STATE OF NEW YORK

1297--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BICHOTTE HERMELYN, SIMON, GONZALEZ-ROJAS, REYES, COLTON, WALKER, GIBBS, KELLES, FORREST -- Multi-Sponsored by -- M. of A. LEVENBERG -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reference changed to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring hospitals to adopt, implement and periodically update standard protocols for the management of fetal demise

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

Section 1. This act shall be known and may be cited as "Mickie's law".

§ 2. The public health law is amended by adding a new section 2803-o-1 to read as follows:

§ 2803-o-1. Required protocols for fetal demise. Hospitals shall adopt, implement and periodically update standard protocols for the management of fetal demise. Such protocols shall require the hospital to determine whether a pregnant person is experiencing an emergency medical condition in relation to fetal demise, and upon making a diagnosis of an emergency medical condition, admit the pregnant person to the hospital or treat them in the emergency room for close observation, continuous monitoring and stabilizing treatment until it is deemed medically safe for discharge or transfer to another medical facility or unit, if necessary, in accordance with the federal Emergency Medical Treatment and Labor Act (EMTALA).

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD01143-08-3