

As Introduced

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H. B. No. 614

Representative Huffman

Cosponsors: Representatives Terhar, Adams, J., Blair, Yuko, Scherer, Beck,
Derickson, Ruhl

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A BILL

To amend section 3711.12 of the Revised Code to 1
require that rules governing maternity units, 2
newborn care nurseries, and maternity homes 3
include certain provisions pertaining to the 4
authority to make decisions regarding the transfer 5
of patients to other facilities. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3711.12 of the Revised Code be 7
amended to read as follows: 8

Sec. 3711.12. (A) The director of health shall adopt rules in 9
accordance with Chapter 119. of the Revised Code as the director 10
considers necessary to implement the requirements of this chapter 11
for licensure and operation of maternity units, newborn care 12
nurseries, and maternity homes. The rules shall include provisions 13
for the following: 14

(1) Licensure application forms and procedures; 15

(2) Renewal procedures, including procedures that address the 16
right of the director of health, at the director's sole 17
discretion, to conduct an inspection prior to renewal of a 18

license;	19
(3) Initial license fees and license renewal fees;	20
(4) Fees for inspections conducted by the director under section 3711.10 of the Revised Code;	21 22
(5) Safety standards, quality-of-care standards, and quality-of-care data reporting requirements;	23 24
(6) Reporting and auditing requirements;	25
(7) Inspection criteria, procedures, and guidelines;	26
(8) Any other rules necessary to implement this chapter.	27
(B) <u>Any rules adopted under this section that pertain to the transfer of a pregnant woman, mother, or newborn child to a different facility because of circumstances related to the health condition of the pregnant woman, mother, or newborn child, including a health condition resulting from having or the potential for having a newborn child with a low birth weight or low gestational age, shall include provisions that do both of the following:</u>	28 29 30 31 32 33 34 35
<u>(1) Permit an attending physician, acting in good faith, to make the decision that the physician considers best with respect to the transfer;</u>	36 37 38
<u>(2) Grant a person who has authority to consent to the transfer, including the pregnant woman, mother, or guardian of the woman, mother, or newborn child, the right to refuse the transfer once information has been provided to the person regarding the risks and benefits of the transfer.</u>	39 40 41 42 43
(C) When adopting rules under this section, the director shall give consideration to recommendations regarding obstetric and newborn care issued by the American college of obstetricians and gynecologists; American academy of pediatrics; American academy of family physicians; American society of	44 45 46 47 48

anesthesiologists; American college of nurse-midwives; United 49
States centers for disease control and prevention; association of 50
women's health, obstetric and neonatal nurses; and association of 51
perioperative registered nurses, or their successor organizations. 52
The director shall also consider the recommendations of the 53
maternity and newborn advisory council established in section 54
3711.20 of the Revised Code. 55

Section 2. That existing section 3711.12 of the Revised Code 56
is hereby repealed. 57