STATE OF NEW YORK

2888--A

Cal. No. 137

2019-2020 Regular Sessions

IN SENATE

January 30, 2019

Introduced by Sens. SALAZAR, BIAGGI, CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public health law, in relation to informing maternity patients about the risks associated with cesarean section

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

Section 1. The public health law is amended by adding a new section 2500-l to read as follows:

§ 2500-l. Duty of providers of primary cesarean section maternity services to inform. 1. (a) Every maternal health care provider shall provide the written communication established in subdivision two of this section prior to delivery to each pregnant woman for whom a cesarean section delivery is planned.

(b) Every maternal health care provider who performs a cesarean section which was not planned prenatally shall provide the written communication established in subdivision two of this section to the patient following delivery.

(c) As used in this section: "maternal health care provider" or "provider" shall mean a physician, midwife, nurse practitioner, or physician assistant, acting within his or her scope of practice, managing the pregnancy of a pregnant woman.

2. (a) The commissioner shall develop a written communication or communications for maternal health care providers to distribute to maternity patients as required in subdivision one of this section, which contains information about cesarean section delivery. The commissioner shall consult with appropriate health care professionals, providers, consumers, educators and patients or organizations representing them, including but not limited to the American College of Obstetricians and

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

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Gynecologists and the New York State Association of Licensed Midwives to develop such written communication or communications.

(b) Such written communication or communications shall include, but not be limited to information on:

i. potential maternal injuries associated with cesarean delivery; and

ii. potential risks to the fetus; and

iii. the impact a cesarean delivery may have on future pregnancies and deliveries; and

iv. circumstances in which cesarean delivery may be necessary to save the life of the mother or fetus.

(c) The commissioner shall ensure that all information included in the written communication or communications are maintained and updated to reflect current clinical guidelines.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the department of health may make regulations and take other actions necessary for the timely implementation of this act on its effective date.