

Maternal Health Care in Massachusetts: A Resource Guide



About this Resource Guide:

The Massachusetts Office of the Attorney General (“AGO”) is proud to present the Maternal Health Care in Massachusetts Resource Guide (“Resource Guide,” “Guide”).

The AGO works every day toward creating a world in alignment with the tenets of reproductive justice: where every single person can “maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”¹ This Guide recognizes that we do not yet live in a world where everyone has the right or access to reproductive and maternal health services, and as a result, many people experience challenges that can impact their health and ability to achieve their individual goals.

As used in this Guide, “maternal health” refers to the health of a person before, during, and after pregnancy. Maternal health care is important throughout one’s pregnancy journey, as increased access to maternal health care improves maternal and fetal outcomes. Access to maternal health care may allow for earlier disease diagnosis and treatment, prevention of pregnancy-related complications, and a safe and individualized birth experience.

This Guide is a public education resource, providing information on maternal health care in the Commonwealth of Massachusetts, including the types of care providers may offer in the state, applicable laws, and additional resources. This Guide aims to centralize resources and information available in Massachusetts that may not otherwise be centrally located. The laws cited in this Guide are meant to serve as a reference and may change based on legislative developments.

This Guide is a starter kit to ensure that people who want to have children and those who do not are given the chance to access the health care necessary to achieve their goals.

Disclaimers: *Inclusion of a resource in this publication is for informational purposes only and does not imply endorsement by the Massachusetts Office of the Attorney General. Nothing in this Resource Guide should be construed or understood to be legal advice by the Massachusetts Office of the Attorney General. The Massachusetts Office of the Attorney General is not responsible for the content or services provided by any of these resources. Information included in this Resource Guide reflects publicly available information from governmental and organizational websites. Specific information included in this Resource Guide, such as contact information, availability and type of services, cost, and insurance information, may change and individuals should take steps on their own to verify that expectations around treatment are met prior to engaging. Individuals should request information about costs to avoid unanticipated bills. This Resource Guide is not intended to be an exhaustive list of every resource.*

¹ <https://www.sistersong.net/reproductive-justice>.

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I. In This Guide

The AGO believes that access to maternal health care is fundamental to the well-being of Commonwealth residents, and addressing disparities in maternal health is a critical focus of the AGO. With that in mind, this Guide aims to provide resources and information available in Massachusetts that may not be easy to find otherwise. The laws cited are meant to serve as a reference, but these laws or their application may change. Please use this Guide as a foundation from which to learn about various prenatal, perinatal, and postpartum resources and services in Massachusetts.

Insurance In This Guide

Many maternal health care services included in this Guide are covered by health insurance. How much you must pay for a particular test, treatment, or service depends on your health insurance plan. To learn more about different types of insurance plans, and how to figure out which you have, please see the [Massachusetts Division of Insurance's Consumer Guide to Understanding Health Insurance](#). Once you know your insurance plan, review the Summary of Benefits and Coverage provided by your insurer to find out what maternal health services may be covered for you.

[MassHealth](#) is Massachusetts' Medicaid and Children's Health Insurance Program, a joint federal and state initiative that provides free and low-cost health care coverage for qualifying children, families, seniors, and people with disabilities living in Massachusetts. The Affordable Care Act (ACA) requires MassHealth and private insurance to cover a range of preventative and essential health services. MassHealth and private insurance may cover various family planning and testing services, including pregnancy testing. Please check with your insurer to evaluate whether any of the services mentioned in this document are provided and if cost-sharing for such services applies.

Frequently Used Terms In This Guide:

Abortion

safe and effective medical process that ends a pregnancy, by medication or procedure. Abortion is legal in Massachusetts.

Menstruation

monthly shedding of blood and tissue from the uterine lining (also known as "periods")

Parentage

the legal relationship between parent and child, regardless of whether there is a biological link between parent and child.

Provider

health care professional who provides care to patients.

Perinatal

time period during pregnancy, childbirth, and shortly after, during which one might experience pregnancy- or childbirth-related physical and mental health conditions.

Postpartum

time period after childbirth, during which one might experience pregnancy- or childbirth-related physical and mental health conditions.

Prenatal Care

medical care during pregnancy, which may include check-ups, tests, nutrition information, and assessments for risk of pregnancy complications.

II. Figuring Out If You're Pregnant

Confirming Your Pregnancy

There are a few ways to confirm your pregnancy. Often, the most convenient way is to conduct an at-home pregnancy test. You can purchase a pregnancy test from a pharmacy, drug store, or grocery store. Alternatively, you may be able to get a free or covered test from your primary care provider, community clinic, or a local reproductive and sexual health services center.

A list of DPH-funded sexual and reproductive health providers is available here on Mass.gov: [Sexual and reproductive health service locations](#). More information on where to get pregnancy tests is available here on the Planned Parenthood's ["Pregnancy Tests" page](#).

Be Aware: Unlicensed Clinics

When searching for free clinics, be cautious of anti-abortion centers (AACs). Otherwise known as crisis pregnancy centers (CPCs), AACs may look like reproductive health clinics, but they do not provide prenatal care, abortion care, referrals, contraception, or other comprehensive reproductive health services. Many are not licensed medical facilities, even if they appear to be, and can put your health at risk. Additionally, unlicensed AACs are **NOT** covered by the Health Insurance Portability and Accountability Act (HIPAA), meaning your individually identifiable health information may be at risk.

If you are going to an appointment at a reproductive health clinic, make sure you're in the right place. Please find the Attorney General's [advisory on AACs here](#) and the Department of Public Health's [advisory page here](#).

Be Aware: Sharing Your Health Data

Otherwise known as "period trackers," fertility and menstruation trackers are apps or online resources that collect information about users' menstrual cycles, sexual activity, and/or pregnancy in order to predict periods of menstruation and fertility. These companies might share your information with law enforcement and advertisers, sell your data, or store your data in an unsecured manner. This can be the case regardless of where the company is located. These companies are not required to comply with HIPAA.

Getting Confidential Health Care

An Act to Protect Access to Confidential Health Care (PATCH Act) protects the privacy of patients who share a health insurance plan with family members or others. Oftentimes, insurance companies will mail a document called the Explanation of Benefits (EOB) to the plan policyholder after a claim is processed. This EOB tells them about services received by anyone on their plan, even when the services were completely covered by insurance.

The PATCH Act lets you request that the summary of services not go to the plan policyholder, and the policyholder (whether a spouse or parent or other) will not receive a report of the services you obtained with insurance.

- If you receive care that is completely covered by insurance (no out-of-pocket costs), you can ask your insurance company not to send the EOB at all.
- If you receive care that is partially covered by insurance (with out-of-pocket costs), you can ask your insurance company to send the EOB to a physical address of your choice or to send an electronic version.
- Please see the following fact sheet on how the [PATCH Act Protects Your Confidential Health Care Information](#).

III. Abortion Care

Abortion:

You have a legal right to access an abortion in the state of Massachusetts. This right extends to both procedural and medication abortion options, including care sought via telehealth.

- If your pregnancy has lasted **24 weeks or less**, and you are **16 or older**, you have an unqualified right to access abortion in Massachusetts.
- If you are **under 16**, you have a right to abortion if you have **written permission** from one parent or legal guardian. If you cannot or do not want to obtain permission of a parent or legal guardian, you may petition a judge to get permission through a process called a judicial bypass proceeding.
- In an emergency requiring an immediate abortion, no permission is necessary.
- For pregnancies **beyond 24 weeks**, in addition to the age restrictions described above, you have a right to access abortion if a physician determines:
 - That an abortion is necessary for the preservation of your life, physical health, or mental health; or
 - The fetus has a lethal anomaly or diagnosis that means it is incompatible with sustained life outside of the uterus

Please see the [Abortion Know Your Rights](#) guide for more information, including how to find an abortion clinic or receive telehealth abortion services, obtain a judicial bypass, and additional resources.

What is a judicial bypass proceeding?

- A judicial bypass proceeding is a court proceeding where a judge determines whether a person under the age of 16 can access abortion care. This is instead of the parental consent otherwise required by law.
- In a judicial bypass proceeding, the court will appoint an attorney for you, or you may choose to represent yourself.
- The court must schedule a hearing as soon as possible and prioritize the matter over all other cases so that a decision is issued as quickly as possible and without delay.
- There is no cost to petition.
- All judicial bypass proceedings are confidential.

- The judge will grant the bypass if they determine (1) that you are sufficiently mature to decide whether to have an abortion or (2) that parental notification is not in your best interest.
- If the court denies your petition, you have the right to an expedited appeal.
- This process is also available to minors living outside of Massachusetts who seek care in Massachusetts.
- **If you are 16 or older, you can legally consent to your own medical care and do not need permission to access abortion care.**

If you are interested in getting birth control, which may include oral hormonal pills, patches, rings, shots, or intrauterine devices, check with your insurance provider as you may be able to get a form of birth control at reduced or no cost: [Accessing and Obtaining Contraception](#).

IV. Legal Rights During Pregnancy

Parentage

Massachusetts state law recognizes all types of parent-child relationships equally, regardless of gender, sexuality, method of conception, or genetic ties to a child. The Massachusetts Parentage Act went into effect January 1, 2025, and it protects parentage rights for LGBTQ+ families, families formed through assisted reproduction, and families that include a person who has a parental relationship with a child and is not the child’s biological parent, also called a *de facto* parent (as determined by the court). [M.G.L. c. 166](#). You can find more information here: [Massachusetts Parentage - GLAD](#).

Pregnancy Discrimination and Medical Leave

Pregnancy discrimination, which is defined as treating an employee unfavorably because of pregnancy, childbirth, or a related medical condition, is illegal under both state and federal law. Additionally, residents not only have protections against pregnancy discrimination, but they also have affirmative rights ensuring that pregnant people can take time off work, receive reasonable accommodations, and maintain job security. These protections are outlined in the following tables:

Protection Against Pregnancy Discrimination

	Federal	Massachusetts
What is it called?	Pregnant Workers Fairness Act	Massachusetts Pregnant Workers Fairness Act
What is it?	A federal policy that requires that certain employers provide reasonable accommodations to conditions related to pregnancy, childbirth, or any other medical condition arising out of either (unless “undue hardship”)	A state law that mirrors the federal Pregnant Workers Fairness Act, but also has additional protections
Who does it apply to?	Any pregnant person or someone who has recently given birth whose employer is a private or public entity that has 15 or more employees	Any pregnant person or person who has recently given birth who works somewhere with six or more employees
What does it do?	Ensures that people who are pregnant can gain access to the accommodations necessary to support their pregnancy, childbirth, or pregnancy-related condition	Establishes pregnancy as a protected class under Massachusetts law Shields both current and prospective employees who are pregnant or have a condition related to pregnancy from discrimination and retaliation by employers Allows for reasonable accommodations like more frequent or longer breaks, time off/modified work schedule, private rooms for lactation, and job restructuring/transferring

Medical Leave

	Federal	Massachusetts
What is it called?	Family and Medical Leave Act (FMLA)	Paid Family and Medical Leave (PFML)
What is it?	A federal policy that allows people to take unpaid leave for family and/or medical reasons while retaining their job position and group benefits	A Massachusetts law that mirrors the FMLA and provides paid family and medical leave
Who does it apply to?	Anyone who works at a public agency, public and private elementary and secondary school, or company with 50 or more employees	Anyone working in Massachusetts
What are the eligibility criteria?	<p>An employee must have been with their employer for at least 12 months</p> <p>An employee must have worked at least 1,250 hours over the last 12 months</p>	<p>An employee must have earned at least \$5,700 in the previous 12 months</p> <p>Does not depend on how long a person has worked at their place of employment</p>
What does it do?	Ensures that people who are pregnant or have conditions related to pregnancy can take up to 12 weeks of unpaid, job-protected leave	<p>Provides up to 12 weeks of job-protected, paid family leave</p> <p>Provides up to 20 weeks of job-protected, paid medical leave</p> <p>Provides up to 26 weeks of combined family and medical leave in a benefit year</p>

Recent Legislation

An Act Promoting Access to Midwifery Care and Out-of-Hospital Birth Options expands earned sick time to include an employee or their spouse's pregnancy loss, unsuccessful assisted reproduction (e.g., IVF), failed adoption, or surrogacy. Massachusetts General Laws c. 149 § 148C (amended).

V. Your Mental Health During Pregnancy, Birth, and Postpartum

Perinatal Mood and Anxiety Disorders (PMADs)

Perinatal Mood and Anxiety Disorders (PMADs) are mental health conditions that may occur during pregnancy or after childbirth (postpartum). PMADs include perinatal depression, perinatal anxiety, and perinatal psychosis, among other diagnoses, and are experienced at varying levels of severity.

Many people experience PMADs during pregnancy and/or after childbirth, and PMADs are treatable conditions.

Symptoms of *perinatal or postpartum psychosis* may include hallucinations, disorganized thinking, irritability, depersonalization (which is sometimes described as out-of-body experiences), thoughts of self-harm or harming others, mania, depression, or other mood changes.

Symptoms of *perinatal or postpartum depression* may include depression, difficulty bonding with one's newborn, irritability, restlessness, anxiety and/or panic, loss of appetite, hopelessness, feelings of worthlessness or shame, or fatigue, among other changes.

Symptoms of *perinatal or postpartum anxiety* may include anxiety, panic, racing thoughts, muscle tension, disrupted sleep, increased heart rate, loss of appetite, feeling on edge, difficulty focusing, or being more cautious or fearful than usual, among other changes.

If you experience symptoms of PMADs or are in an emergency mental health crisis, please seek care immediately. You can also call or text the [Massachusetts Behavioral Health Help Line](#) at 833-773-2445 or the [Massachusetts Postpartum Support International Warm Line](#) at 800-944-4773.

Perinatal: the period that begins during pregnancy and ends 12 months after the end of a pregnancy.

Coverage for Mental Health Services

- Check with your insurance plan to determine what specific type of mental health services and how many screenings, counseling sessions, and other treatments are covered.
- MassHealth covers behavioral health services during pregnancy and for a year after birth, including mental health and substance use disorder treatment. More information for [pregnant MassHealth members can be found here](#).
 - Please consult your plan to determine the extent of your coverage.
- Other Mental Health Resources
 - The Massachusetts Perinatal Mood and Anxiety Disorder (PMAD) Initiative provides information for those who are pregnant and new parents about PMADs and ways to seek help. You can learn more by visiting the [Perinatal Mood and Anxiety Disorder \(PMAD\) Initiative page](#) on Mass.gov.
 - For a list of mental health treatment facilities, referral resources, help lines and hotlines, parent support organizations, support groups, and sources of information about mental health during pregnancy and the postpartum period, please visit: [Perinatal mood & anxiety disorders \(PMADs\): Resources for pregnant & birthing families on Mass.gov](#) or the [Massachusetts Postpartum Support Guide](#).

VI. Receiving Care During Your Pregnancy

Prenatal Care

Prenatal care refers to the health care one gets before and during pregnancy, which may include check-ups, tests, nutrition information, and assessments for risk of pregnancy complications. Massachusetts recognizes the importance of prenatal care. The state has invested in nutrition, mental health, doula, and substance use programs to make sure that Massachusetts residents have access to comprehensive services while pregnant.

Getting Access to Prenatal Care

- Under the Affordable Care Act, most health insurance plans cover prenatal care without cost sharing (as long as you see a provider in-network). These services include prenatal supplements, gestational diabetes screening, and preeclampsia prevention and screening for those with high blood pressure.
 - If you have private insurance, check your coverage plan with your insurance company because the range of your benefits may depend on your insurer and plan. Some plans may cover prenatal vitamins like folic acid supplements and screenings for conditions like gestational diabetes, preeclampsia, blood pressure, gonorrhea, Hepatitis B, syphilis, urinary tract and other infections, and perinatal depression.
 - If you have MassHealth, check your plan for the benefits provided. Please consult the following resource to see more information on [covered services](#). You may be eligible for added benefits, including childbirth education classes and housing and nutrition supports.
 - MassHealth covers doula services for members during pregnancy, delivery, and up to 12 months after delivery, as well as for adoptive parents of infants under one year old. Learn more and find a MassHealth doula provider [here](#).
 - If you are a MassHealth member, you additionally may be eligible for state-sponsored transportation to your non-emergency medical appointments, [learn more information here](#).

Resources For Care During Pregnancy

- The Women, Infants, & Children Nutrition Program (WIC) offers healthy foods, nutrition education, breastfeeding support, and referrals to health care and other services, for free, to qualifying families regardless of immigration or citizenship status.
 - You may qualify if you live in Massachusetts; have a nutritional need; are pregnant, breastfeeding, or have a child who is five years old or younger; and have a family income that qualifies.
 - Children in foster care under five years old are automatically eligible, and you automatically meet income requirements if you currently have MassHealth/Medicaid (except MassHealth

members receiving Family Assistance or CommonHealth coverage), participate in the Supplemental Nutrition Assistance Program (SNAP), or receive Transitional Aid to Families with Dependent Children (TAFDC) or cash assistance.

- Please view the [requirements for qualification here](#).
- Massachusetts provides a variety of resources for those who are pregnant and use substances, are in substance recovery, or live in unsafe situations, including the Mass.gov Substance Use and [Mental Health Resources for Pregnant and Parenting Individuals Page](#).
 - Please visit MassHealth’s [Expecting & New Moms Resource Guide](#) for resources related to domestic violence, medication use, substance use, housing help, perinatal depression, and other behavioral health help during pregnancy.

Doulas: Doulas are professionals trained to provide physical, emotional, and informational support during pregnancy, childbirth, and the postpartum period. Doulas are not medical professionals, so they do not provide medical care, but they may advocate on behalf of their clients as they receive medical care. MassHealth covers doula services for members during pregnancy, delivery, and up to 12 months after delivery, as well as for adoptive parents of infants under one year old. Learn more and find a MassHealth doula provider [here](#). If you have private insurance, please check your plan to see if doula services are covered.

Pregnancy and Substance Use

In December 2024, Governor Healey signed [An Act relative to treatments and coverage for substance use disorder and recovery coach licensure](#), which changes the mandatory reporting policy for new parents in recovery. An indication of prenatal substance exposure will no longer, by itself, require a report of child abuse or neglect to the Department of Children and Families. If you believe that a wrongful report has been made, please contact the AG’s Reproductive Justice Unit at reprojustice@mass.gov.

Privacy and Care Concerns:

Please note potential privacy and care concerns as you engage with pregnancy-related services.

- *Anti-abortion centers (AACs):* If you are going to an appointment for prenatal care, make sure you’re in the right place. AACs, otherwise known as crisis pregnancy centers (CPCs), claim to offer services related to pregnancy, like ultrasounds and other forms of prenatal care. However, most AACs in this state are unlicensed and are, by law, unable to provide medical care, including ultrasounds, other diagnostic tests related to pregnancy, or gynecological exams. Again, **unlicensed AACs are NOT covered by HIPAA**, meaning your individually identifiable health information may be at risk. Please find the [Attorney General’s advisory on AACs here](#).
- *Fertility and menstruation trackers:* Otherwise known as “period trackers,” these apps or online resources collect information about users’ menstrual cycles, sexual activity, and/or pregnancy in order to predict periods of menstruation and fertility. These companies might share your information with law enforcement and advertisers, sell your data, or store your data in an unsecured manner. This can be the case regardless of where the company is located. These companies are not required to comply with HIPAA.

VII. Emergency Care During Pregnancy

Emergency Care:

A variety of conditions during pregnancy may require emergency care including ectopic pregnancy, severe preeclampsia, and complications following pregnancy loss. Learn more about the [obligation of hospitals to treat individuals with pregnancy-related emergency medical conditions](#).

You have the right to receive emergency care in the case of pregnancy loss or complications from pregnancy under federal and Massachusetts law at *any time during your pregnancy*.

Laws Protecting Your Right to Emergency Care

- Federal law: The Emergency Medical Treatment and Labor Act (EMTALA) requires hospitals with emergency departments to examine and provide stabilizing treatment to any individual with an emergency medical condition. If abortion is the stabilizing treatment for an emergency condition, the provider must provide the pregnant patient with the option of abortion care. Regulations: [42 C.F.R. §489.24](#) ; [42 C.F.R. 489.20](#).
- Massachusetts law:
 - In 2025, Governor Healey signed [An Act strengthening health care protections in the Commonwealth](#), which created a state-level EMTALA, which requires commonwealth hospitals with emergency departments to provide stabilizing treatment, including abortion and miscarriage care, to any patient that presents with an emergency condition.
 - In 2024, Governor Healey signed [Executive Order 633: Protecting Access to Emergency Abortion Care in Massachusetts](#), affirming the right to emergency abortion care in the state.
 - The Massachusetts Department of Health issued [guidance](#) to all hospitals and licensed providers, clarifying that the emergency medical treatment hospitals and physicians are required to provide includes emergency abortion care.
 - Massachusetts law guarantees the right to have an abortion after 24 weeks, if in the best judgement of the treating physician, an abortion is (i) necessary to preserve the life of the patient; (ii) necessary to preserve the patient's physical or mental health; (iii) warranted because of a fatal fetal anomaly or diagnosis; or (iv) warranted because of a grave fetal diagnosis suggesting that the fetus is incompatible with life outside of the uterus without extraordinary medical interventions. [M.G.L c. 112, § 12N](#).
 - Massachusetts law prohibits hospital emergency departments from discriminating against or refusing to treat any individual based on economic status or method of payment, unless a delay in treatment would not compromise a patient's health. [M.G.L. c. 111 § 70E](#).
 - Massachusetts law also requires all facilities providing emergency care to present all victims and survivors of sexual assault with medically and factually accurate information about emergency contraception and offer emergency contraception. [M.G.L. c. 111 § 70E](#).

If You Believe Your Rights Have Been Violated...

Please contact the Massachusetts Attorney General's Office:

- If you have been denied emergency care or are denied coverage for a service that you believe is covered by your insurance, please file a complaint with the Attorney General's Health Care Division [here](#) or call the help line at (888) 830-6277.
- If you believe your rights have been violated, please email the Attorney General's Reproductive Justice Unit at reprojustice@mass.gov or file a complaint with our Civil Rights Division [here](#).

VIII. Care During Birth

Birth care:

You may choose to have different providers present when you give birth and you may choose where to give birth. Which of these options are available to you depends on your insurance coverage and location.

You may choose to give birth in a variety of environments.

Hospitals:

Health care institutions that provide labor and delivery services may do so with a range of capacities. Individuals experiencing higher risk pregnancies are encouraged to deliver at hospitals that have maternal-fetal-medicine specialists on staff at all times. Hospitals offer options for epidural pain management, as well as operative delivery (cesarean).

Independent Birth Centers:

Usually midwife-led, freestanding or independent birth centers are not affiliated with any hospital and provide perinatal care including labor, delivery, and immediate newborn care services. Suited for those with lower-risk pregnancies and who are interested in managing labor without an epidural.

Home:

Those with lower-risk pregnancies may also choose to deliver at home with a skilled birth attendant, most often a certified professional midwife. Routine care, including immediate newborn care is provided within the client's personal residence.

MassHealth and private insurance cover health care services in participating hospitals. Private insurance may or may not cover services in birth centers, depending on your plan and medical criteria. MassHealth covers care in freestanding birth centers. If you are interested in home birth, please check with your insurance plan, whether MassHealth or private, to determine coverage early in pregnancy. Some midwives may offer payment plans or sliding scale options for home births. Home births without a doctor present must be self-registered, linked [here](#). Regardless of the birth environment you choose, please consult your plan for coverage information.

Insurance coverage for birth care

Currently, the Affordable Care Act (ACA) requires that all ACA-compliant health plans provide coverage for childbirth, meaning that you may not have to pay full cost for childbirth-related care:

- If you have private insurance, please contact your insurance company to evaluate your benefits and how much you may have to pay for different kinds of care.
- If you have MassHealth, go to [Information for Pregnant MassHealth Members page](#) for information about covered services.

You may choose to have different providers present during your birthing process.

Certified Professional Midwife (CPM): a professional independent midwifery practitioner who has met the standards for certification set by the North American Registry of Midwives (NARM) and is licensed to practice by the Board of Registration in Midwifery.

Certified Nurse Midwife (CNM): a licensed Advanced Practice Registered Nurse (APRN) licensed to practice by the Board of Nursing with advanced training and certification in midwifery, providing comprehensive care for women's reproductive health, including prenatal, labor, delivery, and postpartum care.

Physician Obstetrician/Gynecologists: physicians who have completed graduate medical education and are board certified with expertise in pregnancy, birth, and disorders of the reproductive system. Some Obstetrician/Gynecologists (OBGYNs) do additional training to become Maternal-Fetal Medicine (MFM) specialists and treat high-risk pregnancies with maternal or fetal health complications.

Family Physicians: physicians who have completed graduate medical education and are board certified with expertise in family care, including pregnancy, perinatal, newborn, and postpartum care.

An act promoting access to midwifery care and out-of-hospital birth options. Session Law, Chapter 186 of the Acts of 2024

This act allowed most providers, including doctors, nurse practitioners, physician assistants, midwives, and doulas, to assist in births at hospitals, birth centers, or home. This act also aimed to encourage the creation of more freestanding birth centers in the state.

You may choose to have a professional support person and perinatal navigator with you during your care, including labor and delivery.

Doulas: professionals trained to provide physical, emotional, and informational support during pregnancy, childbirth, and the postpartum period. Doulas are not medical professionals, so they do not provide medical care, but they may advocate on behalf of their clients as they receive medical care. MassHealth covers doula services for members during pregnancy, delivery, and up to 12 months after delivery, as well as for adoptive parents of infants under one year old. Learn more and find a MassHealth doula provider [here](#).

Bodily Autonomy and Consent

You have the right to informed consent – you must receive comprehensive information regarding any treatments, procedures, or medication before they are administered. You also have the right to ask questions so that you may make an informed decision. General Law - Part I, Title XVI, Chapter 111, Section 70E.

Under the *Patient Self-Determination Act (PSDA)*, a federal law that was passed in 1990, providers that receive federal Medicaid/Medicare funds must allow a person to make their own decisions about their body, including, but not limited to, decisions regarding treatment and medications administration, body positioning, where or how you are touched, and leaving the hospital. 42 U.S.C. §§ 1395 et seq.

Medical Records Privacy

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) gives you the right to share or keep private your health information, including your birthing information. Under the HIPAA Privacy Rule, you also have the right to obtain your medical records from health care institutions covered by HIPAA. 45 C.F.R. Parts 160 and 164.

Massachusetts also has state laws regarding privacy of hospital and clinic medical records. G.L. c. 111, §70. Generally, physicians must not disclose patient records unless the patient is in serious danger or there is a court order. Alberts v. Devine, 395 Mass. 59, 68 (1985).

IX. Receiving Care After Birth

Postpartum Care:

Massachusetts promotes postpartum care, medical and support services provided after childbirth, as an essential part of maternal health. Health care during the postpartum period, sometimes called “the [fourth trimester](#),” can be essential in ensuring long-term physical, mental, and emotional health. Postpartum services can include the monitoring of vital signs including blood pressure, follow-ups on uterine bleeding and scars, breastfeeding and lactation care, home visits, parent support groups, individual or group therapy, and contraception after birth. These services can also include therapy and medication for postpartum depression and anxiety.

Postpartum Mental Health Coverage and Resources

- *Postpartum depression, anxiety, and psychosis:* depression, anxiety, panic, fear, mood swings, irritability, restlessness, hopelessness, difficulty bonding with one’s newborn, or thoughts of harming oneself or others that may occur up to a year after giving birth. Please be sure to schedule and attend checkup visits with your provider after birth. Check with your insurance provider to determine coverage for these visits. To learn more about the definitions of a variety of PMADs and other conditions, visit the [About Perinatal Mood & Anxiety Disorders \(PMADs\) page](#) on Mass.gov.
 - Please check with your insurance plan to determine what kind of postpartum screenings and treatments are covered.
 - MassHealth covers postpartum care for 12 months after birth, which can include postpartum depression screenings and doula services (emotional and physical support for new parents and infants). Learn more about details on this care [here](#). Please consult your plan to determine the extent of your coverage.
- Other Mental Health Resources
 - [The Massachusetts Perinatal Mood and Anxiety Disorder \(PMAD\) Initiative’s](#) page for pregnant and birthing families provides information for those who are pregnant and new parents about PMADs, help lines and hotlines, sources of information about the postpartum period, and other ways to seek help.
 - For more information on finding mental health support, please visit the Mass.gov page on [Finding Mental Health Support in Massachusetts](#).

If you experience symptoms of postpartum depression, anxiety, or psychosis, or are in an emergency mental health crisis, please seek care immediately. You can also call or text the [Massachusetts Behavioral Health Help Line](#) at 833-773-2445 or the [Massachusetts Postpartum Support International Warm Line](#) at 800-944-4773.

Lactation Care:

Professional support for those who want to breast/chest feed, which includes help with latching and milk production, and financial aid for those who want to feed with infant formula.

Postpartum Lactation Care Coverage and Resources

- Currently, under the Affordable Care Act, most insurance plans must cover [certain breast pumps](#) and breastfeeding support or counseling without a co-pay. Check with your insurance plan to find out what kind of pump your insurer covers (manual or electric pumps, etc.) and which brands.
- Please check with your insurer to find out whether your plan covers lactation consultation, during which a professional consultant offers support for a variety of concerns that may come up during breastfeeding, including: positioning an infant, latching, hyperlactation, low milk supply, breast engorgement or inflammation, and challenges with a breast pump, among others.
- MassHealth covers breast pumps and milk storage bags. Speak with your provider or contact your health plan to order them. Check with your insurance plan to find out what kind of pump they cover (manual or electric pumps, etc.) and which brands.
- Other Lactation Care Resources
 - *The Women, Infants, & Children Nutrition Program (WIC)*: offers [breastfeeding support and extra food for those families who choose to breastfeed](#) and infant formula for those who partially breastfeed or do not breastfeed.
 - WIC services are free for qualifying families. You may qualify, regardless of immigration or citizenship status, if:
 - You live in Massachusetts;
 - have a nutritional need;
 - are pregnant, breastfeeding, or have a child who is five years old or younger; and
 - have a family income that qualifies
 - You can check your eligibility for WIC [here](#)
 - Breastfeeding resources disseminated by the *Breastfeeding Initiative*, a program within WIC for breastfeeding families can be found [here](#)
 - *Baby Cafés*: drop-in breastfeeding support groups that provide professional lactation services. There are over 10 in Massachusetts, and you may locate them [here](#)

Home Visits:

Experienced health care professionals may provide support during a home visit. The [Massachusetts Home Visiting Initiative \(MHVI\)](#) partners with local organizations to provide evidence-based home visiting services for parents and primary caregivers.

Programs Run by the MHVI

- [Welcome Family Program](#): free 90-minute home visit from an experienced maternal and child health nurse for mothers or caregivers with newborns. The nurse will ask questions about your sleep and wellness and provide a health check and advice about taking care of your newborn, nutrition, calming your newborn, breastfeeding, and home safety. There will be a follow-up call 2-3 weeks later. You can request a visit from one of the following agencies if you live in one of the listed communities, so please check your eligibility [here](#).
- [Healthy Families Massachusetts](#): home visits for first-time parents across the Commonwealth with trained professionals. These home visitors provide support during pregnancy and a child's first three years, including supplying connections to community resources, guidance on infant care and bonding, and support with parents' personal goals.
- [Parents as Teachers](#): in-person or virtual home visits with trained educators. These educators provide information and resources about child development and support families' economic well-being, among other services.

Parenting Groups and Guides:

Support for parents and primary caregivers who want additional support for themselves and their children.

- You can find a list of parenting group locations in Massachusetts [here](#).
- [Parent and Caregiver Support resources](#), including a parental stress line, education programs, and support programs.

Group/Individual Therapy

- If you have private insurance, call your insurance company to ensure they cover the type of behavioral health services that you are seeking.
- Under the Affordable Care Act, all plans must cover preventative services, such as screenings for anxiety and depression, and interventions for depression.
- If you have MassHealth, behavioral services like counseling, medication, and inpatient/outpatient rehab/psych services are all covered.

Contraception After Birth

- In Massachusetts, you have a legal right to access affordable contraception. Contraception can be essential to preventing unintended pregnancies, and whether you are a Massachusetts resident or not, or a minor – you have a right to access a variety of safe, affordable, and confidential contraceptive options in Massachusetts.
- For information on accessing your right to contraception and obtaining contraception with and without insurance, please visit: [Contraception Know Your Rights](#).

X. Pregnancy Loss

Pregnancy Loss:

May include miscarriage, the unexpected loss of a fetus before 20 weeks of pregnancy, and stillbirth, the unexpected loss of a fetus after 20 weeks of pregnancy and before birth.

If you believe you are experiencing pregnancy loss, you should contact your medical provider as soon as possible.

- A list of DPH-funded sexual and reproductive health providers is available on Mass.gov: [Sexual and reproductive health service locations](#).
- If you are a MassHealth member, pregnancy-related services are covered for 12 months following pregnancy loss. More information on MassHealth coverage can be found on Mass.gov: [MassHealth Sexual and Reproductive Health Services](#).

Legal Rights and Resources During Pregnancy Loss

- In Massachusetts, treatment for pregnancy loss is legal at every stage of pregnancy. Pregnancy loss can result in medical emergencies like excessive bleeding (hemorrhage) or infection, sometimes weeks after a loss, making it crucial that you seek care.
- In addition to impacts on your physical health, pregnancy loss can be emotionally difficult. A list of emotional support resources and miscarriage resources is available on Mass.gov: [Pregnancy loss resources](#). More resources for parents on pregnancy loss can be found on Mass.gov: [Parental Printable and Educational Resources](#).
- You may be able to take leave from work with partial income replacement and job protection after the loss of a pregnancy. Your rights to take medical leave are governed by the federal Family and Medical Leave Act (FMLA) and the Massachusetts Paid Family and Medical Leave program (PFML). For more information, please see page 9 or Mass.gov: [Paid Family and Medical Leave](#).

XI. Care If You Are Undocumented

Massachusetts law protects access to pregnancy care, regardless of immigration status. Health care providers in Massachusetts are not required to ask about immigration or citizenship status to provide care. The [Massachusetts Public Accommodation Law](#) prohibits discrimination in admission to or treatment in health care facilities, including discrimination on the basis of race, color, religious creed, national origin, sex, gender identity, sexual orientation, deafness, blindness, or any physical or mental disability, or ancestry.

Coverage for Undocumented Residents

- Undocumented patients may be eligible for MassHealth Limited, which covers emergency health services, and the Health Safety Net, which covers certain services provided by hospitals and community health centers for uninsured or underinsured Massachusetts residents. More information on insurance coverage for noncitizens, including undocumented residents, can be found here: [MassHealth Information for Noncitizens](#).
- If you were not eligible for MassHealth in the past, you may be eligible during pregnancy if you meet certain income requirements. MassHealth covers services during pregnancy, labor and delivery, and postpartum through 12 months following the end of pregnancy. MassHealth may ask for your citizenship or immigration status, which you are not required to provide. Extra benefits may be available to you during pregnancy regardless of immigration status. To qualify for any additional benefits, you must inform MassHealth of your pregnancy. More information about MassHealth services and eligibility during pregnancy can be found here: [Information for Pregnant MassHealth Members](#).
- MassHealth also covers infants born in Massachusetts for at least 12 months after birth. Additionally, the Children's Medical Security Plan (CMSP) provides coverage for children under the age of 19 who are residents of Massachusetts, uninsured, and ineligible for MassHealth services other than MassHealth Limited for emergency care, regardless of immigration status. More information on CMSP and the services covered by the plan can be found here: [Services covered under the Children's Medical Security Plan](#).

XII. Finding Care If You Have a Disability

Massachusetts is committed to ensuring that reproductive and pregnancy care is accessible to all people. People with disabilities are more likely to face barriers in accessing health care, including routine reproductive screenings and prenatal care.

Legal rights for individuals with disabilities

- Massachusetts law and federal law prohibit discrimination on the basis of handicap or disability, both of which are defined as a physical or mental impairment which substantially limits one or more major life activities of a person, a record of having such impairment, or being regarded as having such impairment. This definition applies to the [Massachusetts Public Accommodation Law](#), the [Massachusetts Constitution](#), and the [Americans with Disabilities Act](#), all of which protect people with disabilities from discrimination. For more information on civil rights protections, please visit Mass.gov: [Public accommodation civil rights protections](#)
- Health care facilities and providers in Massachusetts are required to comply with state and federal anti-discrimination law and make care accessible by granting reasonable accommodations to patients with disabilities. Accommodations may include accessible buildings, exam rooms, and equipment; providing information in accessible forms, including written materials and interpretive or assistive technology; and allowing for scheduling flexibility or alternative visits formats, including virtual visits when possible. More information on accessible care for people with disabilities is available here: [Guide to Getting the Care You Need](#) and [Health Care and the ADA](#).

Coverage

- MassHealth covers care for patients with disabilities. More information on the various options within MassHealth and the benefits provided can be found here: [MassHealth coverage types for people with disabilities](#). Information specifically about MassHealth coverage during pregnancy can be found here: [Information for Pregnant MassHealth Members](#).
- If you have a disability and do not have insurance coverage, you can apply through the [Massachusetts Health Connector](#), the Massachusetts insurance marketplace. Under the [Affordable Care Act](#), insurance plans cannot deny coverage or charge you more because of your disability.

If You Believe Your Rights Have Been Violated...

- You can file a complaint with our Civil Rights Division [here](#);
- File [a discrimination complaint](#) with the Massachusetts Commission Against Discrimination;
- And/or contact the Reproductive Justice Unit of the Massachusetts Attorney General's Office at reprojustice@mass.gov.

If you have any questions about this guide, please contact the Reproductive Justice Unit at reprojustice@mass.gov