

9430

I N A S S E M B L Y

March 3, 2016

Introduced by M. of A. RICHARDSON -- read once and referred to the  
Committee on Health

AN ACT to amend the public health law, in relation to maternal  
depression screenings

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

1 Section 1. Subdivision 1 of section 2500-k of the public health law is  
2 amended by adding a new paragraph (c) to read as follows:

3 (C) "QUESTIONNAIRE" MEANS AN ASSESSMENT TOOL ADMINISTERED BY A  
4 LICENSED HEALTH CARE PROFESSIONAL, TO DETECT MATERNAL DEPRESSION SUCH AS  
5 THE EDINBURGH POSTNATAL DEPRESSION SCALE, THE POSTPARTUM DEPRESSION  
6 SCREENING SCALE, THE BECK DEPRESSION INVENTORY, THE PATIENT HEALTH QUES-  
7 TIONNAIRE, OR OTHER VALIDATED ASSESSMENT METHODS AS APPROVED BY THE  
8 COMMISSIONER.

9 S 2. Subdivision 3 of section 2500-k of the public health law is  
10 renumbered subdivision 4 and a new subdivision 3 is added to read as  
11 follows:

12 3. MATERNAL DEPRESSION SCREENINGS. (A) MATERNAL HEALTH CARE PROVIDERS  
13 PROVIDING PRENATAL CARE AT A PRENATAL VISIT SHALL INVITE EACH PREGNANT  
14 PATIENT TO COMPLETE A QUESTIONNAIRE AND SHALL REVIEW THE COMPLETED QUES-  
15 TIONNAIRE IN ACCORDANCE WITH THE FORMAL OPINIONS AND RECOMMENDATIONS OF  
16 THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS. ASSESSMENT FOR  
17 MATERNAL DEPRESSION MUST BE REPEATED WHEN, IN THE PROFESSIONAL JUDGMENT  
18 OF THE MATERNAL HEALTH CARE PROVIDER, A REASONABLE POSSIBILITY EXISTS  
19 THAT THE PREGNANT PATIENT SUFFERS FROM MATERNAL DEPRESSION.

20 (B) MATERNAL HEALTH CARE PROVIDERS PROVIDING POSTNATAL CARE TO WOMEN  
21 SHALL INVITE EACH PATIENT TO COMPLETE A QUESTIONNAIRE AND SHALL REVIEW  
22 THE COMPLETED QUESTIONNAIRE IN ACCORDANCE WITH THE FORMAL OPINIONS OF  
23 THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS. ASSESSMENT FOR  
24 MATERNAL DEPRESSION MUST BE REPEATED WHEN, IN THE PROFESSIONAL JUDGMENT  
25 OF THE MATERNAL HEALTH CARE PROVIDER, A REASONABLE POSSIBILITY EXISTS  
26 THAT THE PREGNANT PATIENT SUFFERS FROM MATERNAL DEPRESSION.

27 (C) MATERNAL HEALTH CARE PROVIDERS PROVIDING PEDIATRIC CARE TO AN  
28 INFANT SHALL INVITE THE INFANT'S MOTHER TO COMPLETE A QUESTIONNAIRE AT

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

LBD13780-02-6

1 ANY WELL-CHILD CHECK-UP AT WHICH THE MOTHER IS PRESENT PRIOR TO THE  
2 INFANT'S FIRST BIRTHDAY, AND SHALL REVIEW THE COMPLETED QUESTIONNAIRE IN  
3 ACCORDANCE WITH THE FORMAL OPINIONS AND RECOMMENDATIONS OF THE AMERICAN  
4 COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, IN ORDER TO ENSURE THAT THE  
5 HEALTH AND WELL-BEING OF THE INFANT IS NOT COMPROMISED BY AN UNDIAGNOSED  
6 CONDITION OF MATERNAL DEPRESSION IN THE MOTHER. ASSESSMENT FOR MATERNAL  
7 DEPRESSION MUST BE REPEATED WHEN, IN THE PROFESSIONAL JUDGMENT OF THE  
8 MATERNAL HEALTH CARE PROVIDER, A REASONABLE POSSIBILITY EXISTS THAT THE  
9 PREGNANT PATIENT SUFFERS FROM MATERNAL DEPRESSION.

10 (D) CONSENT FROM THE MOTHER MUST BE OBTAINED BEFORE A MATERNAL HEALTH  
11 CARE PROVIDER MAY SHARE RESULTS FROM AN ASSESSMENT WITH THE MOTHER'S  
12 PRIMARY LICENSED HEALTH CARE PROFESSIONAL, UNLESS THE MOTHER IS DETER-  
13 MINED TO PRESENT A DANGER TO HERSELF OR OTHERS.

14 S 3. This act shall take effect on the one hundred eightieth day after  
15 it shall have become a law; provided, however, that effective immediate-  
16 ly, the addition, amendment and/or repeal of any rule or regulation  
17 necessary for the implementation of this act on its effective date is  
18 authorized to be made and completed by the commissioner of health on or  
19 before such effective date.