STATE OF NEW YORK

5095

2023-2024 Regular Sessions

IN SENATE

February 22, 2023

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

AN ACT to amend the public health law, in relation to children and recovering mothers

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

Section 1. Short title. This act shall be known and may be cited as the "children and recovering mothers (CHARM) act".

§ 2. Article 25 of the public health law is amended by adding a new title 4-A to read as follows:

TITLE 4-A

CHILDREN AND RECOVERING MOTHERS

Section 2576. Recovering expectant mother program.
2577. Newborn screening.
2578. Provider education.
2579. Workgroup.

§ 2576. Recovering expectant mother program. There shall be established a recovering expectant mothers program within the department whereby the commissioner, in consultation with the commissioner of addiction services and supports, shall provide guidance, education and assistance to providers caring for recovering expectant mothers, which shall include, but not be limited to:

1. establishing, in consultation with relevant health care providers, guidance on universal screening techniques for substance use disorder at prenatal visits. Such guidance shall rely on validated screening tools and questionnaires and utilize language to help reduce stigma;

2. providing information regarding use of medication assisted treatment for pregnant women, which shall include information regarding buprenorphine training, tools for providers on effective management of women with opioid use disorder in pregnancy, and a referral list of certified providers;

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

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3. providing referral information for substance abuse counseling, social support and basic needs referrals, which shall also include guidance on referring women to home visiting services that they may be eligible for after birth; and

4. developing a system for rapid consultation and referral linkage services for obstetricians and primary care providers statewide who provide care for expectant mothers with substance use disorder.

§ 2577. Newborn screening. The commissioner, in conjunction with the commissioner of addiction services and supports, shall develop guidance for hospitals and midwifery birth centers on neonatal abstinence syndrome which shall include, but not be limited to, appropriate treatment methods for neonatal abstinence syndrome and information on home visiting services that recovering mothers may be eligible for, as well as other substances abuse services, social supports and basic need referrals in the community.

§ 2578. Provider education. The commissioner shall develop or approve a continuing medical education course for neonatal nurses, obstetricians, midwives, pediatricians, and other health care providers regarding treatment of expectant mothers and new mothers suffering from substance use disorder, and the treatment of newborns suffering from neonatal abstinence syndrome, which may include federally approved buprenorphine training, in order to facilitate comprehensive prenatal and postpartum care to this population.

§ 2579. Workgroup. The commissioner, in conjunction with the commissioner of addictions services and supports, shall convene a workgroup of stakeholders, including but not limited to, hospitals, local health departments, obstetricians, midwives, pediatricians, and substance abuse providers to study and evaluate current barriers and challenges in identifying and treating expectant mothers, newborns, and new parents with substance use disorder. The workgroup shall report on its findings and recommendations to the commissioner, the speaker of the assembly and the temporary president of the senate within one year of the effective date of this section.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.