

**A860 (Rosenthal)**

**S845 (Salazar)**

## **Maternal Health, Dignity and Consent Act**

### **NYSNA Memorandum in Support**

The New York State Nurses Association represents more than 44,000 nurses for collective bargaining and is a leading advocate for universal health care, protecting patient safety and nurse practice standards, and addressing the inequities that limit access to effective care and contribute to unacceptably high rates of maternal and infant mortality that affect women.

Maternal and infant mortality rates in the U.S. greatly exceed those of other similarly developed “peer” nations. In addition, the mortality and morbidity rates for Black pregnant women and mothers remain New York 4 to 5 times higher than those for white mothers, despite ongoing efforts to reduce these racial disparities.

NYSNA nurses believe that inherent racial and class biases and structural barriers to care are major factors contributing to the ongoing crisis in maternal health outcomes and constitute a public health crisis. We also believe that all patients are entitled to bodily autonomy and should be allowed to make their own healthcare decisions in consultation with their professional providers.

Under current law, professional healthcare providers are authorized or even encouraged to unilaterally decide upon and administer alcohol, cannabis and drug tests to pregnant persons and newborns, without the knowledge or consent of their patients. This does not only violate the patient’s right to decide on their own best course of care but also discourages or dissuades patients from seeking needed care, contributing to, and worsening high maternal and infant mortality and health outcomes.

The proposed legislation would codify current DOH recommendations and widely recognized best practices to promote the health and well-being of pregnant and post-partum people by prohibiting health care practitioners from conducting drug, cannabis and alcohol testing without the informed consent of the patient and a determination that such testing is necessary for clinical purposes. This will remove the fear that seeking perinatal care may lead to punitive actions and encourage all women to get out the care that they need without fear or hesitation.

NYSNA strongly supports the Maternal Health, Dignity and Respect Act (A860/S845) and urges the legislature to pass this needed legislation to improve access to needed care and improve maternal and infant health outcomes.