

4325

2015-2016 Regular Sessions

I N S E N A T E

March 13, 2015

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

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

LBD02738-01-5

1 through prayer alone for healing in the practice of the religion of such  
2 organization and where services are provided in accordance with those  
3 teachings.

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

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

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

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

17 S 4. This act shall take effect immediately.