STATE OF NEW YORK

2770--C

2019-2020 Regular Sessions

IN ASSEMBLY

January 25, 2019

Introduced by M. of A. BICHOTTE, SOLAGES, JEAN-PIERRE, BARRON, WALKER, THIELE -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to enacting the Jonah Bichotte Cowan law relating to pre-term labor care and directing the commissioner of health to require hospitals to provide pre-term labor patients with information regarding the potential health effects of pre-term labor and pre-term delivery on an expectant mother and on her fetus

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

Section 1. Short title. This act shall be known and may be cited as the "Jonah Bichotte Cowan law".

§ 2. The public health law is amended by adding a new section 2509-b to read as follows:

§ 2509-b. Pre-term labor care. 1. When an expectant mother presents at a general hospital with concerns about being in pre-term labor, the general hospital shall:

(a) determine whether the expectant mother is in pre-term labor;

(b) upon making a diagnosis of pre-term labor, admit the expectant mother to the general hospital or treat her in the emergency room for close observation and continuous monitoring until it is deemed medically safe for discharge from the general hospital or stabilize and arrange for an appropriate transfer of such expectant mother to another general hospital; and

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

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(c) provide the expectant mother with information concerning pre-term labor and the potential health effects of pre-term labor and premature birth delivery on the mother and on her fetus as required by section twenty-eight hundred three-j of this chapter.

2. As used in this section, "general hospital" means a general hospital as defined in section twenty-eight hundred one of this chapter.

§ 3. Subdivisions 1 and 1-a of section 2803-j of the public health law, subdivision 1 as amended by chapter 66 of the laws of 2020 and subdivision 1-a as added by chapter 56 of the laws of 1996, are amended and a new subdivision 1-f is added to read as follows:

1. The commissioner shall require that every hospital and birth center shall prepare in printed or photocopied form and distribute at the time of pre-booking directly to each prospective maternity patient and, upon request, to the general public an informational leaflet. **Such leaflet shall also be distributed to any expectant mother who presents at the hospital during pregnancy.** Such leaflet shall be designed by the commissioner and shall contain brief definitions of maternity related procedures and practices as specified in subdivision two of this section and such other material as deemed appropriate by the commissioner. Hospitals and birth centers may also elect to distribute additional explanatory material along with the maternity patients informational leaflet. The commissioner shall make the information contained in the leaflet available on the department's website.

1-a. The informational leaflet shall also include**:**

(a) an explanation of the special provisions relating to maternity care and coverage under the insurance law and section [~~**two thousand eight**~~] **twenty-eight** hundred three-n of this [~~**chapter**~~] **article**, and suggest that expectant parents check their insurance policies for the details of their maternity coverage**; and**

(b) a statement that the medical assistance program provides coverage for all income-eligible pregnant women and children residing in the state regardless of immigration status.

1-f. The informational leaflet shall also include information relating to pre-term labor and premature birth, including but not limited to definitions and information on the risks that pre-term labor and premature birth pose to the expectant mother and fetus.

§ 4. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.