STATE OF NEW YORK

8611

IN ASSEMBLY

January 10, 2022

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

AN ACT to amend the public health law, in relation to establishing a voluntary statewide newborn home nurse visitation program

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 2529 to read as follows:

§ 2529. Newborn home nurse visitation program. 1. The department is authorized to design, implement and maintain a voluntary statewide program to provide universal newborn home visiting services to all families with newborns residing in the state. The services provided by the newborn home nurse visitation program shall:

(a) be voluntary and shall not carry negative consequences for a family that declines to participate;

(b) be offered in every community in the state and offered to all families with newborn infants residing in such community including adoptive and foster parents and parents experiencing a stillbirth;

(c) include one home nurse visit in a parent's home within seven days after the birth or stillbirth of an infant;

(d) be provided by a licensed physician, midwife, nurse practitioner, or physician assistant, or other health care practitioner acting within his or her lawful scope of practice;

(e) include an evidence-based assessment of the physical, social and emotional factors affecting a parent and the parent's newborn infant, including, but not limited to, a health and wellness check of the newborn infant and an assessment of the physical and mental health of a person who has given birth;

(f) include but not be limited to, breastfeeding education, assistance identifying and coping with postpartum depression, paternal mood disorder or other behavioral health concerns; and

(g) include information and referrals to address each family's needs including support services, community-based organizations and social service agency programs available to persons who have given birth,

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

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newborn infants and parents of newborn infants including adoptive and foster parents of newborn infants.

2. Each hospital and birth center shall:

(a) schedule a postpartum home visit for parents who give birth at the hospital or birth center, following the birth of the infant and prior to the patient's or family's discharge from the hospital or birth center. The postpartum home visit shall be scheduled for a date that is within seven days of the patient's or family's discharge;

(b) provide one postpartum home visit to any family with a newborn infant discharged from the hospital or birth center following the birth of the infant, as scheduled by the hospital or facility pursuant to paragraph (a) of this subdivision; and

(c) ensure that a person who has given birth is advised of the benefits of receiving a home nurse visit within seven days after the birth an infant.

3. A hospital or birth center shall waive the receipt of any copayment, coinsurance, or deductible that may be required from a patient, pursuant to the patient's contract, agreement or arrangement with a third-party health care payer for services provided pursuant to paragraph (a) of subdivision two of this section.

4. Notwithstanding any other law to the contrary, a hospital or birth center shall not seek payment from a patient for services provided pursuant to paragraph (a) of subdivision two of this section, including any remaining balances following payment by an applicable third-party payer.

5. The provisions of this section shall not apply if the parent or parents of the infant objects to receiving a postpartum home visit for any reason.

6. Nothing in this section shall be construed to require parents of a newborn infant to participate in the newborn home nurse visitation program.

7. The department shall collect and analyze data generated by the newborn home nurse visitation program to assess the effectiveness of such program in meeting the aims of this section. The department shall work with other state agencies to develop protocols for sharing data, including but not limited to, the timely sharing of data with primary care providers of care to the families with newborn infants receiving the services provided by such program.

8. The department shall create and provide for the distribution of a resource guide that outlines the newborn home nurse visitation program. Such resource guide shall be posted on the department's website and be provided by the hospital or birth center to all pregnant persons, persons giving birth, parents of a newborn infant and parents experiencing a stillbirth.

9. As used in this section "postpartum home visit" means a home visit to a parent and newborn infant, within the first seven days following delivery or stillbirth to ensure proper recovery from childbirth and shall include adoptive and foster parents and newborn infants.

10. The commissioner shall promulgate any rules and regulations necessary to implement the provisions of this section.

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