STATE OF NEW YORK

361--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 6, 2023

Introduced by M. of A. GONZALEZ-ROJAS, PAULIN, ANDERSON, AUBRY, BICHOTTE HERMELYN, BRONSON, BURDICK, BURGOS, CARROLL, CLARK, CRUZ, CUNNINGHAM, DAVILA, DE LOS SANTOS, DINOWITZ, EPSTEIN, FORREST, GALLAGHER, GIBBS, GLICK, HEVESI, JACOBSON, JEAN-PIERRE, KELLES, KIM, LAVINE, LUNSFORD, MAMDANI, MITAYNES, OTIS, RAJKUMAR, REYES, RIVERA, L. ROSENTHAL, ROZIC, SEAWRIGHT, SEPTIMO, SIMON, TAPIA, THIELE, WALKER, WEPRIN, ZINERMAN, BORES, ARDILA, SIMONE, SHIMSKY, RAGA, SHRESTHA, SOLAGES, LUCAS, DARLING, LEVENBERG, FAHY, LEE, SILLITTI -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to enacting the reproductive freedom and equity program

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

Section 1. Article 25-A of the public health law is amended by adding a new section 2599-bb-1 to read as follows:

§ 2599-bb-1. Reproductive freedom and equity grant program. 1. As used in this section, the following terms shall have the following meanings:

(a) "Abortion" shall mean the termination of pregnancy pursuant to section twenty-five hundred ninety-nine-bb of this article.

(b) "Health care services" shall mean the range of care related to the provision of abortion.

(c) "Practical support" shall mean direct assistance to enable a person to obtain abortion care, including but not limited to ground and air transportation, lodging, meals, childcare, translation services, and doula support.

(d) "Program" shall mean the reproductive freedom and equity grant program established pursuant to subdivision two of this section.

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

LBD02278-05-3

2. There is hereby established in the department a reproductive freedom and equity grant program to ensure access to abortion care in the state. The program shall provide funding to abortion providers and non-profit organizations that provide or facilitate access to abortion care. The program shall be designed to provide support to abortion providers and non-profit organizations to increase access to care, fund uncompensated care, and to address the support needs of individuals accessing abortion care. Funding used to support the program shall be subject to appropriation.

3. The commissioner shall distribute funds made available for expenditure under this section. In determining funding for applicants under the grant program, the commissioner shall consider the following criteria and goals:

(a) Increase access to care by growing the capacity of abortion providers to meet present and future care needs. Funds may be awarded to support the recruitment and retention of staff, patient navigators, staff training, the establishment of new or renovation of existing health centers, investments in technology to facilitate care, security enhancements, and other operational or capital needs that increase access to abortion care.

(b) Fund uncompensated health care services associated with abortion care, to ensure the affordability of and access to care for individuals who lack ability to pay for care, for individuals who lack insurance coverage, are underinsured, or whose insurance is deemed unusable by the rendering provider.

(c) Address practical support needs of individuals accessing abortion care for individuals who lack ability to pay for such support.

4. In establishing and operating the program, the commissioner shall consult a range of experts including but not limited to individuals and entities providing abortion care, abortion funds and other organizations whose mission is to expand access to abortion care, to ensure the program structure and expenditures reflect the needs of abortion providers, abortion funds and consumers. The commissioner may make regulations necessary for implementing the program.

5. The commissioner shall not request, or otherwise require, any abortion provider or non-profit organization receiving monies from the program to divulge the name, address, photograph, license number, email address, phone number, or any other individual identifying information of any patient, or individual who sought or received health care services or practical support from an abortion provider or organization under the program.

6. Any non-profit organization or abortion provider receiving funds from the program shall take all necessary steps to ensure the confidentiality of the individuals receiving services pursuant to state and federal laws.

§ 2. Severability clause. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 3. This act shall take effect immediately.