

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

No. 78

Introduced by Council Members Rivera, Gutiérrez, Joseph, Louis, Hudson, Hanif, Nurse, Abreu, Restler, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Sanchez, Lee, Powers, Richardson Jordan and The Speaker (Council Member Adams).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make medication abortion available at no cost to a patient at its health clinics

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-184.1 to read as follows:

§ 17-184.1 Availability of medication abortion. a. Subject to sufficient appropriations to meet the requirements of this subdivision, the department shall make available medication approved by the United States food and drug administration for medication abortion at no cost to a patient at health clinics operated by the department where services relating to sexual health are offered and where the department determines making such medication available would be appropriate for the patient population served by such clinic. At such clinics, the department shall make medication for medication abortion available to a patient who seeks to terminate a pregnancy when the use of such medication is indicated and in accordance with the medically reasonable and good faith professional judgment of such patient's medical provider.

b. The department shall provide counseling and timely referrals to other health facilities and family planning providers in accordance with the assessment of the needs of a patient by the department.

c. Nothing in this section shall require the department to provide to a patient any medication that the department or a medical provider providing services in a health clinic described in subdivision a of this section does not find to be indicated in such provider's professional judgment. Nor shall anything in this section prevent the department from offering any other service not described in this section at any location where it provides medical care.

d. Nothing in this section shall create a private right of action, nor be the basis of a claim of medical malpractice against the department or against any medical provider providing services in a health clinic described in subdivision a of this section.

§ 2. This local law takes effect 1 year after it becomes law.

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 July 14, 2022 and approved by the Mayor on August 12, 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. 78 of 2022, Council Int. No. 507-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.