

26 | chapter 458 or chapter 459, a nurse midwife certified under part
27 | I of chapter 464, or a midwife licensed under chapter 467 could
28 | exercise control and which is associated with an attempted or
29 | completed planned out-of-hospital birth, and results in one or
30 | more of the following injuries or conditions:

31 | (a) A maternal death that occurs during delivery or within
32 | 42 days after delivery;

33 | (b) The transfer of a maternal patient to a hospital
34 | intensive care unit;

35 | (c) A maternal patient who experiences hemorrhagic shock
36 | or who requires a transfusion of more than 4 units of blood or
37 | blood products;

38 | (d) A fetal or newborn death, including a stillbirth,
39 | associated with an obstetrical delivery;

40 | (e) A transfer of a newborn to a neonatal intensive care
41 | unit due to a traumatic physical or neurological birth injury,
42 | including any degree of a brachial plexus injury;

43 | (f) A transfer of a newborn to a neonatal intensive care
44 | unit within the first 72 hours after birth if the newborn
45 | remains in such unit for more than 72 hours; or

46 | (g) Any other injury as determined by department rule.

47 | (2) A physician licensed under chapter 458 or chapter 459,
48 | a nurse midwife certified under part I of chapter 464, or a
49 | midwife licensed under chapter 467 who performs an attempted or
50 | completed planned out-of-hospital birth must report an adverse

51 incident, along with a medical summary of events, to the
52 department within 15 days after the adverse incident occurs.

53 (3) The department shall review each incident report and
54 determine whether the incident involves conduct by a health care
55 practitioner which is subject to disciplinary action under s.
56 456.073. Disciplinary action, if any, must be taken by the
57 appropriate regulatory board or by the department if no such
58 board exists.

59 (4) The department shall adopt rules to implement this
60 section and shall develop a form to be used for the reporting of
61 adverse incidents.

62 Section 2. This act shall take effect upon becoming a law.