



## Legislation Text

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### Res. No. 1408

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A. 10440/S. 8307, relating to accreditation, approval, and operation of midwifery birth centers.

By Council Members Rosenthal, Gibson, Ayala, Rose, Adams, Louis and Cornegy

Whereas, A novel coronavirus, called SARS-CoV-2, first emerged in late 2019 and spread rapidly around the world; and

Whereas, The virus has greatly impacted New York City, which was the epicenter of the pandemic for months; and

Whereas, As of July 28, 2020, 220,907 residents of New York City had tested positive for the disease caused by SARS-CoV-2, called COVID-19, with over 56,000 hospitalized for treatment; and

Whereas, COVID-19 has disproportionately impacted New Yorkers who are Black, Latinx, and lower income; and

Whereas, New York City's hospital systems were stretched dangerously thin during the crisis, with hospitals concerned about access to equipment and resources; and

Whereas, Pregnant people and people giving birth during the pandemic are facing additional stress and barriers to care, along with the typical stress associated with childbirth; and

Whereas, According to the New York Times, people who gave birth during the peak of cases in the city in spring 2020 reported issues with being able to have their partners with them for the duration of their recovery, with being separated from their newborns if they test positive for COVID-19, and with other issues; and

Whereas, According to the American Association of Birth Centers, a birth center is a freestanding health care facility for childbirth where care is provided in the midwifery and wellness model, and is not a hospital; and

Whereas, In 2016, Public Health Law Article 28 was amended to promote midwifery birth centers (MBCs), and, almost four years later, there is not a single MBC licensed under Article 28; and

Whereas, According to the New York Times, as of 2018, New York State had only three free-standing birthing centers, whereas Texas had more than 70 centers and California had about 40; and

Whereas, To better address the needs of pregnant people and newborns during the pandemic, the State developed a COVID-19 Maternity Task Force; and

Whereas; The Task Force recommended the New York State Department of Health (NYSDOH) move to expedite the finalization of the licensure process for the establishment of midwifery led birthing centers in New York State; and

Whereas, By expediting the final licensure process, NYSDOH will help to ensure there are sufficient birthing facilities available to meet community need during emergency situations; and

Whereas, Governor Andrew Cuomo, in response to the recommendations, announced that NYSDOH approved two new temporary birthing centers and is also now accepting Certificate of Need applications for MBCs pursuant to Public Health Law Article 28; and

Whereas, A. 10440/S. 8307, sponsored by Assembly Member Richard Gottfried and Senator Gustavo Rivera, relates to the accreditation, approval, and operation of MBCs; and

Whereas, This legislation would provide that if a proposed MBC meets the standards of a national accrediting organization that specializes in accrediting MBCs and is recognized by NYSDOH, then the proposed MBC shall be deemed to meet New York's requirements for issues covered by those standards; and

Whereas, A. 10440/S. 8307 would make it easier for MBCs to be established in New York, which will

provide more birthing options for pregnant people; and

Whereas, COVID-19 and maternal mortality and morbidity disproportionately impact those who are Black and Latinx, therefore, the state should act to ensure individuals have as many safe birthing options as possible and work to further address racial health disparities; now, therefore, be it

Resolved, The Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A. 10440/S. 8307, relating to accreditation, approval, and operation of midwifery birth centers

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