

# STATE OF NEW YORK

4356

2023-2024 Regular Sessions

## IN SENATE

February 7, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and the social services law, in relation to the continuity of family planning services in the state

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

1 Section 1. The public health law is amended by adding a new section  
2 2831 to read as follows:

3 § 2831. Family planning program. 1. For the purpose of this section,  
4 the following terms shall have the following meanings:

5 (a) "family planning providers" means providers of services:

6 (i) funded under Title X of the Federal Public Health Service Act as  
7 of December thirty-first, two thousand sixteen; and

8 (ii) that lost eligibility for Title X funding;

9 (b) "family planning services" means services provided under Title X  
10 of the Federal Public Health Service Act as of December thirty-first,  
11 two thousand sixteen; and

12 (c) "program" means the family planning program established under this  
13 section.

14 2. There is hereby established in the department a family planning  
15 program to ensure the continuity of family planning services in the  
16 state. The program shall provide family planning services to individuals  
17 who are eligible for family planning services through family planning  
18 providers that meet program requirements.

19 3. The department may adopt regulations to implement this section,  
20 including regulations establishing requirements for family planning  
21 providers that are the same as the requirements for providers of  
22 services under Title X of the Federal Public Health Service Act.

23 4. Funding used to support family planning services under the program  
24 shall be in addition to any funding applied by the department before  
25 December thirty-first, two thousand sixteen, to the maintenance of

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

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1 effort requirement for federal funding under Title X of the Federal  
2 Public Health Service Act.

3 § 2. The social services law is amended by adding a new section 367-x  
4 to read as follows:

5 § 367-x. Provision of family planning services. The department of  
6 health shall, to the extent permitted, subject to the limitations of the  
7 state budget, ensure access to and the continuity of services provided  
8 by family planning providers that received funding under Title X of the  
9 Federal Public Health Service Act as of December thirty-first, two thou-  
10 sand sixteen by:

11 1. reimbursing for the services provided under the medical assistance  
12 program; and

13 2. establishing medical assistance program requirements for the family  
14 planning providers that are the same as requirements for other providers  
15 of the same services.

16 § 3. This act shall take effect immediately.