STATE OF NEW YORK

6082

2023-2024 Regular Sessions

IN SENATE

March 28, 2023

Introduced by Sen. FERNANDEZ -- 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 commissioner of health to develop an informational pamphlet providing resources to individuals who have suffered a pregnancy loss or infant loss

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 "Ava's law".

§ 2. Subdivision 1 of section 206 of the public health law is amended by adding a new paragraph (w) to read as follows:

(w) develop and transmit to maternal health care providers in the state a pamphlet containing information for individuals who have suffered a pregnancy loss or infant loss, which for the purposes of this paragraph shall include but not be limited to, miscarriage, stillbirth, or termination for medical reasons. Each maternal health care provider shall make the pamphlet available to patients who have suffered a pregnancy loss or infant loss and applicable partners, spouses or significant others during the discharge of the patient, in print and with a link to such information on the department's women's health website.

(1) Such pamphlet shall include:

(i) Standardized information on what to expect following a pregnancy loss or infant loss, including but not limited to the potential effect of such a loss on mental and physical health, navigating grief, hormone changes, and options to address potential milk production. The commissioner shall work with the American College of Obstetricians and Gynecologists and the New York State Association of Licensed Midwives to develop the information provided for under this paragraph. Such pamphlet shall also include standardized language about the importance of seeking and receiving reproductive health follow-up care.

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

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(ii) Contact information for local resources available in the county in which such pamphlet will be distributed. The county shall submit to the department annually, by a date to be determined by such department, contact information for such local resources. The department shall incorporate such contact information into the pamphlet to be provided to the county prior to distributing such pamphlet to each county. The county, at a minimum, shall provide contact information for:

(A) mental health services and counseling;

(B) milk banks where individuals can donate breastmilk either locally or by mail;

(C) free follow-up gynecological care; and

(D) postpartum doula care resources.

If any of the resources required by this clause are not available in such county, contact information for such resources in nearby counties shall be provided.

(2) Such pamphlet may also include any other additional information, resources, or contact information the county provides annually to the department for inclusion in such pamphlet.

(3) Such pamphlet shall be made available on the department's women's health website, established under subdivision seven of section two hundred sixty-six of this article. Additionally, reference to such website shall be included in the pamphlet as a source of further information.

(4) For purposes of this paragraph, the term "maternal health care provider" shall include a physician, midwife, nurse practitioner, physician assistant, other health care practitioner, and any other professional providing medical care or assistance to an individual experiencing a pregnancy loss or infant loss.

§ 3. Section 266 of the public health law is amended by adding a new subdivision 7 to read as follows:

7. The department's website shall include the informational pamphlet on pregnancy loss and infant loss created pursuant to paragraph (w) of subdivision one of section two hundred six of this article.

§ 4. This act shall take effect on the one hundred eightieth 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 effective date.