

HOUSE No. 5386

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 28, 1991.

The committee on Human Services and Elderly Affairs, to whom was referred the petition (accompanied by bill, House, No. 4941) of Gloria L. Fox, other members of the General Court and others relative to the treatment and care of substance abusing pregnant women, reports recommending that the accompanying bill (House, No. 5386) ought to pass.

For the committee,

PAUL KOLLIOS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT RELATIVE TO THE TREATMENT AND CARE OF SUBSTANCE ABUSING PREGNANT WOMEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111E of the General Laws is hereby amended by
2 inserting, after Section 18, the following section: —

3 Section 19. Notwithstanding the provisions of any general or
4 special law to the contrary, no pregnant woman shall be subject
5 to arrest, commitment, confinement, incarceration, or other
6 detention or infringement upon her liberty of whatsoever nature
7 solely because of her pregnancy.

8 Neither shall any pregnant woman otherwise subject to arrest,
9 commitment, confinement, incarceration, or other detention or
10 infringement upon her liberty of whatsoever nature be subject to
11 the same in any greater measure solely because of her pregnancy.
12 Any person aggrieved by a violation of the provisions of this
13 section may maintain an action in a court of competent
14 jurisdiction for damages and reasonable attorneys' fees.