



OFFICE OF THE PRESIDENT  
BOROUGH OF MANHATTAN  
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007  
(212) 669-8300 p (212) 669-4306 f  
431 West 125th Street, New York, NY 10027  
(212) 531-1609 p (212) 531-4615 f  
[www.manhattanbp.nyc.gov](http://www.manhattanbp.nyc.gov)

**Gale A. Brewer, Borough President**

**November 15, 2017**

**Gale A. Brewer, Manhattan Borough President  
Testimony before the New York City Council  
Committee on Consumer Affairs**

**Oversight: Enforcement of Local Law 17 of 2011 and the Regulation of  
Pregnancy Service Centers.**

My name is Gale Brewer and I am the Manhattan Borough President. Thank you Chair Espinal for holding this hearing on city enforcement of Local Law 17 of 2011 and the regulation of pregnancy service centers.

Over six years ago, while representing the upper West Side in the New York City Council, I proudly sponsored and voted on Local Law 17 of 2011. The Council found evidence that some pregnancy service centers, also referred to as crisis pregnancy centers, were deceptively providing consumers with misinformation about their resources and services, including the availability of on-site medical providers or care as well as usage of third party referrals for said services in their printed materials, advertisements, web content and on-site. Our legislative intent was to provide consumers with transparency, especially in accessing reproductive health services including prenatal care, abortion and emergency contraception, all of which are particularly time sensitive.

According to the law and the rules promulgated by the New York City Department of Consumer Affairs (DCA), pregnancy service centers must meet disclosure requirements for posted signage at each of the center's public entrance doors and in the waiting areas as well as in all advertisements, public materials, web content and in oral discussions. These requirements and the disclosure sign are available on the City's website in English and Spanish.

My office took a closer look at how these centers with physical sites are complying with the law in Manhattan. This week my staff visited three pregnancy service centers: Pregnancy Help NYC Inc. (229 West 14 Street), Sisters of Life Visitation Mission (257 East 71st Street) and Avail NYC (115 West 45 Street).

At Pregnancy Help NYC Inc., we found none of the required disclosures posted at the entrances or within the waiting area. Upon inquiry, staff did say that they don't have medical personnel on-site and it was not a medical facility. Their website did not feature the required disclosure either.

At Sisters of Life, we found none of the required disclosures posted at the entrances or within the waiting area. Upon inquiry, staff did say that it was not a medical facility but would be able to make referrals. Their printed materials and website did not feature the required disclosure either.

At Avail NYC, we found none of the required disclosures posted at the entrances, within the waiting area or in the printed materials. Their website states that Avail is not a medical facility and that their pregnancy verification services are provided by referral to a licensed medical center. Its website provides contradictory information about the availability of medical referral on site. For instance, during an onsite visit, there was no evidence that ultrasound exams were provided there despite their claim on the website (see the statement below on their "Pregnancy Verification & Decision-Making Services"):

*"By working with a women's medical clinic, which operates a satellite medical office on-site at Avail, Avail offers free ultrasound exams in NYC by referral to qualifying clients. An ultrasound exam can be a useful tool for you in your decision-making process, and results are available the same day."*

This is immediately followed by: *"Note: Avail NYC is a decision-making center, not a medical facility. Avail works with a women's medical facility to provide free ultrasound exams to qualifying clients."*

In response to an in-person inquiry though, Avail staff stated that they don't have medical personnel onsite, that it was not a medical facility, and that the services were not available in the office.

The results of our Manhattan survey clearly demonstrate non-compliance and I wouldn't be surprised if similar violations were identified citywide. Intentional obfuscation of available reproductive health services demands stronger and more pro-active regulatory monitoring approach.

I hope that today's hearing provides the Council and the public with up-to-date, accurate information on the larger pattern of compliance issues and why DCA should increase enforcement.

I know that service providers and advocates like Planned Parenthood NYC and National Institute for Reproductive Health (formerly NARAL NY) work to make sure New Yorkers are provided with accurate information to obtain the information and services they need. All providers must be held to the same high standard.

Thank you again for the opportunity to testify.