STATE OF NEW YORK

802

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to requiring the commissioner of health to consult with the office of addiction services and supports to publish certain guidance on maternal depression screenings, and to amend a chapter of the laws of 2024 amending the public health law relating to maternal depression screenings, as proposed in legislative bills numbers S. 2039-B and A. 2870-B, in relation to the effectiveness thereof

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

Section 1. Subdivision 3 of section 2500-k of the public health law, as added by a chapter of the laws of 2024 amending the public health law relating to maternal depression screenings, as proposed in legislative bills numbers S. 2039-B and A. 2870-B, is amended to read as follows:

3. Maternal depression screenings. (a) The commissioner, in consultation with the office of mental health, **the office of addiction services and supports,** and other relevant stakeholders **as determined by the commissioner**, shall [~~develop and~~] publish guidance [~~and standards~~] for incorporating maternal depression screenings into routine perinatal care. This guidance shall include, but not be limited to, recommendations and best practices related to:

(i) when maternal health care providers should initiate maternal depression screenings and how often such screenings should be repeated throughout pregnancy and the postpartum period;

(ii) screening for social needs that may contribute to maternal depression such as social support, intimate partner violence, food and housing insecurity, diaper insecurity, and barriers to appropriate healthcare;

(iii) screening for substance use disorders;

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

LBD02804-01-5

(iv) referrals for appropriate follow-up evaluation, diagnosis, and treatment; and

(v) reimbursement methodologies to incentivize provider participation.

(b) The commissioner, in consultation with the office of mental health, **the office of addiction services and supports,** and other relevant stakeholders **as determined by the commissioner**, shall identify existing information and training programs designed to [~~support~~] **inform providers in an effort to promote** maternal depression screening and treatment, and publish the links to such information and training programs on the department's website. The identified information and training programs shall include the following topics:

(i) health equity;

(ii) implicit bias and cultural competency;

(iii) screening, referral and treatment options;

(iv) patient resources and available services;

(v) patients' rights;

(vi) pharmacotherapy;

(vii) trauma-informed, patient-centered care; and

(viii) other topics as identified by the commissioner.

§ 2. Section 3 of a chapter of the laws of 2024 amending the public health law relating to maternal depression screenings, as proposed in legislative bills numbers S. 2039-B and A. 2870-B, is amended to read as follows:

§ 3. This act shall take effect [~~on the one hundred eightieth day~~] **eighteen months** 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.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the public health law relating to maternal depression screenings, as proposed in legislative bills numbers S. 2039-B and A. 2870-B, takes effect.