As Introduced

133rd General Assembly
Regular Session 2019-2020

H. B. No. 435

Representative Crawley

Cosponsors: Representatives Boyd, Howse, Russo, Kelly, Lepore-Hagan, Hicks-Hudson, Lightbody, Brent, West, Miller, A., Miranda, Leland, Crossman, Boggs, Sobecki, Blair

A BILL

To enact sections 3702.35, 3702.36, and 3738.20 of the Revised Code to enact the "Save Our Mothers Act" for the purpose of establishing continuing education requirements for birthing facility personnel and an initiative to improve birth equity, reduce peripartum racial and ethnic disparities, and address implicit bias in the healthcare system.

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

Section 1. That sections 3702.35, 3702.36, and 3738.20 of the Revised Code be enacted to read as follows:

Sec. 3702.35. (A) As used in this section and section 3702.36 of the Revised Code:

(1) "Freestanding birthing center" means any facility in which deliveries routinely occur, regardless of whether the facility is located on the campus of another health care facility, and which is not licensed under Chapter 3711. of the
(2) "Hospital" means a hospital registered with the department of health under section 3701.07 of the Revised Code.

(B) The director of health shall adopt rules establishing requirements for hospitals and freestanding birthing centers to conduct annual continuing education for employees and contractors who routinely care for pregnant and postpartum women, including employees and contractors of the facility's emergency department. In establishing the requirements, the director may consult with the American college of obstetricians and gynecologists and other professional associations concerned with the care of pregnant and postpartum women.

Among the requirements shall be a requirement that each hospital and freestanding birthing center provide its employees and contractors educational modules on each of the following in accordance with acceptable and prevailing standards of care:

(1) Severe maternal hypertension;

(2) Obstetric hemorrhage;

(3) The two most prevalent obstetric complications, other than those specified in divisions (B)(1) and (2) of this section, as identified in the most recent biennial report prepared under section 3738.08 of the Revised Code by the pregnancy-associated mortality review (PAMR) board established under section 3738.01 of the Revised Code.

The modules shall be updated and provided not less than annually. The director shall require that hospitals and freestanding birthing centers apply to the appropriate professional licensing boards to have each educational module
approved for continuing education credit.

(C) All rules adopted under division (B) of this section shall be adopted in accordance with Chapter 119. of the Revised Code.

Sec. 3702.36. The director of health shall monitor the compliance of hospitals and freestanding birthing centers with the requirements regarding continuing education established in rules adopted under section 3702.35 of the Revised Code. To that end, the director may inspect the records of any hospital or freestanding birthing center and require that each hospital and freestanding birthing center issue reports on the continuing education activities it has conducted.

Sec. 3738.20. (A) As used in this section:

(1) "Freestanding birthing center" means any facility in which deliveries routinely occur, regardless of whether the facility is located on the campus of another health care facility, and which is not licensed under Chapter 3711. of the Revised Code as a level one, two, or three maternity unit or a limited maternity unit.

(2) "Hospital" means a hospital registered with the department of health under section 3701.07 of the Revised Code.

(3) "Telemedicine services" has the same meaning as in section 3902.30 of the Revised Code.

(B) The department of health shall collaborate with the Ohio perinatal quality collaborative or its successor to develop an initiative to improve birth equity, reduce peripartum racial and ethnic disparities, and address implicit bias in the health care system. In developing the initiative, the department and Ohio perinatal quality collaborative shall consider existing
programs, including those administered or supported by the alliance for innovation on maternal health and the Ohio equity institute. The department shall ensure that the initiative includes the development of best practices for implicit bias training and education in cultural competency to be used by hospitals and freestanding birthing centers in interactions between patients and health care providers.

(C) The department of health, in collaboration with the pregnancy-associated mortality review (PAMR) board established under section 3738.01 of the Revised Code, shall make available to all hospitals and freestanding birthing centers best practices for the timely identification of all pregnant and postpartum women in the emergency department and for the appropriate and timely consultation with an obstetrician, certified nurse-midwife, or physician assistant with obstetric expertise to provide input on patient management and follow-up. A hospital or freestanding birthing center may use telemedicine services for the consultation.

(D) The director of health may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section.

Section 2. This act shall be known as the "Save Our Mothers Act."