

**216.2975 Definitions for section -- Perinatal palliative care program or support services referrals -- Cabinet for Health and Family Services to maintain list of perinatal palliative care programs or service providers.**

- (1) As used in this section:
  - (a) "Baby" includes both an unborn child as defined in KRS 311.781 and an infant as defined in KRS 311.821;
  - (b) "Perinatal" means occurring in, concerned with, or being in the period around the time of birth; and
  - (c) "Pregnant" has the same meaning as in KRS 311.772.
- (2) All hospitals and freestanding birthing centers offering obstetric services and maternal-fetal medicine, and the pregnant woman's attending physician or midwife, shall offer to provide or make referrals to a perinatal palliative care program or perinatal palliative care support services for pregnant women, birth fathers, and family members when there is a:
  - (a) Prenatal diagnosis indicating that a baby may die before or after birth;
  - (b) Diagnosis of fetal anomalies where the likelihood of long-term survival is uncertain or minimal; or
  - (c) Newborn who is diagnosed with a potentially life-limiting illness.
- (3) Perinatal palliative care programs and support services shall include but not be limited to:
  - (a) Coordination of care between medical, obstetric, neonatal, and perinatal palliative care providers, hospital staff, and the pregnant woman, birth father, and family members;
  - (b) Care and specialized support through the remainder of a pregnancy, the birth, the newborn period, and the death;
  - (c) Providing anticipatory guidance, education, and support for pregnant women, birth fathers, and family members before, during, and after delivery;
  - (d) Providing resources and referrals as needed;
  - (e) Assistance with making medical decisions;
  - (f) Counseling;
  - (g) Education, including specific information about the baby's diagnosis;
  - (h) Emotional support;
  - (i) Guidance on what to expect throughout the grieving process;
  - (j) Assistance with the creation of memories and keepsakes;
  - (k) Preparation for meeting the baby and understanding the limitations that may be present at birth;
  - (l) Pastoral, emotional, and spiritual support for pregnant women, birth fathers, and family members; and
  - (m) Preparing a plan of care for the baby, which may include medical interventions as needed in the home, hospital, or neonatal hospice.
- (4) The Cabinet for Health and Family Services shall create and maintain a list of

perinatal palliative care programs and service providers on its website.

- (5) Nothing in this section shall be interpreted as permitting any violation of KRS 311.723 or 311.772.

**Effective:** June 27, 2025

**History:** Created 2025 Ky. Acts ch. 121, sec. 19, effective June 27, 2025.