STATE OF NEW YORK

1296

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sen. BENJAMIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT requiring the department of health of the state of New York to conduct a review of the effects of racial and ethnic disparities on breastfeeding rates and prepare and submit a report to the governor and the legislature; and repealing certain provisions of the public health law relating thereto

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

Section 1. Section 2500-l of the public health law, as added by a chapter of the laws of 2020, amending the public health law relating to requiring the department of health of the state of New York to conduct a study of the effects of racial and ethnic disparities on breastfeeding rates and prepare and submit a report to the governor and the legislature, as proposed in legislative bills numbers S.6707 and A.6986-A, is REPEALED.

§ 2. 1. The department of health shall conduct a review of breastfeeding data and create a report for the purpose of identifying statewide and regional racial and ethnic disparities in breastfeeding rates.

2. The department of health shall solicit recommendations from persons specializing in the fields of neonatal and post neonatal pathology, maternal and infant health, breastfeeding medicine, minority health advocacy, or other related fields, and stakeholders representing racial and ethnic minorities in geographic areas that have the lowest breastfeeding rates, concerning:

(a) Barriers to successful breastfeeding, especially among racial and ethnic minorities and populations with low breastfeeding rates;

(b) Strategies to reduce barriers to successful breastfeeding, especially among racial and ethnic minorities and populations with low breastfeeding rates;

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

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(c) Strategies to improve access to prenatal and postpartum health care services, including lactation support, in the state; and

(d) Strategies to increase breastfeeding rates and reduce racial and ethnic disparities in breastfeeding rates in the state.

3. Within eighteen months after the effective date of this section, the department of health shall submit to the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly a report containing the review's findings concerning the effects of racial and ethnic disparities, which shall include a description of the department of health's efforts to improve breastfeeding rates, awareness, and access to supports and stakeholder recommendations.

4. The department of health may prepare and submit additional reports when the department deems it appropriate, and each report, with the exception of the first report prepared under this section, shall additionally identify the extent to which the prior recommendations have been successfully implemented in practice and the apparent impact that the implementation of such recommended changes has had on breastfeeding rates in the preceding years.

§ 3. This act shall take effect immediately; provided, however, that section one shall take effect on the same date and in the same manner as a chapter of the laws of 2020, amending the public health law relating to requiring the department of health of the state of New York to conduct a study of the effects of racial and ethnic disparities on breastfeeding rates and prepare and submit a report to the governor and the legislature, as proposed in legislative bills numbers S.6707 and A.6986-A, takes effect.