



An Bille um Chúram Máithreachais (Covid-19), 2021
Maternity Care (Covid-19) Bill 2021

Mar a tionscnaíodh

As initiated



AN BILLE UM CHÚRAM MÁITHREACHAIS (COVID-19), 2021
MATERNITY CARE (COVID-19) BILL 2021

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ACT REFERRED TO

Interpretation Act 2005 (No. 23)



AN BILLE UM CHÚRAM MÁITHREACHAIS (COVID-19), 2021
MATERNITY CARE (COVID-19) BILL 2021

Bill

entitled

An Act to ensure that mothers receiving maternity care may be accompanied in hospital during childbirth and on occasions prior and subsequent to the birth; and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

Interpretation

1. In this Act— 10

“accompanying person” means a person attending at a hospital, otherwise than in a professional capacity, at a time referred to in *section 2*, with the consent of the mother referred to in that section—

(a) in the company of the mother concerned, or

(b) in circumstances where the mother concerned has, at the time the accompanying person attends at the hospital, been admitted to the hospital; 15

“birth” means birth by normal delivery or caesarean section;

“Covid-19” means a disease caused by infection with the virus SARS-CoV-2 and specified as an infectious disease in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) or any variant of the disease so specified as an infectious disease in those Regulations; 20

“hospital” means public or private hospital;

“Minister” means the Minister for Health;

“mother” means a pregnant female person of any age and, for the avoidance of doubt, includes a female person in the circumstances referred to in *section 2(3)*. 25

Presence of accompanying person in hospital

2. (1) Where a mother attends or is admitted to a hospital for purposes related to her pregnancy, an accompanying person shall be permitted to attend at and remain in the hospital in the company of the mother concerned at the following times:

(a) throughout the duration of labour and the birth of the baby concerned, 30

- (b) on all occasions prior to those referred to in *paragraph (a)* when the mother concerned attends or is admitted to the hospital for purposes related to her pregnancy, and
 - (c) for daily visits after the birth of the baby concerned, until such time as the mother and baby concerned have departed from the hospital. 5
- (2) If and for so long as the baby concerned is in a neonatal intensive care unit or special care baby unit of the hospital, an accompanying person shall be entitled to visit him or her in that unit not less than once daily.
 - (3) Where a mother attends or is admitted to a hospital as a result of a miscarriage or a belief that a miscarriage has occurred or may be occurring, an accompanying person shall be permitted to attend at and remain in the hospital in the company of the mother concerned for so long as she remains in the hospital. 10
 - (4) *Paragraphs (b) and (c) of subsection (1) and subsection (3)* shall not entitle an accompanying person to remain in a hospital overnight.
 - (5) The visits referred to in *paragraph (c) of subsection (1) and in subsection (2)* may be subject to a requirement to make an appointment for a particular visiting time. 15
 - (6) Section 18(a) of the Interpretation Act 2005 shall not apply to the construction of the word 'person' in this section.

Exception to section 2

3. *Section 2* shall not apply to an accompanying person where, at the time of attending the hospital, the accompanying person— 20
 - (a) tests or has tested positive for Covid-19, at such time that there is a substantial risk that, in the circumstances, his or her presence in the hospital would result in transmission of Covid-19 therein, or
 - (b) manifests symptoms which indicate that it is likely that he or she is infected with Covid-19, such that there is a substantial risk that, in the circumstances, his or her presence in the hospital would result in transmission of Covid-19 therein. 25

Saver

4. Nothing in this Act shall affect any permission or entitlement, howsoever arising, which, apart from this Act, any person has or would have to attend at and remain in any hospital at any time. 30

Short title and commencement

5. (1) This Act may be cited as the Maternity Care (Covid-19) Act 2021.
- (2) This Act shall come into operation on such day or days as the Minister may by order or orders appoint either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or provisions. 35

An Bille um Chúram Máithreachais
(Covid-19), 2021

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht dá chinntiú go bhféadfaidh máithreacha a bheidh ag fáil cúram máithreachais duine a bheidh ina dteannta san ospidéal le linn luí seoil agus ar ócáidí roimh an mbreith agus dá héis; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*An Teachta Peadar Tóibín a thug isteach,
6 Deireadh Fómhair, 2021*

Maternity Care (Covid-19) Bill 2021

BILL

(as initiated)

entitled

An Act to ensure that mothers receiving maternity care may be accompanied in hospital during childbirth and on occasions prior and subsequent to the birth; and to provide for related matters.

*Introduced by Deputy Peadar Tóibín,
6th October, 2021*

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