

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to Senate Bill No. 50, Page 3, Line 26, by deleting said line
2 and inserting in lieu thereof the following:

3
4 "section shall become effective unless it has been promulgated pursuant to chapter 536.

5 192.380. 1. For purposes of this section, the following terms shall mean:

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

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

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

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

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

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

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

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

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

Action Taken _____ Date _____

1 rule proposed or adopted after August 28, 2017, shall be invalid and void.

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

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

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

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

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.

17
18 THIS AMENDS 0419S01.10H