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

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26 incident" means an event over which a physician licensed under 27 chapter 458 or chapter 459, a nurse midwife certified under part 28 I of chapter 464, or a midwife licensed under chapter 467 could 29 exercise control and which is associated with an attempted or 30 completed planned out-of-hospital birth, and results in one or more of the following injuries or conditions: 31 32 (a) A maternal death that occurs during delivery or within 33 42 days after delivery; The transfer of a maternal patient to a hospital 34 (b) 35 intensive care unit; (c) A maternal patient experiencing hemorrhagic shock or 36 37 requiring a transfusion of more than 4 units of blood or blood 38 products; 39 (d) A fetal or newborn death, including a stillbirth, 40 associated with an obstetrical delivery; 41 (e) A transfer of a newborn to a neonatal intensive care 42 unit due to a traumatic physical or neurological birth injury, 43 including any degree of a brachial plexus injury; 44 (f) A transfer of a newborn to a neonatal intensive care 45 unit within the first 72 hours after birth if the newborn 46 remains in such unit for more than 72 hours; or 47 (g) Any other injury as determined by department rule. (2) Beginning July 1, 2018, a physician licensed under 48 chapter 458 or chapter 459, a nurse midwife certified under part 49 50 I of chapter 464, or a midwife licensed under chapter 467 who

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51	performs an attempted or completed planned out-of-hospital birth
52	must report an adverse incident, along with a medical summary of
53	events, to the department within 15 days after the adverse
54	incident occurs.
55	(3) The department shall review each incident report and
56	determine whether the incident involves conduct by a health care
57	practitioner which is subject to disciplinary action under s.
58	456.073. Disciplinary action, if any, must be taken by the
59	appropriate regulatory board or by the department if no such
60	board exists.
61	(4) The department shall adopt rules to implement this
62	section and shall develop a form to be used for the reporting of
63	adverse incidents.
64	Section 2. This act shall take effect upon becoming a law.
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