

SENATE BILL REPORT

SB 5182

As Reported by Senate Committee On:
Human Services, January 29, 2025

Title: An act relating to programs and services for incarcerated parents at the department of corrections.

Brief Description: Concerning programs and services for incarcerated parents at the department of corrections.

Sponsors: Senators Nobles, Frame, Bateman, Hasegawa, Saldaña, Trudeau and Wilson, C..

Brief History:

Committee Activity: Human Services: 1/21/25, 1/29/25 [DPS].

Brief Summary of First Substitute Bill

- Removes language specifying that nothing requires the Department of Corrections (DOC) to establish or provide funding for midwifery or doula services.
- Allows DOC to contract with a nonprofit organization or partner with volunteers to deliver midwifery or doula services to incarcerated individuals.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: That Substitute Senate Bill No. 5182 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Staff: Kelsey-anne Fung (786-7479)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Midwifery and Doula Services. Doula services are services provided by a trained doula and designed to provide physical, emotional, or informational support to a pregnant woman before, during, or after delivery of a child. Midwifery services are defined as medical aid rendered by a licensed midwife to a woman during prenatal, intrapartum, or postpartum stages or to a woman's newborn up to two weeks of age.

State law requires the Department of Corrections (DOC) to make reasonable accommodations for the provision of available midwifery or doula services to incarcerated persons who are pregnant or who have given birth in the last six weeks. Persons providing midwifery or doula services must be granted appropriate facility access, must be allowed to attend and provide assistance during labor and childbirth where feasible, and must have access to the incarcerated person's relevant health care information if the person authorizes disclosure. Nothing in state law requires DOC to establish or provide funding for midwifery or doula services, or prevents DOC from adopting policy guidelines for the delivery of midwifery or doula services to incarcerated persons. Provided services may not supplant health care services routinely provided to the incarcerated person.

Summary of Bill (First Substitute): Language specifying that nothing requires DOC to establish or provide funding for midwifery or doula services is removed. DOC may contract with a nonprofit organization or partner with volunteers to deliver midwifery or doula services to incarcerated individuals.

References to gender are replaced with gender neutral terms. References to inmate are replaced with incarcerated individual.

EFFECT OF CHANGES MADE BY HUMAN SERVICES COMMITTEE (First Substitute):

- Removes provisions related to the Community Parenting Alternative from the bill.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Parents who are incarcerated face unique challenges in staying connected with their families and ensuring their children have the support they need. These connections are vital for the well-being of the parents and their children, and the communities they return to. This bill will improve access to resources and

update outdated policies and terminology, and remove restrictive requirements in CPA.

OTHER: This bill will increase access to health care for the incarcerated. This bill allows DOC to contract with nonprofits or volunteers to deliver midwifery and doula services to the population inside facilities. The bill includes an updated definition of parent, which better accounts for individuals who fulfill the duties of a parent and who are responsible for day-to-day care but may not be the biological parent. This change dismantles the cycle of intergenerational incarceration.

Persons Testifying: PRO: Senator T'wina Nobles, Prime Sponsor; Cindy Arends, Washington Defender Assn, WA Assn Criminal Defense Attorneys.

OTHER: Danielle Armbruster, Washington State Department of Corrections.

Persons Signed In To Testify But Not Testifying: No one.