

STATE OF NEW YORK

2439--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 16, 2025

Introduced by M. of A. EPSTEIN, SEAWRIGHT, GONZALEZ-ROJAS, REYES, BURDICK, PAULIN, SIMON, WOERNER, LEVENBERG, KELLES, CUNNINGHAM, DE LOS SANTOS, OTIS, GLICK, McMAHON, TAPIA, RAGA, SIMONE, SHRESTHA, JACOBSON, ROSENTHAL, SHIMSKY, LEE, WEPRIN, LAVINE -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to enacting the New York state abortion clinical training program act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new article 25-AA to read as follows:

ARTICLE 25-AA

NEW YORK STATE ABORTION CLINICAL TRAINING PROGRAM ACT

Section 2599-bb-10. Policy and purpose.

2599-bb-11. Definitions.

2599-bb-12. Establishment of the New York state abortion clinical training program.

2599-bb-13. Reporting.

§ 2599-bb-10. Policy and purpose. 1. New York has long held that comprehensive reproductive health care is a fundamental component of every individual's health, privacy and equality, and that access to reproductive health care service is integral to their ability to choose to carry a pregnancy to term, to give birth to a child, or to have an abortion.

2. Abortion care is provided in hospitals, clinics, and private medical practices across the state, with a majority of these procedures performed by community-based providers. However, growing maternal health care deserts have made it difficult for individuals to access this vital form of care. The need for abortion care continues to increase while the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 number of providers trained to perform these services is declining.
2 Although there are community-based abortion facilities in every region
3 of the state, only seven out of ten regions have community-based facili-
4 ties that perform abortion care beyond fifteen weeks of pregnancy. In
5 three regions, only two facilities provide abortion care up to twenty
6 weeks of pregnancy. This has resulted in pregnant people having to trav-
7 el further, and in some cases out of state, to access care, especially
8 later in pregnancy.

9 3. While any physician and health care practitioner licensed by the
10 state with abortion in their scope of practice is authorized to perform
11 the procedure under law, there is no structured training program avail-
12 able to them for this purpose.

13 4. New York is in a strong position to address the training needs of
14 these individuals by establishing a statewide abortion clinical training
15 program. There are multiple abortion providers who are experienced,
16 utilize innovative abortion care procedures, and interested in training
17 their peers but require funding to do so.

18 5. It is the purpose of this article to create new training opportu-
19 nities for New York health care practitioners in the delivery of
20 abortion care through such a program, thereby protecting every individ-
21 ual's right to health, privacy and equality.

22 § 2599-bb-11. Definitions. As used in this article, the following
23 terms shall have the following meanings:

24 1. "Abortion" shall mean the termination of a pregnancy pursuant to
25 section twenty-five hundred ninety-nine-bb of this chapter.

26 2. "Health care services" shall mean the range of care related to the
27 provision of abortion pursuant to section twenty-five hundred ninety-
28 nine-bb of this chapter.

29 3. "Health care practitioner" shall mean any health care practitioner
30 authorized to provide health care services pursuant to section twenty-
31 five hundred ninety-nine-bb of this chapter or an intern or resident who
32 is employed by a hospital or otherwise enrolled in an accredited gradu-
33 ate medical education program.

34 4. "Professional educators" shall mean organizations providing repro-
35 ductive health care, continuing education programs for qualified provid-
36 ers through professional associations or clinical education programs
37 that meet professionally recognized training standards.

38 § 2599-bb-12. Establishment of the New York state abortion clinical
39 training program. 1. (a) There is hereby established within the depart-
40 ment the New York state abortion clinical training program for the
41 purpose of training health care practitioners in the performance of
42 abortion and related reproductive health care services. The commissioner
43 in consultation with the state education department, shall adopt a
44 uniform and comprehensive curriculum and materials for the training of
45 health care practitioners in the performance of a full range of abortion
46 and related reproductive health care services. Such curriculum shall be
47 consistent with evidence-based training standards and shall include, but
48 not be limited to:

49 (i) counseling and informed consent;

50 (ii) miscarriage management;

51 (iii) patient-centered care;

52 (iv) pre-abortion evaluation;

53 (v) contraception and aftercare;

54 (vi) telehealth delivery;

55 (vii) surgical abortion; and

56 (viii) medication abortion.

1 (b) In establishing the curriculum and training materials for the
2 program, the commissioner may consult a range of experts, including, but
3 not limited to, individuals and entities providing abortion care,
4 abortion funds, and other organizations whose mission is to expand
5 access to abortion care, to ensure the program structure reflects the
6 needs of abortion providers, abortion funds and consumers.

7 (c) For professional educators currently operating an abortion clin-
8 ical training program within the state, the commissioner shall approve
9 the existing curriculum for use so long as the curriculum meets adopted
10 statewide standards.

11 3. (a) The commissioner is authorized to enter into agreements with
12 professional educators to facilitate clinical training related to
13 abortion care and other related reproductive health services at a mini-
14 imum of four sites across the state. In entering such agreements, the
15 commissioner shall consider organizations that:

16 (i) comply with applicable state laws and regulations;

17 (ii) are capable of providing culturally congruent care and implicit
18 bias training;

19 (iii) have demonstrated experience in coordinating abortion care
20 training programs;

21 (iv) have sufficient patient volume to accommodate training needs; and

22 (v) provide abortion and reproductive health care services to under-
23 served communities.

24 (b) Professional educators shall not be required to provide training
25 in all areas of the approved curriculum, provided, however, special
26 consideration shall be given to professional educators who have the
27 capability to provide the full range of abortion care and related repro-
28 ductive health care services.

29 (c) The commissioner may engage the services of a consultant on a
30 contract basis to support the administration and operation of the
31 program. Such consultant shall be a professional educator that has the
32 demonstrated ability to provide programmatic oversight on a statewide
33 level including, but not limited to candidate selection and screening,
34 and adherence to the approved curriculum and clinical standards.

35 (d) Each professional educator receiving funding pursuant to this
36 paragraph shall submit a written certification in such form and at such
37 time as the commissioner shall prescribe, attesting how any award made
38 was used to support training health care practitioners in the perform-
39 ance of abortion and related reproductive health care services includ-
40 ing, but not limited to the number of health care practitioners selected
41 for training; the number of health care practitioners completing the
42 approved curriculum; and the areas of the state served by the health
43 care practitioners selected.

44 (e) Notwithstanding any inconsistent provision of law to the contrary,
45 the commissioner shall be authorized to recoup any award made and deter-
46 mined to have been used in a manner inconsistent with the purposes of
47 the abortion clinical training program. The commissioner is authorized
48 to employ any legal mechanism to recoup such funds, including an offset
49 of other funds that are owed to such professional educator.

50 4. The commissioner shall award and distribute grants to address prac-
51 tical support needs of eligible health care providers. Funds may be
52 awarded to support an eligible health care practitioner in obtaining
53 clinical education on abortion care and other reproductive health
54 services, including, but not limited to, financial support for travel
55 and lodging associated with attending the program.

1 5. The commissioner shall promulgate rules and regulations as are
2 necessary to carry out the provisions of this section.

3 § 2599-bb-13. Reporting. The commissioner shall submit a report no
4 later than twelve months after the effective date of this section and
5 annually thereafter, to the governor, the temporary president of the
6 senate and the speaker of the assembly, which shall include, but not be
7 limited to, the total amount of grants issued, the number of eligible
8 participants, the number of eligible providers, and the region of the
9 state where the eligible providers are located. Notwithstanding any
10 other provision of law, the commissioner shall not report any informa-
11 tion related to identifying information of eligible participants in the
12 program.

13 § 2. This act shall take effect on the first of April next succeeding
14 the date upon which it shall have become a law. Effective immediately,
15 the addition, amendment and/or repeal of any rule or regulation neces-
16 sary for the implementation of this act on its effective date are
17 authorized to be made and completed on or before such effective date.