

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 83

Introduced by the Public Advocate (Mr. Williams) and Council Members Stevens, Hanif, Cabán, Won, Restler, Yeger, Velázquez, Brooks-Powers, Rivera, Dinowitz, De La Rosa, Hudson, Riley, Narcisse, Avilés, Sanchez and Gennaro (by request of the Bronx Borough President).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to education about city standards for respectful care at birth, health care proxy forms and patients' rights

Be it enacted by the Council as follows:

Section 1. The heading of section 3-119.6 of the administrative code of the city of New York, as added by a local law for the year 2022 amending the administrative code of the city of New York, relating to a public information and outreach campaign regarding safe access to reproductive health care, as proposed in introduction number 474-A, is amended to read as follows:

§ 3-119.6 Public [Education] *education* on [Reproductive Health Care] *reproductive health care*.

§ 2. Subdivision b of section 3-119.6 of the administrative code of the city of New York, as added by a local law for the year 2022 amending the administrative code of the city of New York, relating to a public information and outreach campaign regarding safe access to reproductive health care, as proposed in introduction number 474-A, is amended to read as follows:

b. Public education. The mayor shall designate an agency to administer a public education program that informs the public regarding reproductive health care in the city. The administering

agency shall, in coordination with the commission on human rights, the department of health and mental hygiene, the department of consumer and worker protection, and such other relevant agencies as the mayor may designate, as appropriate, develop materials in furtherance of such public education program and shall post such materials on the city's website in the designated citywide languages as defined in section [20-1101] 23-1101. Such public education program shall include information regarding the following:

[(1)] 1. Protections for those seeking services or working at a reproductive health care facility as defined in section 10-1002 under the access to reproductive health care facilities law;

[(2)] 2. Title 8 protections related to sexual and reproductive health decisions, including protections from discrimination and harassment;

[(3)] 3. The remedies under title 8 available to individuals who have experienced discrimination on the basis of sexual or reproductive health decisions;

[(4)] 4. The right of an individual to bring a civil action for violations of the access to reproductive health care facilities law and for actual damages based on such law;

[(5)] 5. The range of reproductive care options that are legal and available in the city, including abortion, pregnancy counseling, and preventative and emergency contraception;

[(6)] 6. Resources on how to find comprehensive reproductive health care services in the city;

[(7)] 7. Guidance regarding privacy of protected health information for those seeking reproductive health care services;

[(9)] 9. (a) *The city's standards for respectful care at birth;*

(b) *Information regarding:*

(1) The right to be free from discrimination in relation to pregnancy, childbirth or a related medical condition, as such right is provided by the city human rights law in chapter 1 of title 8;

(2) Reasonable workplace accommodations for persons who are pregnant or were recently pregnant and caregivers, including those guaranteed by the city human rights law;

(3) Rights for a person who is pregnant or was recently pregnant under: (i) the disability benefits law and the paid family leave benefits law, as described in article 9 of the workers compensation law; (ii) the earned safe and sick time act, as provided in chapter 8 of title 20; and (iii) subchapter 6 of chapter 12 of title 20; and

(4) How to access information published by the New York state department of health on appointing a health care proxy; and

10. Any other rights related to reproductive health care that the administering agency deems appropriate.

§ 2. Paragraph 8 of subdivision b of section 3-119.6 of the administrative code of the city of New York, as added by a local law for the year 2022 amending the administrative code of the city of New York, relating to requiring the department of consumer and worker protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services, as proposed in introduction number 506-A, is amended to read as follows:

[(8)] 8. (a) Facilities that deceptively advertise or are otherwise misleading when offering reproductive health services, including information related to: (i) services such facilities do and do not typically provide; (ii) how such facilities typically depict their services to the public; (iii) the

effect such facilities have on timely and safe access to pregnancy related services; *and* (iv) how to make a complaint regarding deceptive behaviors by such facilities.

(b) The information required by this paragraph shall be made available to the public and may be updated as necessary with relevant findings by the state of New York and organizations dedicated to providing comprehensive reproductive health services; [and]

§ 3. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to a public information and outreach campaign regarding safe access to reproductive health care, as proposed in introduction number 474-A for the year 2022, takes effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 11, 2022 and approved by the Mayor on September 6, 2022.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 83 of 2022, Council Int. No. 86-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.