

# STATE OF NEW YORK

6727--A

2017-2018 Regular Sessions

## IN SENATE

June 15, 2017

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

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

(2) "Nationally recognized accrediting agency" shall mean the National 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.

LBD13211-04-8

1 tialing 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.