STATE OF NEW YORK

8157

IN SENATE

January 26, 2022

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed 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 Assembly, do enact as follows:

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

1. **(a)** The commissioner shall establish standards and guidelines for the provision of prenatal care services under the medical assistance program. In establishing such standards and guidelines, the commissioner shall consider generally accepted standards of professional practice, including, but not limited to, standards issued by the American College of Obstetricians and Gynecologists and the American Academy of Pediatrics, and shall consult with prenatal care providers and other interested parties.

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

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

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

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