

Midwifery Business Consultation



MIDWIFERY
BUSINESS CONSULTATION

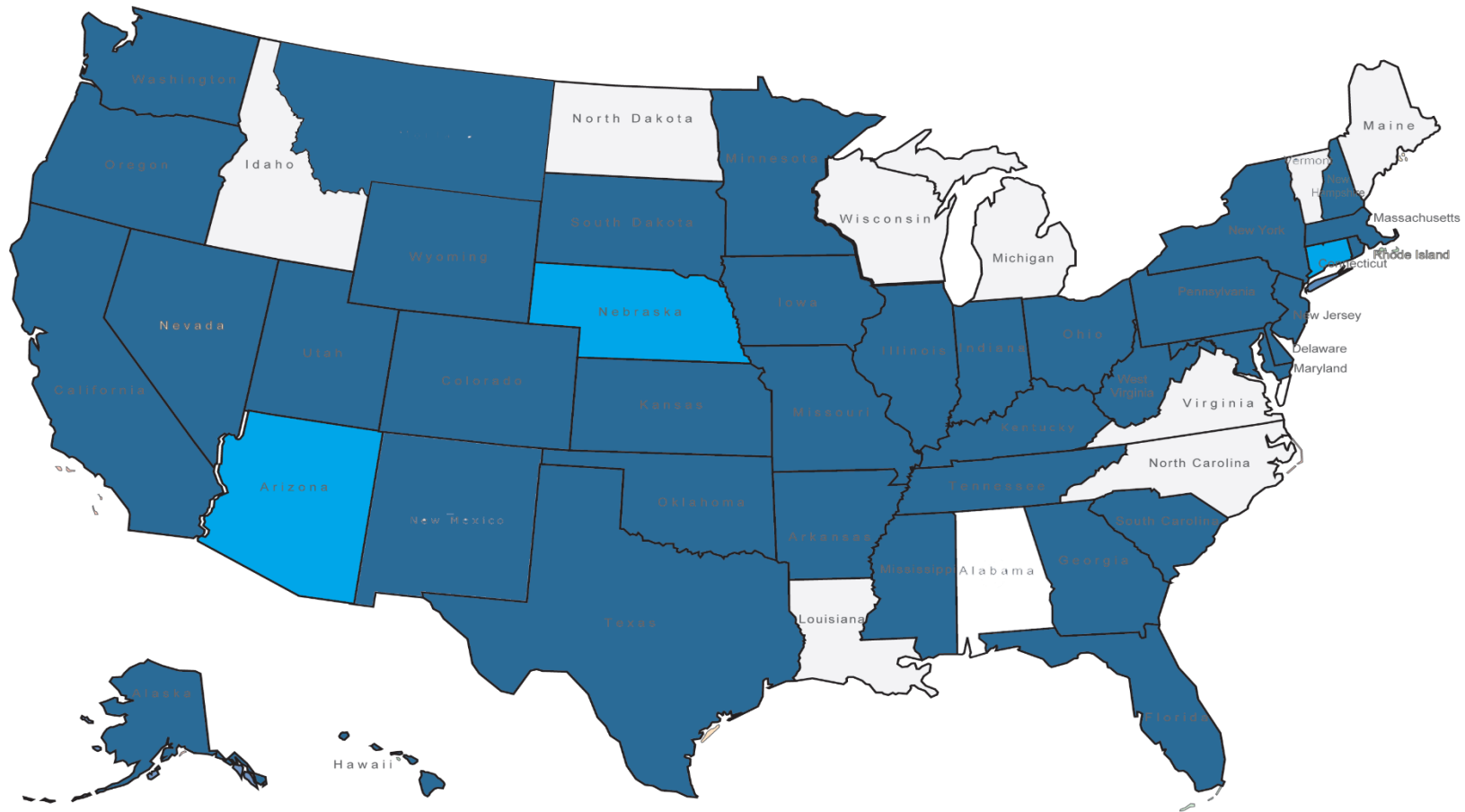
Midwifery State Regulations (as of April 20, 2021)

American Association of Birth Center (AABC) defines birth center as a health care facility for childbirth where care is provided in the midwifery and wellness model. The birth center is freestanding and not a hospital. Birth centers are an integrated part of the health care system and are guided by principles of prevention, sensitivity, safety, appropriate medical intervention and cost-effectiveness. While the practice of midwifery and the support of physiologic birth and newborn transition may occur in other settings, this is the exclusive model of care in a birth center.

The birth center respects and facilitates a woman's right to make informed choices about her health care and her baby's health care based on her values and beliefs. The woman's family, as she defines it, is welcome to participate in the pregnancy, birth, and the postpartum period. Presently, 80% of the states have some sort of regulations for birthing centers. Before you begin to ask any questions, get a copy of those regulations, and read them very carefully. Find out if there are any barriers that might complicate putting the birth center where you think you want to put it. Additionally, the regulations will cover things such as definitions, staffing, the facility, fire and building codes, and the services you can and cannot provide. For example, no states allow cesarean sections to be done in birthing centers. These regulations will also give you information about services that you must provide, policies, procedures, organization, quality assurance, and evaluation. These state regulations will serve as a guide and help you as you proceed in planning your birth center services.

Birth Centers Regulations Map

80% of states have regulations for licensing birth centers



11.25.2019



Birth Center Regulations (as of 4-20-21)

State	Regulation	Resources
ALABAMA	NO REGULATION	https://www.birthcenters.org/page/bc_regulations
ALASKA	<p>7 AAC 12.401. Determination of a free-standing birth center; scope of services</p> <p>(a) Subject to</p> <p>(b) of this section, the department will consider an entity to be a free-standing birth center if the entity</p> <p>(1) is a publicly or privately owned facility, place, or institution that is constructed, renovated, leased, rented, or otherwise established;</p> <p>(2) is a place (A) where midwifery services are provided;</p> <p>(B) that is physically separate from acute care obstetrical services;</p> <p>(C) that is administratively autonomous from a hospital or other health facility; and (D) that has a separate and required staff, including administrative staff;</p> <p>(3) is located within 20 miles by road from a hospital that provides the services required under 7 AAC 12.405(g) ; and</p> <p>(4) provides planned, nonemergency midwifery services for low-risk maternal clients (A) away from the client's residence; a birth center may not offer or provide labor or delivery services at a location other than its licensed premises;</p> <p>(B) after a documented period of prenatal care for a normal, uncomplicated pregnancy that is determined to be low-risk through physical examinations, and through risk assessments conducted in accordance with the standards developed under 7 AAC 12.403(f) ; and</p> <p>(C) who do not require hospitalization. (b) Notwithstanding (a)(2)(B), (C), and (D) of this section, a hospital or other health facility may own and</p>	https://casetext.com/regulation/alaska-administrative-code/title-7-health-and-social-services/part-1-administration/chapter-12-facilities-and-local-units/article-9-free-standing-birth-centers/section-7-aac-12403-general-service-requirements-restrictions

	<p>operate a birth center if (1) the birth center is physically separate from the hospital's obstetrical unit;</p> <p>(2) each primary care provider in the birth center is a midwife;</p> <p>(3) the birth center operates as an administratively autonomous department and is responsible for reporting directly to the governing body of the hospital or health facility on all matters concerning the birth center; and (4) the birth center is licensed separately.</p>	
ARIZONA	<p>Free Standing Birthing Centers are out-of-hospital, outpatient obstetrical facilities staffed by registered nurses and equipped to manage uncomplicated low-risk labor and delivery. The facility must be affiliated with and in close proximity to an acute care hospital for management of complications if they arise. Birthing centers must be licensed by the Arizona Department of Health Services and certified by the Commission for the Accreditation of Free Standing Birthing Centers to be registered with AHCCCS.</p> <p>“Birth center” means a health care facility that is not a hospital and is organized for the purpose of delivering newborns</p>	<p>https://www.azahcccs.gov/PlansProviders/Downloads/FFSProviderManual/FFS_Chap17BirthingCenters.pdf</p>
ARKANSAS	<p>The need for change in maternity care in the U.S. is well-documented and there is adequate evidence to support the birth center model of care as a viable strategy for change (1). Both the Institute of Medicine and the Transforming Maternity Care Partnership, a group of 100 health care leaders from delivery systems, providers, and consumers to health plans and purchasers, liability insurers and quality experts, have called for exploration of the birth center model of care(2,3). The federal government has shown support for the birth center model of care via inclusion of mandated facility fee payments to birth centers across the United States in the Patient Protection and Affordable Care Act (Section 2301 (S.3590)(4). The Centers for Medicare and Medicaid Services underscored the importance of examining the birth center model as means of providing high-quality care by including birth center care as one of 3 options for enhanced prenatal care under the Strong Start Initiative in 2012(5).</p>	<p>http://www.bcnwa.com/about-us/about-birth-centers/</p>

CALIFORNIA

An alternative birth center that is licensed as an alternative birth center specialty clinic pursuant to paragraph (4) of subdivision (b) of Section 1204 shall, as a condition of licensure, and a primary care clinic licensed pursuant to subdivision (a) of Section 1204 that provides services as an alternative birth center shall, meet all of the following requirements:

- (1) Be a provider of comprehensive perinatal services as defined in Section 14134.5 of the Welfare and Institutions Code.
 - (2) Maintain a quality assurance program.
 - (3) Meet the standards for certification established by the American Association of Birth Centers, or at least equivalent standards as determined by the state department.
 - (4) In addition to standards of the American Association of Birth Centers regarding proximity to hospitals and presence of attendants at births, meet both of the following conditions:
 - (A) Be located in proximity, in time and distance, to a facility with the capacity for management of obstetrical and neonatal emergencies, including the ability to provide cesarean section delivery, within 30 minutes from time of diagnosis of the emergency.
 - (B) Require the presence of at least two attendants at all times during birth, one of whom shall be a physician and surgeon, a licensed midwife, or a certified nurse-midwife.
 - (5) Have a written policy relating to the dissemination of the following information to patients:
 - (A) A summary of current state laws requiring child passenger restraint systems to be used when transporting children in motor vehicles.
 - (B) A listing of child passenger restraint system programs located within the county, as required by Section 27362 of the Vehicle Code.
 - (C) Information describing the risks of death or serious injury associated with the failure to utilize a child passenger restraint system.
- (b) The state department shall issue a permit to a primary care clinic licensed pursuant to subdivision (a) of Section 1204 certifying that the primary care clinic has met the requirements of this section and may

<https://law.justia.com/codes/california/2016/code-hsc/division-2/chapter-1/article-1/section-1204.3>

**CALIFORNIA
(cont')**

	<p>provide services as an alternative birth center. Nothing in this section shall be construed to require that a licensed primary care clinic obtain an additional license in order to provide services as an alternative birth center.</p> <p>(c) (1) Notwithstanding subdivision (a) of Section 1206, no place or establishment owned or leased and operated as a clinic or office by one or more licensed health care practitioners and used as an office for the practice of their profession, within the scope of their license, shall be represented or otherwise held out to be an alternative birth center licensed by the state unless it meets the requirements of this section.</p> <p>(2) Nothing in this subdivision shall be construed to prohibit licensed health care practitioners from providing birth related services, within the scope of their license, in a place or establishment described in paragraph (1).</p> <p><i>(Amended by Stats. 2013, Ch. 665, Sec. 8. Effective January 1, 2014.)</i></p>	
<p>COLORADO</p>	<p>Effective July 1, 2013, all birth centers shall be constructed in conformity with the standards adopted by the Director of the Division of Fire Prevention and Control (DFPC) at the Colorado Department of Public Safety. For construction initiated or systems installed on or after July 1, 2013, that affect patient health and safety and for which DFPC has no applicable standards, each facility shall conform to the relevant section(s) of the Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute. The Guidelines for Design and Construction of Health Care Facilities, (2010 Edition), Facilities Guidelines Institute (FGI), is hereby incorporated by reference and excludes any later amendments to or editions of the Guidelines. The 2010 FGI Guidelines are available at no cost in a read only version at: https://www.fgiguidelines.org/guidelines/2010-edition/read-only-copy/.</p>	<p>https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7258&fileName=6%20CCR%201011-1%20Chapter%2022</p>
<p>CONNECTICUT</p>	<p>Regulated under “maternity hospital” – freestanding birth center not defined</p>	<p>https://www.cga.ct.gov/2007/rpt/2007-R-0178.htm</p>

<p>DELAWARE</p>	<p>“Birthing Center” means a public or private health facility other than a hospital which is established for the purpose of delivering babies and providing immediate postpartum care. Non-emergency births are planned to occur away from the mother’s usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk scoring examination.</p>	<p>https://regulations.delaware.gov/AdminCode/title16/Department%20of%20Health%20and%20Social%20Services/Division%20of%20Public%20Health/Health%20Systems%20Protection%20(HSP)/4403.shtml</p>
<p>DISTRICT OF COLUMBIA</p> <p>DISTRICT OF COLUMBIA (cont’)</p>	<p>(a)(1) Each maternity center, regardless of size, shall have written practice guidelines establishing procedures for both normal and emergency care. The practice guidelines shall be consistent with the Practice Guidelines of the American College of Nurse-Midwives, Standards of Practice of the National Association of Certified Professional Midwives, and District of Columbia laws and regulations relating to midwifery practices. The practice guidelines shall indicate the areas of responsibility of medical, certified nurse-midwife and certified professional midwifery, and nursing personnel and the extent to which the responsibility of physicians can be delegated. The practice guidelines shall be available to all members of the center and shall be reviewed annually. The practice guidelines shall not be interpreted to set, establish, define, enumerate, or otherwise lower the applicable standard of care for a certified professional midwife or a certified nurse midwife.</p>	<p>https://code.dccouncil.us/dc/council/code/sections/3-1206.63.html</p>
<p>FLORIDA</p>	<p>A birth center is a licensed facility that is not an ambulatory surgical center, hospital or located within a hospital where births are planned to occur (following a normal, uncomplicated, low-risk pregnancy) away from the mother’s usual place of residence.</p>	<p>https://www.flrules.org/gateway/RuleNo.asp?title=BIRTH%20CENTER%20STANDARDS%20AND%20LICENSURE&ID=59A-11.003</p> <p>http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/birthing.shtml</p>
<p>GEORGIA</p>	<p>"Birth Center", "Birthing Center" or "Center" means a facility, other than the laboring woman's legal residence, which admits persons for the purpose of childbearing and which facility has not been classified and licensed by the Department as a hospital.</p>	<p>http://rules.sos.ga.gov/nllx/ml/georgiacodesGetcv.aspx?urlRedirected=yes&data=admin&lookingfor=29_0-5-41</p>

<p>HAWAII</p>	<p>“Freestanding birthing facility” means a public or private facility whose only purpose is the reception of maternity patients and the providing of care during pregnancy, delivery, and the immediate postpartum period. The service is limited to the low risk maternity mother and her newborns. It shall not have direct financial or administrative connection with a broad service hospital.</p>	<p>https://health.hawaii.gov/oppd/files/2015/06/11-93-2.pdf</p>
<p>IDAHO</p>	<ul style="list-style-type: none"> ● NO REGULATIONS ● Idaho started licensing midwives in 2010 under the Midwifery Practice Act so midwives could deliver babies in homes and at birthing centers legally. ● Idaho midwives say the move to officially license midwives brought the practice out of the shadows. But the law was only for a five-year trial period. 	<p>https://www.nwnetwork.org/post/midwives-say-idaho-licensing-law-has-brought-practice-out-shadows#:~:text=Idaho%20started%20licensing%20midwives%20in,practice%20out%20of%20the%20shadows.</p>
<p>ILLINOIS</p> <p>ILLINOIS (cont')</p>	<p>It took more than two decades of labor, but Illinois is finally poised to permit its first free-standing Birth Center, an alternative model of care for low-risk pregnant women who want to deliver in a homey environment with a reduced chance of medical interventions</p> <p>Birth Center - A birth center is defined in the Alternative Healthcare Delivery Act (Public Act 095-0445) as an alternative healthcare delivery model that is exclusively dedicated to serving the childbirthrelated needs of women and their newborns and has no more than 10 beds. A birth center is a designated site in which births are planned to occur following a normal, uncomplicated, and low-risk pregnancy that is away from the mother’s usual place of residence.</p>	<p>https://www.chicagotribune.com/lifestyles/health/ct-met-birth-center-0201-20130201-story.html</p> <p>https://www.illinois.gov/hfs/SiteCollectionDocuments/bc200.pdf</p>
<p>INDIANA</p>	<p>A birthing center is a freestanding entity that has the sole purpose of delivering a normal or uncomplicated pregnancy. A birthing center does not include a hospital licensed as a hospital under Indiana Code 16-21-2. The ISDH monitors the health care quality of birthing centers through the licensure process. ISDH surveyors visit centers bi-annually for licensure inspections or more often if complaints are filed about a center.</p>	<p>https://www.in.gov/isdh/20131.htm</p>

<p style="text-align: center;">IOWA</p>	<p>"Birth center" means any facility, institution, or place, which is not an ambulatory surgical center or a hospital or in a hospital, in which births are planned to occur away from the mother's usual residence following a normal, uncomplicated, low-risk pregnancy.. Each facility shall obtain a license (Form 427-0059) from the department. This license shall be: 1. Posted in each facility so the public can see it easily, (III) 2. Valid only for the premises and person named on the license and not be transferable, and (III) 3. Valid for one year from the date of issuance. 52.2(1) To obtain a birth center license for a facility not currently licensed as a birth center the applicant shall: a. Submit application (Form 427-0087) to the department. b. Meet all of the requirements contained in this chapter. c. Submit a letter of intent and a written description of programs and services to be provided. d. Submit a floor plan which accurately reflects the current status of the building</p>	<p>https://www.legis.iowa.gov/docs/ACO/GNAC/iacpdf(7-15-98)/iac/481iac/48152/48152.pdf</p>
<p style="text-align: center;">KANSAS</p>	<p>“Maternity center” means a facility which provides delivery services for normal, uncomplicated pregnancies but does not include a medical care facility as defined by K.S.A. 65-425 and amendments thereto. Each licensee shall ensure that the clinical services provided at the birth center are limited to those services associated with a normal, uncomplicated pregnancy and a normal, uncomplicated delivery.</p>	<p>https://www.kdheks.gov/bhfr/regs/Birth_Centers_Laws_&_Regulations.pdf</p>
<p style="text-align: center;">KENTUCKY</p>	<p>Kentucky currently has no freestanding birth centers. In fact, birth centers are referenced multiple times in Kentucky Revised Statutes and Kentucky Administrative Regulations. Alternative birth centers are establishments with permanent facilities which provide prenatal care to low risk childbearing women. An alternative birth center provides a homelike environment for pregnancy and childbirth including prenatal, labor, delivery, and postpartum care related to medically uncomplicated pregnancies.</p>	<p>https://kentuckyhomebirthcoalition.com/legislation-2020/ http://www.lrc.state.ky.us/kar/902/020/150.htm</p>
	<p>All free-standing birth centers shall be licensed by the Louisiana Department of Health. No facility, place, center, agency, person, institution, corporation, partnership, unincorporated association, group, or other legal entity providing free-standing birth center services shall be</p>	<p>https://casetext.com/statute/louisiana-revised-statutes/revised-statutes/title-40-public-health-and-safety/chapter</p>

<p>LOUISIANA</p>	<p>established or operated, or be reimbursed under the Medicaid program, unless licensed as a free-standing birth center by the department to perform such services. A license issued to a free-standing birth center shall be valid for one geographic location and issued to the entity or person and premises named in the license application. A license issued pursuant to this Part shall be valid for twelve months unless revoked or otherwise suspended prior to that date, commencing with the month of issuance. Unless otherwise renewed or stated in the rules promulgated by the department, a license issued pursuant to this Part shall expire on the last day of the twelfth month after the date of issuance. A license issued pursuant to this Part shall be on a form prescribed by the department. A license issued pursuant to this Part shall not be transferrable or assignable. A license issued to a free-standing birth center shall be posted in a conspicuous place on the licensed premises.</p>	<p>-11-state-department-of-health/title-vi-g-licensing-of-free-standing-birth-centers/section-40218024-licensure-of-free-standing-birth-centers http://legis.la.gov/legis/Laws.aspx?d=1147599</p>
<p>MAINE</p>	<p>These rules implement 22 M.R.S.A. §1532, which requires screening of newborns to detect critical congenital heart defects and submission of data to the Department. Unless the infant’s parent(s) objects on religious grounds, the responsible hospital, birthing center, physician, midwife, principal birthing attendant or other health care provider shall screen each infant either born in the State of Maine or moving to Maine within one month of birth (see Section 5.1 for infants not born in Maine) for critical congenital heart defects.</p> <p>“Birthing center” means any non-hospital health facility, institution or place designed to accommodate mothers giving birth away from home at the culmination of normal, uncomplicated pregnancies.</p>	<p>http://www.maine.gov/sos/cec/rules/10/144/144c283.doc</p>
	<p>A freestanding birthing center shall only provide normal maternity care and shall meet all general licensing requirements for a facility as provided in COMAR 10.05.01 and all requirements of this chapter.</p>	<p>https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0a_hUKEwiA1e6CkOrPAhUKeD4KHbyTAyYQFggdMAA&url=http%3A</p>

<p>MARYLAND</p>	<p>Freestanding Birthing Center. (a) "Freestanding birthing center" means a facility that provides nurse midwife services through individuals licensed to practice under Health Occupations Article, Title 8, Subtitle 6, Annotated Code of Maryland. (b) "Freestanding birthing center" does not include: (i) Birthing services that are licensed or accredited as a unit of a hospital; or (ii) The private residence of the patient.</p>	<p>http://www.fdhmh.maryland.gov/FoHcq/FCOMAR%252010.05.02.docx&usg=AFQjCNGBn_qCwZIUyVr0MjPYQep7AVpCUw&sig2=p7Ae7-EhZpLjP3CjdvOAsw</p>
<p>MASSACHUSSETS</p>	<p>Free-standing birth centers are required to obtain clinic licensure pursuant to M.G.L. c. 111, §§ 51 through 56 and to comply with the licensure and administrative requirements set forth in 105 CMR 140.000: Subpart A (105 CMR 140.100 through 140.199). Hospital-affiliated birth centers are required to operate under a hospital license issued pursuant to M.G.L. c. 111, §§ 51 through 56 and to comply with the requirements of 105 CMR 130.000: Hospital Licensure with the exception of those standards governing obstetric and newborn services (105 CMR 130.600 through 130.699).</p>	<p>https://www.mass.gov/doc/105-cmr-142-operation-and-maintenance-of-birth-centers/download</p>
<p>MICHIGAN</p>	<p style="text-align: center;">NO REGULATION</p> <p>Information that, in order to safely provide for the health of the mother and her newborn, the best place for the delivery of a child is in a hospital, hospital-based birthing center, or birthing center that is accredited by the commission for the accreditation of birth centers.</p>	<p>http://www.legislature.mi.gov/(S(rceacogonghr3ruqjx0lzd))/mileg.aspx?page=getobject&objectName=mcl-712-20</p>
<p>MINNESOTA</p>	<p>Beginning January 1, 2011, no birth center shall be established, operated, or maintained in the state without first obtaining a license from the commissioner of health according to this section. A License issued under this section is not transferable or assignable and is subject to suspension or revocation at any time for failure to comply with this section. A birth center licensed under this section shall not assert, represent, offer, provide, or imply that the center is or may render care or services other than the services it is permitted to render within the scope of the license or the accreditation issued. The license must be conspicuously posted in an area where patients are admitted.</p>	<p>https://www.revisor.mn.gov/statutes/cite/144.615</p>

<p>MISSISSIPPI</p>	<p>On April 12, 1985, the Mississippi Legislature passed an Act to provide for the licensing of birthing centers by the department or its successor; to provide for license fees; to provide for hearings prior to the denial, suspension or revocation of a license; to provide for appeals from the decision at any such hearing; to provide penalties for violations of this act, and for related purposes.</p> <p>Under and by virtue of the authority vested in it by Chapter 503 of the Laws of Mississippi, 1985, Regular Legislative Session, the department, as licensing agency, does hereby adopt and promulgate the following rules, regulations, and standards governing birthing centers licensed to operate in the State of Mississippi. The American Association of Birth Centers (AABC) Standards for Birth Centers are hereby incorporated by reference. In order to be licensed by the Mississippi State Department of Health, each birth center shall be in compliance with the AABC Standards for Birth Centers.</p>	<p>https://msdh.ms.gov/msdhsite/static/resources/110.pdf</p>
<p>MISSOURI</p> <p>MISSOURI (cont')</p>	<p>Birthing center—A facility, not licensed as part of a hospital, which provides maternity care away from the mother’s usual residence and where low risk births are planned to occur following a normal uncomplicated pregnancy.</p> <p>Birth center clients are limited to those women who are initially determined to be at low maternity risk and who are evaluated regularly throughout pregnancy to assure that they remain at low risk for a pregnancy outcome. 1. Each birth center shall establish a written risk assessment system which shall be a part of the clinical practice guidelines. The individual risk assessment shall be included in the client’s medical record. 2. The general health status and risk assessment shall be determined by a physician, CNM or other advanced practice nurse after obtaining a detailed medical history, performing a physical examination and taking into account family circumstances and other social and psychological factors. The client shall be transferred to a hospital if</p>	<p>https://s1.sos.mo.gov/cmsimages/adrules/csr/current/19csr/19c30-30.pdf</p>

	complications occur requiring medical or surgical intervention under the center's written risk criteria	
MONTANA	<p><u>NEW RULE VI (37.106.1012) MINIMUM STANDARDS FOR OUTPATIENT CENTERS FOR PRIMARY CARE: BIRTH CENTERS</u></p> <ol style="list-style-type: none"> 1. establish a coordinated transfer of care through a mutually established agreement to the nearest hospital <u>or critical access hospital that provides obstetrical and surgical services</u> as required by the patient's acuity or the outpatient birth center 24 hour length of stay limitation 2. A transfer of care agreement must show that a physician who has admitting privileges at the hospital <u>or critical access hospital that provides obstetrical and surgical services</u> has agreed to admit and treat patients of the birthing center should the need arise. In transferring patients, the birth center shall and remain as proposed. 	<p>http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=3299</p> <p>http://www.mtrules.org/gateway/ruleno.asp?RN=37%E106%E1014</p>
NEBRASKA	<p>Under the State Plan, birthing centers are limited to those licensed by the state of Nebraska or the legally authorized licensing authority under applicable state laws, to provide a level of service commensurate with the professional skills of a physician (MD or DO) or a certified nurse midwife (CNM)</p> <p>A Freestanding Birth Center means a health facility- 1. That is not a hospital; 2. Where childbirth is planned to occur away from the pregnant woman's residence; 3. That is licensed or otherwise approved by the State to provide prenatal labor and delivery or postpartum care and other ambulatory services; and 4. That complies with such other requirements relating to the health and safety of individuals furnished services by the facility as the State shall establish.</p>	<p>http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-471/Chapter-42.pdf</p> <p>https://dhhs.ne.gov/Medicaid%20State%20Plan/Item%20027%20-%20Limitations%20-%20Freestanding%20Birth%20Center%20Services.pdf</p>
NEBRASKA (cont')	Existing law requires the State Board of Health to: (1) adopt licensing standards for obstetric centers and any other regulations necessary or convenient to carry out the provisions of the statutes governing obstetric centers; and (2) require that the practices and policies of each obstetric	https://www.leg.state.nv.us/Register/2016Register/R059-16A.pdf

<p>NEVADA</p>	<p>center provide adequately for the protection of the health, safety and physical, moral and mental well-being of each person accommodated by the obstetric center. (NRS 449.0302)</p> <p>A Freestanding Birth Center means a health facility- 1. That is not a hospital; 2. Where childbirth is planned to occur away from the pregnant woman’s residence; 3. That is licensed or otherwise approved by the State to provide prenatal labor and delivery or postpartum care and other ambulatory services; and 4. That complies with such other requirements relating to the health and safety of individuals furnished services by the facility as the State shall establish.</p>	<p>http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title471/Chapter49.pdf</p>
<p>NEW HAMPSHIRE</p>	<p>“Birthing center” means a facility that is not located in a licensed acute care hospital, and which provides prenatal care through postnatal care, and which instructs and assists women in natural childbirth.</p>	<p>https://www.dhhs.nh.gov/operations/bhfa/documents/he-p810.pdf</p> <p>Microsoft Word - hep810.doc (nh.gov)</p>
<p>NEW JERSEY</p>	<p>New Jersey had no birth centers for almost 20 years until 2018 when Our Birthing Center opened its doors only 5 short minutes from Morristown Medical Center. The Midwives of New Jersey, already experts in out-of-hospital birth, started catching babies at Our Birthing Center in March of 2018.</p> <p>“Birth center” means a health care facility or a distinct part of a health care facility which provides routine prenatal and intrapartal care to low-risk maternity patients who are expected to delivery neonates of a weight greater than 2,499 grams and of 36 weeks gestational age and who require a stay of less than 24 hours after birth. “Routine intrapartal care” means labor and delivery services not requiring surgical intervention</p>	<p>http://www.njaasc.org/aws/NJAASC/asset_manager/get_file/103579</p>
	<p>The regulations apply to public, for profit and non-profit freestanding birth centers providing the services specified in these regulations. Any freestanding birth center providing services specified in these regulations</p>	<p>http://164.64.110.134/parts/title07/07.010.0002.html</p>

<p>NEW MEXICO</p>	<p>must be licensed under these regulations prior to obtaining federal certification.</p> <p>These regulations do not apply to hospitals that provide labor and delivery services under their hospital license; births performed in a private residence by licensed midwives or certified nurse midwives acting within the scope of their license; and offices and treatment rooms of a licensed private practitioners.</p>	
<p>NEW YORK</p>	<p>Midwifery birth centers can play a vital part in serving the needs of mothers and families in New York State. This regulation implements Chapter 397 of the Laws of 2016 by creating a new Part 795 authorizing midwifery birth centers.</p> <p>A birth center is a diagnostic and treatment center organized to provide care to low-risk patients during pregnancy, labor and delivery who require a stay of less than 24 hours after birth. Services are provided by a physician or licensed midwife to women during a normal and an uncomplicated pregnancy, labor, birth and puerperium. Birth center services are based on a philosophy that promotes a family-centered approach to care and views pregnancy and delivery as a normal physiological process requiring limited technological and pharmacological support. The center services are designed to meet the specific needs of the population being served and promote optimum pregnancy outcomes. The licensed midwife or physician provides care for the low-risk woman during pregnancy and stays with her during labor from the time of admission to the birth center through the immediate postpartum period providing continuous physical and emotional support, evaluating progress, facilitating family interaction and assisting the woman in labor and delivery. Nurse practitioners may provide prenatal and post-partum care to birthing center patients. They may also provide supportive care during labor and delivery, but the attending provider for birth must be a physician or licensed midwife.</p>	<p>https://regs.health.ny.gov/sites/default/files/proposed-regulations/Midwifery%20Birth%20Center%20Services.pdf</p> <p>View Document - New York Codes, Rules and Regulations (westlaw.com)</p>

<p>NORTH CAROLINA</p>	<p>House Bill 575, with Rep. Donny Lambeth, R-Forsyth, as a co-primary sponsor, was introduced April 3.</p> <p>“A licensed birthing center would be limited to performing low-risk, uncomplicated births. It will be heard first in the Health committee. If recommended, it would then go to Finance, and Rules and Operations committees. The bill, if signed into law, would be effective July 1. The license for a birthing center would be administrated, along with inspections, by the N.C. Department of Health and Human Services.”</p> <p>A freestanding birthing center is a facility which is not a part of a hospital and provides comprehensive obstetrical care to women in which births are planned to occur away from the mother’s usual residence following a normal, uncomplicated low risk pregnancy. North Carolina Medicaid Bulletin – No. 12 – December 1994</p>	<p>Read More:</p> <p>https://journalnow.com/news/elections/n-c-house-bill-would-create-birthing-center-regulations/article_ca343c38-184a-59f9-8e8a-a7159907f35c.html</p>
<p>NORTH DAKOTA</p>	<p>NO REGULATION</p>	
<p>OHIO</p>	<p>"Freestanding birthing center" or "center" means a facility, or part of a facility, which provides care during pregnancy, delivery, and the immediate postpartum period to the low-risk expectant mother. "Freestanding birthing center" does not include a hospital registered under section 3701.07 of the Revised Code, or an entity that is reviewed as part of a hospital accreditation or certification program.</p>	<p>http://codes.ohio.gov/oac/3701-83-33</p>
<p>OKLAHOMA</p>	<p>"Birthing center" means a freestanding facility, place or institution, which is maintained or established primarily for the purpose of providing services of a certified midwife or licensed physician to assist or attend a woman in delivery and birth, and where a woman is scheduled in advance to give birth following a normal, uncomplicated, low-risk pregnancy.</p>	<p>https://www.ok.gov/health2/documents/MFS%20OAC310</p>
<p>OREGON</p>	<p>The Oregon Health Authority shall prescribe by rule a uniform payment methodology for hospital, freestanding birthing center and ambulatory surgical center services that: Incorporates the most recent Medicare payment methodologies established by the Centers for Medicare and Medicaid Services, or similar payment methodologies, for hospital, freestanding birthing center and ambulatory surgical center services; (b)</p>	<p>https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2845/Introduced</p>

<p>OREGON (cont')</p>	<p>Includes payment methodologies for services and equipment that are not fully addressed by Medicare payment methodologies; and (c) Allows for the use of alternative payment methodologies, including but not limited to pay for-performance, bundled payments and capitation.</p> <p>Free Standing Birth Center" ("Birthing Center" or "Center") means any health care facility (HCF), licensed for the primary purpose of performing low risk deliveries that is not a hospital, or in a hospital, and where births are planned to occur away from the mother's usual residence following normal, uncomplicated pregnancy.</p>	<p>http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_333/333_076.html</p>
<p>PENNSYLVANIA</p>	<p>The Department of Health licenses and surveys birth centers to assure care is provided within health and safety standards established by rule and statute. The department enforces these standards by annually conducting surveys of the centers.</p> <p>Birth center—A facility not part of a hospital which provides maternity care to childbearing families not requiring hospitalization. A birth center provides a home-like atmosphere for maternity care, including prenatal labor delivery and postpartum care related to medically uncomplicated pregnancies.</p>	<p>https://www.health.pa.gov/topics/facilities/Pages/Birth-Centers.aspx</p> <p>http://www.health.pa.gov/facilities/Registries/Home%20Care%20and%20Hospices/Documents/BirthCenter/Regulations.pdf</p>
<p>RHODE ISLAND</p>	<p>"Birth Center", hereinafter referred to as center, means any public or private establishment, place or facility, geographically distinct and separate from a hospital or the mother's residence, staffed, equipped and operated to provide services to low risk mother (as defined in section 1.8 herein, during pregnancy, labor, birth and puerperium. A hospital birth center service, maintained and operated by a hospital on its licensed premises shall be subject to the standards for birth center services as set forth in the Rules and Regulations for the Licensing of Hospitals (R23-17-HOSP) and shall operate under the hospital license. "Birth center service" means a distinct and identifiable unit in a hospital with an obstetrical service, staffed, equipped and operated to provide services to</p>	<p>http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/DOH_3496.pdf</p> <p>https://health.ri.gov/licenses/detail.php?id=220</p>

<p>RHODE ISLAND (cont')</p>	<p>low risk mothers-to-be (as defined in section 40.2.1 herein), or mothers during pregnancy, labor, birth and puerperium. Establishment and Initial Licensure of a Birth Center requires prior review by the Health Services Council and approval of the licensing agency. Completion and submission of the Initial Licensure Application is a prerequisite to licensure. The Initial Licensure Application shall be submitted to the Center for Health Systems Policy and Regulation. Change in owner, operator, or lessee of a licensed Birth Center requires prior review by the Health Services Council and approval of the licensing agency. Completion and submission of the Change in Effective Control application is a prerequisite to any change. The Change in Effective Control application shall be submitted to the Center for Health Systems Policy Regulation.</p>	
<p>SOUTH CAROLINA</p>	<p>Birthing center means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother or any facility which is licensed as a hospital</p>	<p>https://www.scdhec.gov/Agency/docs/health-regs/61-102.pdf</p>
<p>SOUTH DAKOTA</p>	<p>"Birth center," any health care facility licensed under this article at which a woman is scheduled to give birth following a normal, uncomplicated pregnancy, but does not include a hospital or the residence of the woman giving birth</p>	<p>http://www.sdlegislature.gov/rules/DisplayRule.aspx?Rule=44:69&Type=All</p>
<p>TENNESSEE</p>	<p>No person, partnership, association, corporation, or state, county or local government unit, or any division, department, board or agency thereof, shall establish, conduct, operate, or maintain in the State of Tennessee any birthing center without having a license. A license shall be issued only to the applicant named and only for the premises listed in the application for licensure. Licenses are not transferable or assignable and shall expire and become invalid annually on the anniversary date of their original issuance. The license shall be conspicuously posted in the birthing center.</p> <p>Birthing Center: Any institution, facility, place or building devoted exclusively or primarily to the provision of routine delivery services and postpartum care for mothers and their newborn infants.</p>	<p>https://publications.tnsosfiles.com/rules_all/2017/1200-08-24.20170509.pdf</p> <p>http://share.tn.gov/sos/rules/1200/1200-08/1200-08-24.20161016.pdf</p>

<p>TEXAS</p> <p>TEXAS (cont')</p>	<p>The Texas Birthing Center Licensing Act was first enacted in 1985 by the 69th Legislature. A birthing center is an alternative means for a pregnant woman to deliver in a setting other than at home or in a hospital.</p> <p>"Birthing center" means a place, facility, or institution at which a woman is scheduled to give birth following a normal, uncomplicated pregnancy, but does not include a hospital or the residence of the woman giving birth.</p>	<p>https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/birthing-centers#:~:text=The%20Texas%20Birthing%20Center%20Licensing,home%20or%20in%20a%20hospital.&text=Birthing%20Centers%20are%20not%20Medicare%20certified.</p> <p>http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.244.htm</p>
<p>UTAH</p>	<p>"Birthing center" means a freestanding facility, receiving maternal patients and providing care during labor, delivery and immediately after delivery.</p>	<p>http://www.rules.utah.gov/publicat/code/r432/r432-550.htm#T4</p> <p>https://rules.utah.gov/publicat/code/r432/r432-550.htm</p>
<p>VERMONT</p>	<p>NO REGULATION</p>	
<p>VIRGINIA</p>	<p>NO REGULATION</p>	
<p>WASHINGTON</p>	<p>Birthing/ Childbirth centers provide care before during and after the delivery to low-risk mothers-to-be. The centers are designed and equipped to provide care for the mother and newborn in a home-like setting. They include accommodations and staff to support the birthing process. Birthing/ Childbirth centers are owned and operated by licensed midwives and certified nurse midwives.</p>	<p>https://www.doh.wa.gov/LicensesPermitsandCertificates/FacilitiesNewReneworUpdate/BirthingChildbirthCenters</p>
<p>WEST VIRGINIA</p>	<p>"Birthing center" means a type of facility which is a building, house or the equivalent organized to provide facilities and staff to support a birthing service for pregnant clients.</p> <p>No person, partnership, association or corporation, or any local governmental unit or any division, department, board or agency thereof may operate a birthing center unless such operation shall have been approved and licensed by the state director of health in accordance with the provisions of this article and the rules and regulations lawfully promulgated hereunder provided that all birthing centers which are in operation or which have received a certificate of need valid as of the date</p>	<p>http://www.wvlegislature.gov/wvcode/code.cfm?chap=16&art=2E</p>

	of passage of this act shall be deemed to have been so approved and shall be issued a license within thirty days of passage of this act.	
WISCONSIN	NO REGULATION	
WYOMING	The definition of a Birthing Center is any health facility, place, professional office, or institution which is not a hospital or in a hospital and where births are planned to occur away from the mother's residence following normal uncomplicated pregnancy.	https://health.wyo.gov/aging/hls/facility-types/birthing-center-wyoming-licensure-information/