

CORRECTIONS IMPACT STATEMENT

SESSION: 23RS BILL # HB 277 Introduced BR # 148 DOC ID #: xxxx

BILL SPONSOR(S): Rep. K. Herron AMENDMENT SPONSOR(S): . .

TITLE: AN ACT relating to pregnant inmates.

SUMMARY OF LEGISLATION: Amend KRS 196.173 to allow an inmate who is known to be pregnant or who has given birth in the last six weeks access to reasonable accommodations for the provision of available certified professional midwifery services or doula services.

AMENDMENT: .

This bill amendment committee substitute is expected to:

Have the following Corrections impact Have no Corrections impact

- | | |
|---|--|
| <input type="checkbox"/> Creates new crime(s) | <input type="checkbox"/> Repeals existing crime(s) |
| <input type="checkbox"/> Increases penalty for existing crime(s) | <input type="checkbox"/> Decreases penalty for existing crime(s) |
| <input type="checkbox"/> Increases incarceration | <input type="checkbox"/> Decreases incarceration |
| <input type="checkbox"/> Reduces inmate/offender services | <input type="checkbox"/> Increases inmate/offender services |
| <input type="checkbox"/> Increases staff time or positions | <input type="checkbox"/> Reduces staff time or positions |
| <input type="checkbox"/> Changes elements of offense for existing crime(s) | |
| <input checked="" type="checkbox"/> Otherwise impacts incarceration (Explain) . | |
-

STATE IMPACT: Class A, B, & C felonies are based on an average daily prison rate of \$105.23. Community Custody Class C and most Class D felons are housed in one of seventy-four (74) full service or regional jails for up to five (5) years. Department of Corrections' cost to incarcerate a felony inmate in a jail is \$40.11 per day, which includes \$35.34 per diem, medical costs, & central office administrative costs (substance abuse treatment not included).*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

An inmate housed in a jail, penitentiary, or local or state correctional or detention facility, residential center, or reentry center who is known to be pregnant or who has given birth in the last six (6) weeks shall be provided reasonable accommodations for the provision of available certified professional midwifery services or doula services.

Security clearances would be required for those coming into the facility to provide services under the legislation. The service provider would agree to abide by security protocols and specific institutional policies. There may be some services typically provided by midwives and doulas that are not applicable within a correctional setting.

Current policy is that inmates are transported to a medical facility for childbirth, where the midwife or doula could attend the individual. Intrapartum and postpartum care is provided by Licensed Nurse Practitioners, Contracted Licensed Obstetricians, and Licensed nurses under the Department's medical contract. Any additional services would go through our existing medical contract that is currently a fixed cost per day per inmate. Although there may be a minimal increase in cost per day, we don't believe there would be a direct cost initially.

LOCAL IMPACT: Local governments are responsible for the cost of incarcerating individuals charged with Class A or B misdemeanors and felony defendants until disposition of the case. The estimated impact will be based on the \$40.11 cost to incarcerate for the Department of Corrections, including \$35.34 per diem and medical that DOC pays jails to house felony offenders. This cost to incarcerate may not be the actual housing cost for the jail.*

Projected Impact: NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

The legislation would have a similar impact for county detention centers. Jails currently transport the inmate to outside medical providers for prenatal/post-partum care, with the inmate admitted to a hospital for childbirth. Although there may be a minimal increase in cost per day, we don't believe there would be a direct cost initially.

PROJECTED IMPACT FROM AMENDMENTS:

NONE MINIMAL to MODERATE (< \$1 million) SIGNIFICANT (> \$1 million)

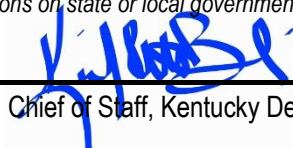
**All projections are based on the daily rate x 365 days x number of years. The cost to incarcerate as calculated by the Department is shown here as rounded to the hundredths. Offenders may have multiple offenses or be incarcerated on other charges unless otherwise noted. Unless otherwise noted, numbers will include inchoate offenses at the underlying offense level.*

The following offices contributed to this Corrections Impact Statement:

Dept. of Corrections Dept. of Kentucky State Police Administrative Office of the Courts Parole Board Other

NOTE: Consideration should be given to the cumulative impact of all bills that increase the felon population, lengthens the term or incarceration, or impose new obligations on state or local governments.

APPROVED BY:



Chief of Staff, Kentucky Department of Corrections

2/24/2023

Date