

STATE OF NEW YORK

8788--A

Cal. No. 876

2017-2018 Regular Sessions

IN ASSEMBLY

November 27, 2017

Introduced by M. of A. SOLAGES, NORRIS, MORINELLO, PELLEGRINO -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the social services law, in relation to lactation counseling services

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

1 Section 1. Paragraph (x) of subdivision 2 of section 365-a of the
2 social services law, as added by section 6 of part D of chapter 56 of
3 the laws of 2012, is amended to read as follows:

4 (x)(i) lactation counseling services for pregnant and postpartum women
5 [~~when such services are ordered by a physician, registered physician~~
6 ~~assistant, registered nurse practitioner, or licensed midwife and~~]
7 provided by a [~~certified~~] qualified lactation [~~consultant~~] care
8 provider, as determined by the commissioner of health; provided, howev-
9 er, that the provisions of this paragraph shall not take effect unless
10 all necessary approvals under federal law and regulation have been
11 obtained to receive federal financial participation in the costs of
12 health care services provided pursuant to this paragraph. Nothing in
13 this paragraph shall be construed to modify any licensure, certification
14 or scope of practice provision under title eight of the education law.

15 (ii) For the purposes of this paragraph, the following terms shall
16 have the following meanings:

17 (1) "Qualified lactation care provider" shall mean a person who
18 possesses current certification from a certification program accredited
19 by a nationally recognized accrediting agency.

20 (2) "Nationally recognized accrediting agency" shall mean the National
21 Commission for Certifying Agencies ("NCCA"), the Institute for Creden-

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

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1 tiating Excellence ("ICE"), or the American National Standards Institute
2 ("ANSI").

3 § 2. This act shall take effect on the first of January next succeed-
4 ing the date on which it shall have become a law.