Legislation Details (With Text)

File #:	Int 0589-2022 **Version:** A	**Name:**	Reporting on medical care and outcomes for incarcerated pregnant persons in the custody of the department of correction.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Criminal Justice
On agenda:	7/14/2022		
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Title: A Local Law to amend the administrative code of the city of New York, in relation to reporting on medical care and outcomes for incarcerated pregnant persons in the custody of the department of correction

Sponsors: Carlina Rivera, Tiffany L. Cabán, Farah N. Louis, Shahana K. Hanif, Rita C. Joseph, Sandy Nurse, Jennifer Gutiérrez, Pierina Ana Sanchez, Diana I. Ayala, Mercedes Narcisse, Lincoln Restler, Charles Barron, Lynn C. Schulman, Crystal Hudson, Chi A. Ossé, Alexa Avilés, Selvena N. Brooks-Powers, Amanda C. Farías, Erik D. Bottcher, Darlene Mealy

Indexes: Report Required

Attachments: 1. Summary of Int. No. 589-A, 2. Summary of Int. No. 589, 3. Int. No. 589, 4. July 14, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 7-14-22, 6. Minutes of the Stated Meeting - July 14, 2022, 7. Committee Report 12/13/22, 8. Hearing Testimony 12/13/22, 9. Hearing Transcript 12/13/22, 10. Proposed Int. No. 589-A - 5/5/23, 11. Committee Report 5/11/23, 12. Hearing Transcript 5/11/23, 13. Committee Report - Stated Meeting, 14. May 11, 2023 - Stated Meeting Agenda, 15. Hearing Transcript - Stated Meeting 5-11-23, 16. Minutes of the Stated Meeting - May 11, 2023, 17. Int. No. 589-A (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 72

Date	Ver.	Action By	Action	Result
7/14/2022	*	City Council	Introduced by Council	
7/14/2022	*	City Council	Referred to Comm by Council	
12/13/2022	*	Committee on Criminal Justice	Hearing Held by Committee	
12/13/2022	*	Committee on Criminal Justice	Laid Over by Committee	
5/11/2023	*	Committee on Criminal Justice	Hearing Held by Committee	
5/11/2023	*	Committee on Criminal Justice	Amendment Proposed by Comm	
5/11/2023	*	Committee on Criminal Justice	Amended by Committee	
5/11/2023	A	Committee on Criminal Justice	Approved by Committee	Pass
5/11/2023	A	City Council	Approved by Council	Pass
5/11/2023	A	City Council	Sent to Mayor by Council	
6/11/2023	A	Administration	City Charter Rule Adopted	
6/13/2023	A	City Council	Returned Unsigned by Mayor	

Int. No. 589-A

By Council Members Rivera, Cabán, Louis, Hanif, Joseph, Nurse, Gutiérrez, Sanchez, Ayala, Narcisse, Restler, Barron, Schulman, Hudson, Ossé, Avilés, Brooks-Powers, Farías, Bottcher and Mealy

A Local Law to amend the administrative code of the city of New York, in relation to reporting on medical care and outcomes for incarcerated pregnant persons in the custody of the department of correction

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 Medical care and outcomes for incarcerated pregnant persons. a. Definitions. For purposes of this section, the following terms have the following meanings:

Department. The term "department" means the New York city department of correction.

Maternal mortality. The term "maternal mortality" means the death of a person that occurs during pregnancy, or within one year from the end of pregnancy, regardless of the duration of such pregnancy.

Pregnancy-associated death. The term "pregnancy-associated death" means the death of a person from any cause during pregnancy or within one year from the end of pregnancy.

Pregnancy-related death. The term "pregnancy-related death" means the death of a person (i) during pregnancy or within one year from the end of pregnancy that (ii) is due to a pregnancy complication, a chain of events initiated by pregnancy or the aggravation of an unrelated condition by the physiologic effects of pregnancy.

Relevant agencies. The term "relevant agencies" includes the department of health and mental hygiene, New York city health and hospitals corporation, any successor of an agency specified in this definition and any other agency that the service deems relevant.

Service. The term "service" means correctional health services, as defined in section 9-108.

b. Report. By no later than 90 days after the effective date of the local law that added this section, and every fifteenth day of February thereafter, correctional health services, in consultation with the relevant agencies, shall submit a report to the mayor and the speaker of the council and post such report on its website based on data from the prior calendar year. Such report shall include, but need not be limited to:

1. The number of pregnant persons in the custody of the department;

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2. The number of incarcerated pregnant persons whose pregnancy resulted in a live birth while in the custody of the department;

3. The number of incarcerated pregnant persons whose pregnancy resulted in a miscarriage while in the custody of the department;

4. The number of incarcerated pregnant persons whose pregnancy resulted in a still birth while in the custody of the department;

5. The number of maternal mortalities known to the service while in the custody of the department;

6. The number of maternal mortalities while in the custody of the department considered to be a pregnancy-associated death, if information necessary to make such determination is available to the service;

7. The number of maternal mortalities while in the custody of the department considered to be a pregnancy-related death, if information necessary to make such determination is available to the service;

8. The number of persons in the custody of the department receiving prenatal care; and

9. The number of persons in the custody of the department receiving postnatal care.

c. Confidentiality. The service shall report information required by subdivision b of this section in a manner that does not jeopardize the confidentiality of an incarcerated pregnant person.

§ 2. This local law takes effect immediately.

NLB, JW
LS #5783
5.3.23

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