

# STATE OF NEW YORK

4337

2021-2022 Regular Sessions

## IN ASSEMBLY

February 1, 2021

Introduced by M. of A. WALKER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to children and recovering mothers

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 "children and recovering mothers (CHARM) act".

3 § 2. Article 25 of the public health law is amended by adding a new  
4 title 4-A to read as follows:

5 TITLE 4-A

6 CHILDREN AND RECOVERING MOTHERS

7 Section 2576. Recovering expectant mother program.

8 2577. Newborn screening.

9 2578. Provider education.

10 2579. Workgroup.

11 § 2576. Recovering expectant mother program. There shall be estab-  
12 lished a recovering expectant mothers program within the department  
13 whereby the commissioner, in consultation with the commissioner of alco-  
14 holism and substance abuse services, shall provide guidance, education  
15 and assistance to providers caring for recovering expectant mothers,  
16 which shall include, but not be limited to:

17 1. establishing, in consultation with relevant health care providers,  
18 guidance on universal screening techniques for substance use disorder at  
19 prenatal visits. Such guidance shall rely on validated screening tools  
20 and questionnaires and utilize language to help reduce stigma;

21 2. providing information regarding use of medication assisted treat-  
22 ment for pregnant women, which shall include information regarding  
23 buprenorphine training, tools for providers on effective management of  
24 women with opioid use disorder in pregnancy, and a referral list of  
25 certified providers;

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

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1 3. providing referral information for substance abuse counseling,  
2 social support and basic needs referrals, which shall also include guid-  
3 ance on referring women to home visiting services that they may be  
4 eligible for after birth; and

5 4. developing a system for rapid consultation and referral linkage  
6 services for obstetricians and primary care providers statewide who  
7 provide care for expectant mothers with substance use disorder.

8 § 2577. Newborn screening. The commissioner, in conjunction with the  
9 commissioner of alcoholism and substance abuse services, shall develop  
10 guidance for hospitals and midwifery birth centers on neonatal absti-  
11 nence syndrome which shall include, but not be limited to, appropriate  
12 treatment methods for neonatal abstinence syndrome and information on  
13 home visiting services that recovering mothers may be eligible for, as  
14 well as other substances abuse services, social supports and basic need  
15 referrals in the community.

16 § 2578. Provider education. The commissioner shall develop or approve  
17 a continuing medical education course for neonatal nurses, obstetri-  
18 cians, midwives, pediatricians, and other health care providers regard-  
19 ing treatment of expectant mothers and new mothers suffering from  
20 substance use disorder, and the treatment of newborns suffering from  
21 neonatal abstinence syndrome, which may include federally approved  
22 buprenorphine training, in order to facilitate comprehensive prenatal  
23 and postpartum care to this population.

24 § 2579. Workgroup. The commissioner, in conjunction with the commis-  
25 sioner of alcoholism and substance abuse services, shall convene a work-  
26 group of stakeholders, including but not limited to, hospitals, local  
27 health departments, obstetricians, midwives, pediatricians, and  
28 substance abuse providers to study and evaluate current barriers and  
29 challenges in identifying and treating expectant mothers, newborns, and  
30 new parents with substance use disorder. The workgroup shall report on  
31 its findings and recommendations to the commissioner, the speaker of the  
32 assembly and the temporary president of the senate within one year of  
33 the effective date of this section.

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