

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
31 more of the following injuries or conditions:

32 (a) A maternal death that occurs during delivery or within
33 42 days after delivery;

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

36 (c) A maternal patient experiencing hemorrhagic shock or
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.

48 (2) Beginning July 1, 2018, a physician licensed under
49 chapter 458 or chapter 459, a nurse midwife certified under part
50 I of chapter 464, or a midwife licensed under chapter 467 who

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.