# STATE OF NEW YORK

1877

2023-2024 Regular Sessions

# IN SENATE

January 17, 2023

Introduced by Sens. BROUK, CLEARE, HOYLMAN-SIGAL, MYRIE, PERSAUD, SALAZAR, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues

AN ACT to amend the public health law, in relation to requiring the department of health to develop and maternal health care providers to distribute written information about episiotomy to maternity patients

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

Section 1. The public health law is amended by adding a new section 2500-m to read as follows:

**§ 2500-m. Duty of providers of maternity services to inform. 1. (a) Every maternal health care provider shall provide the written communication established in subdivision two of this section prior to delivery to each pregnant patient for whom a vaginal delivery is planned.**

**(b) Every maternal health care provider who attends to a vaginal delivery which was not planned prenatally shall provide the written communication established in subdivision two of this section to the patient following delivery.**

**(c) As used in this section: "maternal health care provider" or "provider" shall mean a physician, midwife, nurse practitioner, or physician assistant, acting within the practitioner's scope of practice, managing the pregnancy or labor of a pregnant patient.**

**2. (a) The commissioner shall develop a written communication or communications for maternal health care providers to distribute to maternity patients as required in subdivision one of this section, which contains information about episiotomy. The commissioner shall consult with appropriate health care professionals, providers, consumers, educators and patients or organizations representing them, including but not limited to the American College of Obstetricians and Gynecologists and the New York State Association of Licensed Midwives to develop such written communication or communications.**

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

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**(b) Such written communication or communications shall include, but not be limited to information on:**

**i. potential maternal injuries associated with episiotomy;**

**ii. the impact an episiotomy may have on future deliveries;**

**iii. circumstances in which episiotomy may be necessary to save the life or protect the health of the mother or fetus; and**

**iv. the general requirement that an episiotomy may only be done with the patient's consent and the circumstances in which an episiotomy may be done without patient consent.**

**(c) The commissioner shall ensure that all information included in the written communication or communications are maintained and updated to reflect current clinical guidelines.**

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the commissioner of health shall make regulations and take other actions reasonably necessary to implement this act on that date.