

# STATE OF NEW YORK

1541--B

Cal. No. 61

2025-2026 Regular Sessions

## IN ASSEMBLY

January 10, 2025

Introduced by M. of A. PAULIN, BURDICK, GONZALEZ-ROJAS, SIMON, WOERNER, FORREST, SAYEGH, KELLES, JACOBSON, LEVENBERG, CLARK, REYES, BICHOTTE HERMELYN, ZINERMAN, ZACCARO, ROZIC, LEE, McDONALD -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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

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

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1 appointed on the recommendation of the speaker of the assembly, one  
2 appointed on the recommendation of the minority leader of the senate,  
3 and one appointed on the recommendation of the minority leader of the  
4 assembly. The governor shall designate the commissioner, or their  
5 designee, as chair of the board. Members of the board shall receive no  
6 compensation for their services but may be reimbursed for necessary and  
7 actual expenses incurred in the performance of their duties hereunder.

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

12 (a) the primary and repeat cesarean birth rates among hospitals in the  
13 state;

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

16 (c) the rate of vaginal births after cesarean births among hospitals  
17 in the state;

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

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

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

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

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

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

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

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

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

52 § 2. This act shall take effect immediately.