

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 88, Page 1, Section A, Line 2, by
2 inserting immediately after said section and line the following:

3
4 "192.380. 1. For purposes of this section, the following terms shall mean:

5 (1) "Birthing facility", any hospital as defined under section 197.020 with more than one
6 licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a
7 birthing center licensed under sections 197.200 to 197.240;

8 (2) "Department", the department of health and senior services.

9 2. After holding multiple public hearings in diverse geographic regions of the state and
10 seeking broad public and stakeholder input, the department shall establish criteria for levels of
11 maternal care designations and levels of neonatal care designations for birthing facilities. The levels
12 developed under this section shall be based upon:

13 (1) The most current published version of the "Levels of Neonatal Care" developed by the
14 American Academy of Pediatrics;

15 (2) The most current published version of the "Levels of Maternal Care" developed by the
16 American Congress of Obstetricians and Gynecologists and the Society for Maternal-Fetal
17 Medicine; and

18 (3) Necessary variance when considering the geographic and varied needs of citizens of this
19 state.

20 3. Nothing in this section shall be construed in any way to modify or expand the licensure
21 of any health care professional.

22 4. Nothing in this section shall be construed in any way to require a patient be transferred to
23 a different facility.

24 5. The department shall promulgate rules to implement the provisions of this section no
25 later than January 1, 2018. Such rules shall be limited to those necessary for the establishment of
26 levels of neonatal care designations and levels of maternal care designations for birthing facilities
27 under subsection 2 of this section. Any rule or portion of a rule, as that term is defined in section
28 536.010, that is created under the authority delegated in this section shall become effective only if it
29 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
30 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the
31 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
32 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
33 rule proposed or adopted after August 28, 2017, shall be invalid and void.

34 6. Beginning January 1, 2019, any hospital with a birthing facility shall report to the
35 department its appropriate level of maternal care designation and neonatal care designation as
36 determined by the criteria outlined under subsection 2 of this section.

Action Taken _____ Date _____

1 7. Beginning January 1, 2019, any hospital with a birthing facility operated by a state
2 university shall report to the department its appropriate level of maternal care designation and
3 neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

4 8. The department may partner with appropriate nationally recognized professional
5 organizations with demonstrated expertise in maternal and neonatal standards of care to administer
6 the provisions of this section.

7 9. The criteria for levels of maternal and neonatal care developed under subsection 2 of this
8 section shall not include pregnancy termination or counseling or referral for pregnancy
9 termination."; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.