SLS 24RS-277 ORIGINAL

2024 Regular Session

SENATE BILL NO. 151

BY SENATOR CARTER

HEALTH CARE. Provides relative to free-standing birth centers. (8/1/24)

1	AN ACT
2	To amend and reenact R.S. 40:2180.25(B)(2), relative to free-standing birth centers; to
3	provide for licensing standards for free-standing birth centers; to provide for rules
4	and regulations promulgated by the Louisiana Department of Health; and to provide
5	for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 40:2180.25(B)(2) is hereby amended and reenacted to read as
8	follows:
9	§2180.25. Rules and regulations; licensing standards
10	* * *
11	B.
12	* * *
13	(2) The rules, regulations, and licensing standards shall have the effect of law
14	and shall include but not be limited to the following:
15	(a) Licensure application and renewal, including forms, procedures, and
16	requirements. Any initial licensure requirements shall include defined standards
17	in alignment with Facility Guideline Institute and Accreditation Standard.

1	(b) Operational requirements.
2	(c) Practice standards to assure quality of care.
3	(d) Practice standards to assure quality of care and the health, safety,
4	welfare, well-being, and comfort of persons receiving care and services. The
5	practice standards shall be clearly defined for each type of practitioner
6	authorized to provide services in a free-standing birth clinic.
7	(e)(d) Confidentiality of clients' records.
8	(f)(e) Criteria and protocols to assure uniform and quality assessment,
9	diagnosis, evaluation, and referral to appropriate level of care.
10	(g)(f) Administration, personnel, and staffing requirements.
11	(h)(g) Survey and complaint investigations, including investigations into
12	allegations that a provider is operating without a license.
13	(i)(h) License types, including provisional licenses.
14	(j)(i) Denial, revocation, suspension, and nonrenewal of licenses, and the
15	appeals therefrom.
16	(k)(j) Planning, construction, and design of the center to ensure the health,
17	safety, welfare, well-being, and comfort of persons receiving care and services.
18	(1) The requirement that each free-standing birth center be located within a
19	ground-travel-time distance from a general acute care hospital providing obstetric
20	services which allows for an emergency cesarean delivery to begin within thirty
21	minutes of the decision that a cesarean delivery is necessary.
22	(m)(k) Requirements for the utilization of an approved statewide
23	transfer initiative. Requirements for each free-standing birth center to have
24	agreements or written policies and procedures with other agencies, institutions, or
25	individuals for services to clients including but not limited to:
26	(i) Laboratory and diagnostic services.
27	(ii) Obstetric consultation services.
28	(iii) Pediatric consultation services.
29	(iv) Transport services.

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	<del>(n)<u>(l)</u> I</del>	Requirements for	r each	free-stai	nding birt	h cen	ter to h	ave an establ	ished	
	consultation,	collaboration,	or	referral	system,	in	both	emergency	and	
	non-emergenc	y circumstances	s, that	falls ou	tside the	scope	e of bir	th center pra	ctice,	
	to meet the needs of a mother or baby.									
	(o)(m) Requirements for transferring and transporting clients to hospitals;									
	protocols for the transfer of any patient to a licensed hospital; and arrangements with									
	a local ambulance for the transport of emergency patients to a licensed hospital.									
	(p)(n) Requirements for documentation of adequate prenatal care during the									
	pregnancy.									
	(q)(o) Requirements for documentation and evidence that the delivery is									
	expected to be low-risk, singleton birth, and vertex presentation.									
	(r)(p) Requirements for meeting specific national standards for birth centers									
	published or established by the American Association of Birth Centers, as well as									
	requirements f	for accreditation	by the	Commi	ssion for A	Accre	editatio	n of Birth Ce	nters.	
(s)(q) Other regulations or standards that will ensure proper care a									e and	
	treatment of p	ersons receiving	care a	and servi	ces at the	free-	standin	g birth cente	r, that	
may be deemed necessary by the department for an effective administration									of this	
	Part.									
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.									
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(v) Obstetric and newborn acute care in hospitals.

Proposed law repeals the requirement that free-standing birth centers be located within a

Proposed law retains present law and adds additional requirements for the department to

and regulations for the licensing of free-standing birth centers.

include in its rules.

ground-travel-time distance from a general acute care hospital providing obstetric services

SLS 24RS-277

ORIGINAL
SB NO. 151

which allows for an emergency cesarean delivery to begin within 30 minutes of the decision that a cesarean delivery is necessary.

Effective August 1, 2024.

(Amends R.S. 40:2180.25(B)(2))