

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HOSPITALS

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July 18, 2019
Start: 12:33 PM
Recess: 12:35 PM

HELD AT: Committee Room - City Hall

B E F O R E: Carlina Rivera
Chairperson

COUNCIL MEMBERS: Mathieu Eugene
Stephen T. Levin
Antonio Reynoso
Francis P. Moya

A P P E A R A N C E S (CONTINUED)

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2 [PEDRO LUGO] Test, test, this is the
3 Committee on Hospitals, date 7/18/2019, in the
4 Committee Room, recording done by Pedro Lugo.

5 [pause]

6 CHAIRPERSON RIVERA: [gavel] Quiet,
7 please.

8 UNIDENTIFIED: Quiet, please. Good
9 afternoon, everyone. Thank you so much for your
10 patience. I am Council Member Carlina Rivera, chair
11 of the Committee on Hospitals. Thank you all for
12 being here today. Today the committee will vote on
13 Resolution number 746, sponsored by Council Member
14 Levin and myself, which calls on the New York State
15 Legislature to pass and the governor to sign
16 legislation requiring the New York State Department
17 of Health to create clear and fair regulations for
18 hospitals on drug testing, those who are pregnant or
19 giving birth, including informing patients of their
20 rights before any discussion of drug use or drug
21 testing. While we know that there is no data
22 suggesting that marijuana use is safe during
23 pregnancy, studies have shown that low-income
24 pregnant people and pregnant people who are black and
25 Latinx are disproportionately tested for drug use. A

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2 study from 2007 found that women who are black and
3 their newborns were 1.5 times more likely to be
4 tested than nonblack women. Not only are these women
5 more likely to be tested, they are also more likely
6 to be reported to child welfare services. Currently
7 it is unclear how hospitals determine when drug
8 testing is necessary. Health and Hospitals corporate
9 policy, which is not available to the public,
10 outlines risk indicators and criteria for screening
11 and testing at-risk pregnant women and newborns for
12 alcohol abuse and exposure to other drugs during
13 pregnancy. Risk indicators include minimal or no
14 prenatal care, a history of substance abuse or
15 treatment within the previous three months, placental
16 abruption, and severe mood swings. This type of
17 discretion allows race, class, and other factors to
18 play a hand in hospital drug testing. We need clear,
19 fair, and transparent regulations in order to keep
20 everyone, especially families and children, safe. We
21 must ensure that drug testing is an equitable
22 process. The New York State Legislature should pass
23 legislation requiring the New York State Department
24 of Health to create clear and fair regulations for
25 hospitals on drug testing and we should make sure

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2 that patients are informed of their rights before any
3 discussion of drug use or drug testing. And so with
4 that I'm actually going to call the roll for a vote.
5 Or you're going actually. So I support you.

6 [COMMITTEE CLERK MARTIN]: Lee Martin,
7 committee clerk, roll call vote, Committee on
8 Hospitals, Resolution 746, Chair Rivera. Eugene.

9 COUNCIL MEMBER EUGENE: Aye.

10 [COMMITTEE CLERK MARTIN]: Levine.

11 COUNCIL MEMBER LEVIN: Aye.

12 [COMMITTEE CLERK MARTIN]: Reynoso.

13 COUNCIL MEMBER REYNOSO: Very proudly
14 vote aye.

15 [COMMITTEE CLERK MARTIN]: Moya.

16 COUNCIL MEMBER MOYA: Aye.

17 [COMMITTEE CLERK MARTIN]: Vote five in
18 the affirmative, zero in the negative, and no
19 abstention. It has been adopted by the committee.

20 CHAIRPERSON RIVERA: And with that, I
21 thank you all for being here, and we're adjourning
22 this committee meeting.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date July 20, 2019