STATE OF NEW YORK

259

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GOTTFRIED, PAULIN, SOLAGES, DICKENS, SEAWRIGHT, THIELE, SIMON, AUBRY, GALEF, BRONSON -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to accreditation, approval, and operation of midwifery birth centers

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

Section 1. Subdivision 11 of section 2803 of the public health law, as added by chapter 397 of the laws of 2016, is amended to read as follows:

11. **(a)** The commissioner shall make regulations relating to midwifery birth centers, including relating to establishment, construction, and operation, considering the standards of state and national professional associations of midwifery birth centers, in consultation with representatives of midwives, midwifery birth centers, and general hospitals providing obstetric services.

(b) (i) As used in this subdivision, "accrediting organization" means a national accrediting organization that provides accreditation to midwifery birth centers, recognized by the commissioner in consultation with representatives of midwives, midwifery birth centers, and general hospitals providing obstetric services. The commissioner shall not unreasonably withhold recognition of an organization seeking to be recognized under this paragraph.

(ii) Where a proposed midwifery birth center demonstrates the intent and capability to obtain and maintain accreditation by an accrediting organization, it shall be deemed to meet the requirements of this article for a midwifery birth center for approval of a certificate of incorporation, articles of organization and establishment, as to any matter provided for in the accrediting organization's standards.

(iii) Regulations and requirements of the commissioner for approval of a certificate of incorporation, articles of organization, establishment,

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

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and operation of a midwifery birth center established or seeking to be established under this article, including a determination of public need and compliance with operational and physical plant standards, shall not be inconsistent with article one hundred forty of the education law and the standards of the accrediting organization from which the midwifery birth center proposes to seek, seeks or has obtained accreditation.

§ 2. This act shall take effect immediately.