HB 673

1 A bill to be entitled 2 An act relating to reporting of adverse incidents in 3 planned out-of-hospital births; creating s. 456.0495, F.S.; defining the term "adverse incident"; requiring 4 5 licensed physicians, certified nurse midwives, or 6 licensed midwives to report an adverse incident and a 7 medical summary of events to the Department of Health 8 within a specified timeframe; requiring the department 9 to review adverse incident reports and determine if 10 conduct occurred that is subject to disciplinary 11 action; requiring the appropriate regulatory board or 12 the department to take disciplinary action under certain circumstances; requiring the department to 13 14 adopt rules; requiring the department to develop a form to be used for the reporting of adverse 15 16 incidents; providing an effective date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Section 456.0495, Florida Statutes, is created 21 to read: 22 456.0495 Reporting adverse incidents occurring in planned 23 out-of-hospital births.-For purposes of this section, the term "adverse 24 (1) 25 incident" means an event over which a physician licensed under Page 1 of 3

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2018

HB 673

2018

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

Page 2 of 3

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HB 673

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 determine whether the incident involves conduct by a health care 54 55 practitioner which is subject to disciplinary action under s. 456.073. Disciplinary action, if any, must be taken by the 56 57 appropriate regulatory board or by the department if no such 58 board exists. 59 The department shall adopt rules to implement this (4) 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.

Page 3 of 3

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2018