

STATE OF NEW YORK

1541--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. PAULIN, BURDICK, GONZALEZ-ROJAS, SIMON, WOERNER, FORREST, SAYEGH, KELLES, JACOBSON, EPSTEIN, LEVENBERG, CLARK, REYES, BICHOTTE HERMELYN, ZINERMAN, ZACCARO, ROZIC, LEE -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to establishing the cesarean births review board

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

1 Section 1. The public health law is amended by adding a new section
2 2500-n to read as follows:

3 § 2500-n. Cesarean births review board. 1. There is hereby established
4 in the department the cesarean births review board, hereinafter referred
5 to as the "board". The members of the board shall be comprised of
6 experts in the fields of maternal mortality, maternal health, and public
7 health. The appointment of any member of the board shall be based in
8 part on the objective of ensuring that the board includes experts who
9 are representative of the racial, ethnic, and socioeconomic diversity of
10 the birthing people of the state.

11 2. The board should be composed of fourteen members which shall
12 include eight members to be appointed by the governor as follows: two
13 licensed midwives in the state; two licensed and registered nurses
14 specializing in obstetrics in the state; two physicians specializing in
15 obstetrics and gynecology licensed and registered to practice in the
16 state; and two representatives of a women's maternal health organization
17 that operates in the state; and six additional members, two appointed on
18 the recommendation of the temporary president of the senate, two
19 appointed on the recommendation of the speaker of the assembly, one
20 appointed on the recommendation of the minority leader of the senate,
21 and one appointed on the recommendation of the minority leader of the

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

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1 assembly. The governor shall designate the commissioner, or their
2 designee, as chair of the board. Members of the board shall receive no
3 compensation for their services but may be reimbursed for necessary and
4 actual expenses incurred in the performance of their duties hereunder.

5 3. The board shall undertake a review of cesarean births at hospitals
6 in the state. The board shall issue a final report and make recommenda-
7 tions to reduce the rate of cesarean births in the state. The board
8 shall consider factors including, but not limited to:

9 (a) the primary and repeat cesarean birth rates among hospitals in the
10 state;

11 (b) the hospitals in the state that allow or encourage vaginal births
12 after cesarean births;

13 (c) the rate of vaginal births after cesarean births among hospitals
14 in the state;

15 (d) the rate of vaginal births after cesarean births that were offered
16 by hospitals in the state but declined by the birthing person;

17 (e) the rate of vaginal births after cesarean births that were
18 attempted but failed among hospitals in the state;

19 (f) the time of day unplanned cesarean births occur in hospitals, and
20 whether such correlates with the rate of cesarean births in a hospital;

21 (g) the number of birthing people who elect to have midwives attend
22 labor and delivery in hospitals in the state;

23 (h) the frequency of midwifery care during labor in hospitals across
24 the state and what impact, if any, this has on the rate of cesarean
25 births; and

26 (i) the number of birthing people who were informed by their health
27 care provider about the potential risks, benefits, and alternatives
28 related to cesarean births before labor.

29 4. The board may request and shall receive upon request from any
30 department, division, board, bureau, commission, local health depart-
31 ments or any other agency in the state or political subdivision thereof
32 or any public authority, such information, including but not limited to
33 medical records, birth records, and any other information that will help
34 the department under this section to properly carry out its functions,
35 powers and duties.

36 5. The board shall, within eighteen months of convening, issue a final
37 report on its findings and recommendations to the governor, speaker of
38 the assembly, and temporary president of the senate. The board shall
39 post a copy of such report on the department's website.

40 6. The board shall keep confidential any information collected or
41 received under this section that includes personal identifying informa-
42 tion of the birthing person, health care practitioner or practitioners
43 or anyone else individually named in such information, as well as the
44 hospital or facility that treated the birthing person, and any other
45 information such as geographic location that may inadvertently identify
46 the birthing person, practitioner or facility, and shall use the infor-
47 mation provided or received under this section solely for the purposes
48 of improvement of the quality of maternal health care.

49 § 2. This act shall take effect immediately.