

# STATE OF NEW YORK

8604

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. FORREST, GOTTFRIED, KELLES, SOLAGES, ANDERSON,  
MITAYNES, L. ROSENTHAL, SEAWRIGHT -- read once and referred to the  
Committee on Health

AN ACT to amend the social services law, in relation to increasing  
access to non-invasive prenatal testing under medicaid

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

1 Section 1. Subdivision 1 of section 365-k of the social services law,  
2 as added by chapter 484 of the laws of 2009, is amended to read as  
3 follows:

4 1. (a) The commissioner shall establish standards and guidelines for  
5 the provision of prenatal care services under the medical assistance  
6 program. In establishing such standards and guidelines, the commissioner  
7 shall consider generally accepted standards of professional practice,  
8 including, but not limited to, standards issued by the American College  
9 of Obstetricians and Gynecologists and the American Academy of Pedia-  
10 trics, and shall consult with prenatal care providers and other inter-  
11 ested parties.

12 (b) The standards and guidelines established under this section for  
13 providing non-invasive prenatal testing shall not limit availability and  
14 coverage for a test based on the age of the pregnant patient, unless the  
15 limit is explicitly called for by the generally accepted standards of  
16 professional practice.

17 § 2. This act shall take effect on the first day of April after it  
18 shall have become a law. Effective immediately, the commissioner of  
19 health shall make regulations, establish standards and guidelines, and  
20 take other actions reasonably necessary to implement this act on that  
21 date.

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

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