

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:

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

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

TITLE 4-A

CHILDREN AND RECOVERING MOTHERS

7 Section 2576. Recovering expectant mother program.

8 2577. Newborn screening.

9 2578. Provider education.

10 2579. Workgroup.

11 § 2576. Recovering expectant mother program. There shall be estab-
12 lished a recovering expectant mothers program within the department
13 whereby the commissioner, in consultation with the commissioner of
14 addiction services and supports, shall provide guidance, education and
15 assistance to providers caring for recovering expectant mothers, which
16 shall include, but not be limited to:

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

21 2. providing information regarding use of medication assisted treat-
22 ment for pregnant women, which shall include information regarding
23 buprenorphine training, tools for providers on effective management of
24 women with opioid use disorder in pregnancy, and a referral list of
25 certified providers;

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

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

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

8 § 2577. Newborn screening. The commissioner, in conjunction with the
9 commissioner of addiction services and supports, shall develop guidance
10 for hospitals and midwifery birth centers on neonatal abstinence
11 syndrome which shall include, but not be limited to, appropriate treat-
12 ment methods for neonatal abstinence syndrome and information on home
13 visiting services that recovering mothers may be eligible for, as well
14 as other substances abuse services, social supports and basic need
15 referrals in the community.

16 § 2578. Provider education. The commissioner shall develop or approve
17 a continuing medical education course for neonatal nurses, obstetri-
18 cians, midwives, pediatricians, and other health care providers regard-
19 ing treatment of expectant mothers and new mothers suffering from
20 substance use disorder, and the treatment of newborns suffering from
21 neonatal abstinence syndrome, which may include federally approved
22 buprenorphine training, in order to facilitate comprehensive prenatal
23 and postpartum care to this population.

24 § 2579. Workgroup. The commissioner, in conjunction with the commis-
25 sioner of addictions services and supports, shall convene a workgroup of
26 stakeholders, including but not limited to, hospitals, local health
27 departments, obstetricians, midwives, pediatricians, and substance abuse
28 providers to study and evaluate current barriers and challenges in iden-
29 tifying and treating expectant mothers, newborns, and new parents with
30 substance use disorder. The workgroup shall report on its findings and
31 recommendations to the commissioner, the speaker of the assembly and the
32 temporary president of the senate within one year of the effective date
33 of this section.

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