensuing diagnosis and treatment. Proceeding without consent would threaten families' privacy and the women's rights to choose what is best for themselves and their families.

In addition to not providing a mechanism for consent, the bill does not clearly specify the qualifications of those who may conduct the screenings and provide treatment options.

Also, under the provisions of this bill, people with a DCYF history, people with a mental health problem (and potentially other disabilities), and low income Rhode Islanders will be disparately impacted, and likely discouraged from seeking help from potential post-partum depression. Low-income persons especially may refuse to report symptoms for fear of insurance notification, as Rite Care is the only insurance entity with which screening records will be shared.

This bill's goal to keep people from suffering through post-partum depression is laudable, but this will instead exasperate it for vulnerable individuals. Thank you for considering our views.