

# STATE OF NEW YORK

7740--A

2023-2024 Regular Sessions

## IN SENATE

November 6, 2023

Introduced by Sens. WEBB, GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Women's Issues in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to review of projects affecting the availability of maternity services

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

1 Section 1. Subparagraph (v) of paragraph (a) of subdivision 2 of  
2 section 2803 of the public health law, as added by chapter 807 of the  
3 laws of 1985, is amended to read as follows:

4 (v) standards and procedures relating to hospital operating certifi-  
5 cates, provided however, that the council shall establish minimum  
6 acceptable standards and procedures equal to the standards and proce-  
7 dures which federal law and regulation require for hospitals to qualify  
8 as providers pursuant to titles XVIII and XIX of the federal social  
9 security act. The existing state standards and procedures in effect on  
10 the date that this subdivision becomes effective shall be deemed to  
11 constitute maximum standards and procedures for purposes of limiting  
12 medical assistance reimbursement pursuant to the social services law.  
13 Such standards and procedures may thereafter be changed or added to by  
14 the council only upon the recommendation of the commissioner. For the  
15 purposes of ensuring that the health and safety of the residents of  
16 hospitals are not endangered, the council may promulgate changes in the  
17 minimum acceptable standards and procedures referred to herein upon  
18 recommendation of the commissioner. Provided, however, the commissioner  
19 shall promulgate regulations requiring that the addition of, decertif-  
20 ication of, or changes in the method of delivery of perinatal services  
21 by a general hospital shall be subject to an application under this  
22 article that requires review and approval by the council, and

23 § 2. This act shall take effect immediately.

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

LBD13442-03-4