

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1651

January 21, 2020

SUMMARY OF BILL: Requires a physician to provide prenatal and postpartum medical care to pregnant prisoners and detainees. Requires correctional institutions to provide pregnant prisoners and detainees with nutritionally appropriate meals and appropriate supplemental provisions between meals.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation defines a correctional institution as any facility under the authority of any state, county, or municipal government that has the power to detain or restrain, or both, a person under the laws of Tennessee.
- Based on information provided by the Department of Correction (DOC), the Department has policies in place for the care of pregnant inmates, including health services for females. Any impact to DOC resulting from the proposed legislation is estimated to be not significant.
- Any impact to DOC resulting from requiring correctional facilities to provide pregnant prisoners and detainees with nutritionally appropriate meals and appropriate supplemental provisions between meals is estimated to be not significant.
- According to the Tennessee Corrections Institute *Minimum Standards for Local Adult Correctional Facilities Revised January 2018*, local jail facilities are classified as follows:
 - Type I: A detention facility housing primarily adults for more than 72 hours.
 - Type II: A detention facility housing primarily adults for not more than 72 hours.
 - Type III: A detention facility housing primarily adults that are detained no more than 12 hours and does not include detention facilities used primarily for fingerprinting, photographing, interviewing or interrogating.
 - Type IV: A municipal government facility, permanent or mobile, used for in-processing, booking, fingerprinting, photographing and bonding of arrestees and where an arrestee shall be released or transferred to another type of facility within two hours of arrest.
- According to the Tennessee Corrections Institute *Minimum Standards for Local Adult Correctional Facilities Revised January 2018*, pregnant inmates are required to have

access to obstetrical services (prenatal, partum, and post-partum care) by a qualified health care provider in Type I and Type II facilities.

- Any impact resulting from placing the requirements outlined in the proposed legislation on Type III and Type IV facilities is estimated to be not significant due to short time-frames that prisoners and detainees remain in such facilities and the resulting infrequency of need for such medical services at the facilities.
- Any impact to local government resulting from requiring local jail facilities to provide pregnant inmates with nutritionally appropriate meals and appropriate supplemental provisions between meals is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj