

THE FLORIDA SENATE
2018 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/SB 510 — Reporting of Adverse Incidents in Planned out-of-hospital Births

by Rules Committee; Health Policy Committee; and Senators Young and Mayfield

The bill requires, beginning July 1, 2018, physicians, certified advanced registered nurse midwives (ARNP-CNMs), and licensed midwives (LMs) to report to the Department of Health (department) adverse incidents occurring as a result of an attempted or completed, planned birthing center or out-of-hospital birth. The bill defines an adverse incident and requires the reporting of the adverse incident, along with a medical summary of the events, within 15 days after the occurrence of the adverse incident.

The bill defines the term “adverse incident” to mean an event:

- Over which a physician, ARNP-CNM, or LM could exercise control; and
- Which is associated with a planned out-of-hospital birth, whether completed or attempted, that results in:
 - o A maternal death that occurs during delivery or within 42 days after delivery;
 - o The transfer of a maternal patient to a hospital intensive care unit;
 - o A maternal patient who experiences hemorrhagic shock or who requires a transfusion of more than 4 units of blood or blood products;
 - o A fetal or newborn death, including a stillbirth, associated with an obstetrical delivery;
 - o A transfer of a newborn to a neonatal intensive care unit due to a traumatic physical or neurological birth injury, including any degree of a brachial plexus injury;
 - o A transfer of a newborn to a neonatal intensive care unit within the first 72 hours after birth if the newborn remains in such unit for more than 72 hours; or
 - o Any other injury as determined by department rule.

The bill requires the department to review each incident report to determine whether the incident involves conduct by a practitioner which subjects the practitioner to disciplinary action by the appropriate board or, if there is no board, the department. The applicable board, or the department if no such board exists, is required to take disciplinary action, if appropriate. The department must adopt rules to implement the law and develop a form for the reporting of adverse incidents.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 114-0