

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:

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

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

5 § 2509-b. Pre-term labor care. 1. When an expectant mother presents
6 at a general hospital with concerns about being in pre-term labor, the
7 general hospital shall:

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

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

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

LBD00398-07-0

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

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

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

11 1. The commissioner shall require that every hospital and birth center
12 shall prepare in printed or photocopied form and distribute at the time
13 of pre-booking directly to each prospective maternity patient and, upon
14 request, to the general public an informational leaflet. Such leaflet
15 shall also be distributed to any expectant mother who presents at the
16 hospital during pregnancy. Such leaflet shall be designed by the commis-
17 sioner and shall contain brief definitions of maternity related proce-
18 dures and practices as specified in subdivision two of this section and
19 such other material as deemed appropriate by the commissioner. Hospitals
20 and birth centers may also elect to distribute additional explanatory
21 material along with the maternity patients informational leaflet. The
22 commissioner shall make the information contained in the leaflet avail-
23 able on the department's website.

24 1-a. The informational leaflet shall also include:

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

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

33 1-f. The informational leaflet shall also include information relating
34 to pre-term labor and premature birth, including but not limited to
35 definitions and information on the risks that pre-term labor and prema-
36 ture birth pose to the expectant mother and fetus.

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