

7121

I N S E N A T E

April 29, 2014

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to midwifery birth centers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 2801 of the public health law, as
2 separately amended by chapters 297 and 416 of the laws of 1983, is
3 amended to read as follows:
4 1. "Hospital" means a facility or institution engaged principally in
5 providing services by or under the supervision of a physician or, in the
6 case of a dental clinic or dental dispensary, of a dentist, OR, IN THE
7 CASE OF A MIDWIFERY BIRTH CENTER, OF A MIDWIFE, for the prevention,
8 diagnosis or treatment of human disease, pain, injury, deformity or
9 physical condition, including, but not limited to, a general hospital,
10 public health center, diagnostic center, treatment center, dental clinic,
11 dental dispensary, rehabilitation center other than a facility used
12 solely for vocational rehabilitation, nursing home, tuberculosis hospital,
13 chronic disease hospital, maternity hospital, MIDWIFERY BIRTH
14 CENTER, lying-in-asylum, out-patient department, out-patient lodge,
15 dispensary and a laboratory or central service facility serving one or
16 more such institutions, but the term hospital shall not include an
17 institution, sanitarium or other facility engaged principally in providing
18 services for the prevention, diagnosis or treatment of mental disability
19 and which is subject to the powers of visitation, examination, inspection
20 and investigation of the department of mental hygiene except for those
21 distinct parts of such a facility which provide hospital service. The
22 provisions of this article shall not apply to a facility or institution
23 engaged principally in providing services by or under the supervision
24 of the bona fide members and adherents of a recognized religious
25 organization whose teachings include reliance on spiritual means through
26 prayer alone for healing in the practice of the religion of such
27 organization and where services are provided in accordance with those
28 teachings.

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

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1 S 2. Section 2801 of the public health law is amended by adding a new
2 subdivision 11 to read as follows:

3 11. "MIDWIFERY BIRTH CENTER" MEANS A HOSPITAL ENGAGED PRINCIPALLY IN
4 PROVIDING PRENATAL AND OBSTETRIC CARE, WHERE SUCH SERVICES ARE PROVIDED
5 PRINCIPALLY BY MIDWIVES.

6 S 3. Section 2803 of the public health law is amended by adding a new
7 subdivision 11 to read as follows:

8 11. THE COMMISSIONER SHALL MAKE REGULATIONS RELATING TO MIDWIFERY
9 BIRTH CENTERS, INCLUDING RELATING TO ESTABLISHMENT, CONSTRUCTION, AND
10 OPERATION, CONSIDERING THE STANDARDS OF STATE AND NATIONAL PROFESSIONAL
11 ASSOCIATIONS OF MIDWIFERY BIRTH CENTERS, IN CONSULTATION WITH REPRESENTATIVES
12 OF MIDWIVES, MIDWIFERY BIRTH CENTERS, AND GENERAL HOSPITALS
13 PROVIDING OBSTETRIC SERVICES.

14 S 4. This act shall take effect immediately.