

STATE OF NEW YORK

7460

2025-2026 Regular Sessions

IN SENATE

April 17, 2025

Introduced by Sens. RIVERA, ASHBY, BROUK, HINCHEY, MAY, PARKER, WEBB --
read twice and ordered printed, and when printed to be committed to
the Committee on Health

AN ACT to amend the public health law, the social services law and the
family court act, in relation to establishing the maternal-infant care
centers pilot program; and providing for the repeal of such provisions
upon expiration thereof

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

1 Section 1. The public health law is amended by adding a new section
2 2509-e to read as follows:

3 § 2509-e. Maternal-infant care centers pilot program. There shall be
4 established a maternal-infant care centers pilot program whereby the
5 commissioner, in consultation with the commissioner of addiction
6 services and supports, shall certify or designate at least four mater-
7 nal-infant care centers in areas of need in the state. Such centers
8 shall provide cost effective, necessary services and enhance the quality
9 of care for targeted populations in order to demonstrate the effective-
10 ness of such program. Eligible infants shall be under one year of age
11 and be experiencing withdrawal resulting from in utero exposure due to
12 substance use disorder. Such infant withdrawal may be the result of
13 conditions including, but not limited to, neonatal abstinence syndrome
14 or neonatal opioid withdrawal syndrome. The program shall provide more
15 appropriate settings and cost effective care for these infants than
16 hospitals, while also providing supports and services to parents prepar-
17 ing to bring their infants home. Access to such supports shall continue
18 for a period after the infant has left a center. The program shall
19 implement evidence-based clinically appropriate practices shown to
20 reduce the length of stay when compared to standard neonatal intensive
21 care unit care, and support family unification when appropriate for the
22 family receiving services. The evidence-based practices shall include,

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

LBD11687-01-5

1 but not be limited to, rooming-in, encouraging breastfeeding, providing
2 trauma-informed care to the parent-infant dyad, and evaluating the
3 social determinants of health. Neither a diagnosis of neonatal absti-
4 nence syndrome or neonatal opioid withdrawal syndrome, nor admission to
5 a maternal-infant care center, shall by itself constitute evidence of
6 child abuse or maltreatment, or, by itself, justify a report to the
7 state central register of child abuse and maltreatment.

8 The department shall be responsible for monitoring the quality, appro-
9 priateness and effectiveness of the centers and shall report to the
10 legislature within one year of the establishment of the maternal-infant
11 care centers and again within two years of the effective date of this
12 section on the program's effectiveness.

13 § 2. Section 420 of the social services law is amended by adding a new
14 subdivision 3 to read as follows:

15 3. No penalties for failure to report, either criminal or civil,
16 shall apply to individuals who are mandated reporters pursuant to
17 section four hundred thirteen of this title and who do not report
18 suspected abuse or maltreatment based only upon a diagnosis of neonatal
19 abstinence syndrome or neonatal opioid withdrawal syndrome, or admission
20 to a maternal-infant care center established pursuant to section twen-
21 ty-five hundred nine-e of the public health law, in the absence of any
22 other grounds to suspect abuse or maltreatment.

23 § 3. Subparagraph (B) of paragraph (i) of subdivision (f) of section
24 1012 of the family court act, as amended by chapter 984 of the laws of
25 1981, is amended to read as follows:

26 (B) in providing the child with proper supervision or guardianship, by
27 unreasonably inflicting or allowing to be inflicted harm, or a substan-
28 tial risk thereof, including the infliction of excessive corporal
29 punishment; or by misusing a drug or drugs; or by misusing alcoholic
30 beverages to the extent that [~~he~~] such parent or other person legally
31 responsible loses self-control of [~~his~~] their actions; or by any other
32 acts of a similarly serious nature requiring the aid of the court;
33 provided, however, that where the respondent is voluntarily and regular-
34 ly participating in a rehabilitative program, including but not limited
35 to a program offered at a maternal-infant care center established pursu-
36 ant to section twenty-five hundred nine-e of the public health law,
37 evidence that the respondent has repeatedly misused a drug or drugs or
38 alcoholic beverages to the extent that [~~he~~] such parent or other person
39 legally responsible loses self-control of [~~his~~] their actions shall not
40 establish that the child is a neglected child in the absence of evidence
41 establishing that the child's physical, mental or emotional condition
42 has been impaired or is in imminent danger of becoming impaired as set
43 forth in paragraph (i) of this subdivision; or

44 § 4. This act shall take effect on the one hundred eightieth day after
45 it shall have become a law, and shall expire and be deemed repealed 4
46 years after such date. Effective immediately, the addition, amendment
47 and/or repeal of any rule or regulation necessary for the implementation
48 of this act on its effective date are authorized to be made and
49 completed on or before such effective date.