

STATE OF NEW YORK

348--C

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sens. CLEARE, RIVERA, BROUK, COONEY, FERNANDEZ, GONZALEZ, GOUNARDES, HINCHEY, HOYLMAN-SIGAL, JACKSON, LIU, SALAZAR, THOMAS, WEBB -- read twice and ordered printed, and when printed to be committed 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 -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- 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 grant program

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

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

3 § 2599-bb-1. Reproductive freedom and equity grant program. 1. As used
4 in this section, the following terms shall have the following meanings:

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

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

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

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

15 2. There is hereby established in the department a reproductive free-
16 dom and equity grant program to ensure access to abortion care in the
17 state. The program shall provide funding to abortion providers and non-

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

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1 profit organizations that provide or facilitate access to abortion care.
2 The program shall be designed to provide support to abortion providers
3 and non-profit organizations to increase access to care, fund uncompen-
4 sated care, and to address the support needs of individuals accessing
5 abortion care. Funding used to support the program shall be subject to
6 appropriation.

7 3. The commissioner shall distribute funds made available for expendi-
8 ture under this section. In determining funding for applicants under the
9 grant program, the commissioner shall consider the following criteria
10 and goals:

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

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

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

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

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

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

43 § 2. Severability clause. If any clause, sentence, paragraph, section
44 or part of this act shall be adjudged by any court of competent juris-
45 isdiction to be invalid and after exhaustion of all further judicial
46 review, the judgment shall not affect, impair, or invalidate the remain-
47 der thereof, but shall be confined in its operation to the clause,
48 sentence, paragraph, section or part of this act directly involved in
49 the controversy in which the judgment shall have been rendered.

50 § 3. This act shall take effect immediately.