

# **Pae Ora (Healthy Futures) (3 Day Postnatal Stay) Amendment Bill**

Member's Bill

## **Explanatory note**

### **General policy statement**

This bill seeks to address the needs of women who have just given birth to access their choice of post-natal care for a minimum of 72 hours if desired. It also requires the Lead Maternity Carer to let the mother know what she is eligible for. In addition, it allows for mothers to stay for longer than 72 hours if the need arises.

Women are not making informed choices about post-natal care and the first 48 to 72 hours are critical to ensure that mothers form a loving attachment to their baby. Women are currently entitled to up to 48 hours of funded inpatient post-natal care, but many women don't realise this and at times are pressured to leave early.

That is why this bill proposes to increase entitlement to up to 72 hours so an expectation is better set for women to stay for up to 3 days, if they so choose, and includes the mandatory requirement for mothers to be advised of their choices by the Lead Maternity Carer.

Giving mothers this extra time and extra flexibility will result in positive outcomes for mother, baby, and family from 2 to 3 days in a supportive environment and dedicated facility.

### **Clause by clause analysis**

*Clause 1* is the title clause.

*Clause 2* is the commencement clause, and provides for the Bill to come into force 6 months after Royal assent.

*Clause 3* identifies the Pae Ora (Healthy Futures) Act 2022 as the Act being amended by the Bill (the **principal Act**).

*Clause 4* amends section 4 of the principal Act to insert a definition of **inpatient postnatal care**.

*Clause 5* inserts *new Part 3A* into the principal Act to require that all mothers or newborns be provided with access to a minimum of 72 hours of inpatient postnatal care.

*Catherine Wedd*

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### **Contents**

		Page
1	Title	1
2	Commencement	1
3	Principal Act	2
4	Section 4 amended (Interpretation)	2
5	New Part 3A inserted (Access to inpatient postnatal care)	2

#### **Part 3A**

##### **Access to inpatient postnatal care**

93A	Purpose of this Part	2
93B	72 hours of inpatient postnatal care to be provided	2
93C	Requirement to provide information regarding 72 hour minimum	2
93D	Obligation to ensure 72 hours of inpatient postnatal care available	2

**The Parliament of New Zealand enacts as follows:**

#### **1 Title**

This Act is the Pae Ora (Healthy Futures) (3 Day Postnatal Stay) Amendment Act **2024**.

#### **2 Commencement**

This Act comes into force on the day that is 6 months after the date on which it receives the Royal assent.

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**3 Principal Act**

This Act amends the Pae Ora (Healthy Futures) Act 2022 (the **principal Act**).

**4 Section 4 amended (Interpretation)**

In section 4, insert in its appropriate alphabetical order:

**inpatient postnatal care** means inpatient care provided to a woman and baby immediately after labour and birth for the purposes of post-birth recovery

**5 New Part 3A inserted (Access to inpatient postnatal care)**

After section 93, insert:

<b>Part 3A</b>		
<b>Access to inpatient postnatal care</b>		10
<b>93A</b>	<b>Purpose of this Part</b>	
(1)	The purpose of this Part is to provide mothers and newborns with access to a minimum of 72 hours of inpatient postnatal care.	
(2)	This Part applies despite anything to the contrary in any funding agreement or other instrument.	15
<b>93B</b>	<b>72 hours of inpatient postnatal care to be provided</b>	
(1)	Every woman and newborn is entitled to be provided with publicly-funded inpatient postnatal care for a minimum period of 72 hours following birth.	
(2)	The 72-hour period starts at the later of—	
	(a) the time of delivery; or	20
	(b) the time of admission to inpatient postnatal care.	
(3)	This section does not limit or affect any requirement to provide a longer period of publicly-funded inpatient postnatal care based on medical need.	
<b>93C</b>	<b>Requirement to provide information regarding 72 hour minimum</b>	
(1)	A woman's lead maternity care provider must inform the woman that she is entitled to a minimum period of 72 hours of inpatient postnatal care.	25
(2)	The Director-General may prescribe the form and content of the information that must be provided under <b>subsection (1)</b> .	
<b>93D</b>	<b>Obligation to ensure 72 hours of inpatient postnatal care available</b>	
	Health New Zealand must ensure that sufficient maternity facilities are available in each locality that can provide 72 hours of inpatient postnatal care in accordance with <b>section 93B</b> .	30

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