

STATE OF NEW YORK

3387

2019-2020 Regular Sessions

IN SENATE

February 6, 2019

Introduced by Sens. KAPLAN, HELMING -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to lactation coun-
seling services

The People of the State of New York, represented in Senate and Assem-
bly, 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 as a lactation care provider from a
19 certification program accredited by a nationally recognized accrediting
20 agency.

21 (2) "Nationally recognized accrediting agency" shall mean a nationally
22 recognized accrediting agency designated by the commissioner; provided
23 that the commissioner shall designate more than one agency.

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

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

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