STATE OF NEW YORK

11722

IN ASSEMBLY

September 16, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal) -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring hospitals to provide disposable diapers and wipes for newborns and menstrual products and offer infant formula for newborns at the time of discharge

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 2833 to read as follows:

§ 2833. Provision of diapers, wipes and formula to parents and legal guardians following childbirth. 1. Every hospital licensed pursuant to this article that provides maternity services shall, upon the discharge of a newborn following childbirth, provide the parents or legal guardian of such newborn with the following:

(a) a supply of disposable diapers and wipes for the newborn, in an amount to be determined by the department;

(b) a supply of menstrual products, in an amount to be determined by the department; and

(c) the option to receive a one-week supply of infant formula, at no cost, for the newborn.

2. Acceptance or refusal of such supplies shall be voluntary and at the sole discretion of the parents or legal guardian.

3. Compliance with the provisions of this section shall not affect a hospital's eligibility to participate in the department's breastfeeding friendly practice designation program.

4. The commissioner shall promulgate rules and regulations necessary to implement the provisions of this section, including but not limited to:

(a) establishing the minimum quantity of disposable diapers, wipes, and menstrual products required to be provided pursuant to paragraphs (a) and (b) of subdivision one of this section; and

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

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(b) defining a one-week supply of infant formula for purposes of this section, taking into account the nutritional needs of newborn infants and prevailing pediatric guidance.

§ 2. 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.