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## Substitute Bill Comparative Synopsis

**Sub. H.B. 537**

**136<sup>th</sup> General Assembly**

House Children and Human Services

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This table summarizes how the latest substitute version of the bill differs from the As Introduced version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_136_2149-3)
<b>Freestanding birthing centers – transfer agreements</b>	
Requires a hospital that is a Medicaid provider and that operates a maternity unit to agree to a written transfer agreement at the request of a freestanding birthing center if the freestanding birthing center is located within 30 miles of the hospital ( <i>R.C. 3722.15(A)</i> ).	Instead, prohibits the Department of Health from requiring a freestanding birthing center to establish a written transfer agreement with a hospital if the center is (1) accredited by the Commission for the Accreditation of Birth Centers or its successor organization and (2) located within 30 miles of a hospital subject to the provisions of the Emergency Medical Treatment and Labor Act, which includes all Medicare-participating hospitals with emergency departments ( <i>R.C. 3702.35(B)</i> ).
Requires a transfer agreement to specify an effective procedure for the transfer of patients from the freestanding birthing center to the hospital when medical care beyond that which can be provided at the center is required ( <i>R.C. 3722.15(B)</i> ).	No provision.
Requires each freestanding birthing center to file a copy of a transfer agreement with the Director of Health ( <i>R.C. 3722.15(C)</i> ).	No provision.

Previous Version (As Introduced)	Latest Version (I_136_2149-3)
No provision.	Requires each freestanding birthing center to have a written plan for the transfer of a mother or newborn to a hospital in the event of medical complications, emergencies, or as otherwise necessary <i>(R.C. 3702.35(A))</i> .
No provision.	Requires a freestanding birthing center that is not accredited by the Commission for the Accreditation of Birth Centers to have a written transfer agreement with a local hospital <i>(R.C. 3702.35(C))</i> .
No provision.	Prohibits the Department of Health from requiring a freestanding birthing center that is exempt from licensure based on religion to establish a written transfer agreement with a hospital <i>(R.C. 3702.35(D))</i> .
<b>Exempt freestanding birthing centers</b>	
No provision.	Requires freestanding birthing centers that are exempt from licensure based on religion to have at least one of the following attend each birth: <ul style="list-style-type: none"> <li>▪ A physician;</li> <li>▪ A certified nurse-midwife;</li> <li>▪ A certified midwife;</li> <li>▪ A licensed midwife;</li> <li>▪ A traditional midwife</li> </ul> <i>(R.C. 3702.301(D)(2)(a))</i> .
No provision.	Requires freestanding birthing centers that are exempt from licensure based on religion to have a director of patient services who is one of the following: <ul style="list-style-type: none"> <li>▪ A physician;</li> <li>▪ A certified nurse-midwife;</li> <li>▪ A registered nurse;</li> <li>▪ A certified midwife;</li> <li>▪ A licensed midwife;</li> <li>▪ A traditional midwife</li> </ul> <i>(R.C. 3702.301(D)(2)(b))</i> .

Previous Version (As Introduced)	Latest Version (I_136_2149-3)
<b>Definitions</b>	
No provision.	Defines a “freestanding birthing center” as an independent health care facility, separate from a hospital, that provides prenatal, labor, delivery, and postpartum care for low-risk pregnancies <i>(R.C. 3702.30(A)(2))</i> .
No provision.	Clarifies that a freestanding birthing center is not an ambulatory surgical facility <i>(R.C. 3702.30(A)(1))</i> .
No provision.	Establishes that the new definition for “freestanding birthing center” and the existing definitions for “ambulatory surgical facility” and “health care facility” apply to all sections of Chapter 3702 of the Revised Code where those terms are used <i>(R.C. 3702.30(A))</i> .
<b>Scope of practice – licensed midwife</b>	
Permits a licensed midwife to purchase, obtain, possess, and administer epinephrine, but only to address an adverse reaction to a medication <i>(R.C. 4724.05(C)(9))</i> .	Permits a licensed midwife to purchase, obtain, possess, and administer epinephrine without specifying the circumstances in which it may be administered <i>(R.C. 4724.05(C)(9))</i> .