

# STATE OF NEW YORK

5734

2023-2024 Regular Sessions

## IN ASSEMBLY

March 23, 2023

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

AN ACT to amend the public health law, in relation to requiring the commissioner of health to develop an informational pamphlet providing resources to individuals who have suffered a pregnancy loss or infant loss

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

- 1 Section 1. Short title. This act shall be known and may be cited as  
2 "Ava's law".
- 3 § 2. Subdivision 1 of section 206 of the public health law is amended  
4 by adding a new paragraph (w) to read as follows:
- 5 (w) develop and transmit to maternal health care providers in the  
6 state a pamphlet containing information for individuals who have  
7 suffered a pregnancy loss or infant loss, which for the purposes of this  
8 paragraph shall include but not be limited to, miscarriage, stillbirth,  
9 or termination for medical reasons. Each maternal health care provider  
10 shall make the pamphlet available to patients who have suffered a preg-  
11 nancy loss or infant loss and applicable partners, spouses or signif-  
12 icant others during the discharge of the patient, in print and with a  
13 link to such information on the department's women's health website.
- 14 (1) Such pamphlet shall include:
- 15 (i) Standardized information on what to expect following a pregnancy  
16 loss or infant loss, including but not limited to the potential effect  
17 of such a loss on mental and physical health, navigating grief, hormone  
18 changes, and options to address potential milk production. The commis-  
19 sioner shall work with the American College of Obstetricians and Gyne-  
20 cologists and the New York State Association of Licensed Midwives to  
21 develop the information provided for under this paragraph. Such pamphlet  
22 shall also include standardized language about the importance of seeking  
23 and receiving reproductive health follow-up care.

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

LBD06322-02-3

1 (ii) Contact information for local resources available in the county  
2 in which such pamphlet will be distributed. The county shall submit to  
3 the department annually, by a date to be determined by such department,  
4 contact information for such local resources. The department shall  
5 incorporate such contact information into the pamphlet to be provided to  
6 the county prior to distributing such pamphlet to each county. The coun-  
7 ty, at a minimum, shall provide contact information for:

8 (A) mental health services and counseling;

9 (B) milk banks where individuals can donate breastmilk either locally  
10 or by mail;

11 (C) free follow-up gynecological care; and

12 (D) postpartum doula care resources.

13 If any of the resources required by this clause are not available in  
14 such county, contact information for such resources in nearby counties  
15 shall be provided.

16 (2) Such pamphlet may also include any other additional information,  
17 resources, or contact information the county provides annually to the  
18 department for inclusion in such pamphlet.

19 (3) Such pamphlet shall be made available on the department's women's  
20 health website, established under subdivision seven of section two  
21 hundred sixty-six of this article. Additionally, reference to such  
22 website shall be included in the pamphlet as a source of further infor-  
23 mation.

24 (4) For purposes of this paragraph, the term "maternal health care  
25 provider" shall include a physician, midwife, nurse practitioner, physi-  
26 cian assistant, other health care practitioner, and any other profes-  
27 sional providing medical care or assistance to an individual experienc-  
28 ing a pregnancy loss or infant loss.

29 § 3. Section 266 of the public health law is amended by adding a new  
30 subdivision 7 to read as follows:

31 7. The department's website shall include the informational pamphlet  
32 on pregnancy loss and infant loss created pursuant to paragraph (w) of  
33 subdivision one of section two hundred six of this article.

34 § 4. This act shall take effect on the one hundred eightieth day after  
35 it shall have become a law. Effective immediately, the addition, amend-  
36 ment and/or repeal of any rule or regulation necessary for the implemen-  
37 tation of this act on its effective date are authorized to be made and  
38 completed on or before such effective date.