

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 327**

**Senators Maharath, Kunze**

**Cosponsors: Senators Thomas, Antonio, Yuko, Craig, Fedor**

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**A BILL**

To enact sections 3702.35, 3702.36, and 3738.20 of  
the Revised Code to enact the "Save Our Mothers  
Act" for the purpose of establishing continuing  
education requirements for birthing facility  
personnel and an initiative to improve birth  
equity, reduce peripartum racial and ethnic  
disparities, and address implicit bias in the  
healthcare system.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3702.35, 3702.36, and 3738.20 of  
the Revised Code be enacted to read as follows:

**Sec. 3702.35.** (A) As used in this section and section  
3702.36 of the Revised Code:

(1) "Freestanding birthing center" means any facility in  
which deliveries routinely occur, regardless of whether the  
facility is located on the campus of another health care  
facility, and which is not licensed under Chapter 3711. of the  
Revised Code as a level one, two, or three maternity unit or a  
limited maternity unit.

(2) "Hospital" means a hospital registered with the 19  
department of health under section 3701.07 of the Revised Code. 20

(B) The director of health shall adopt rules establishing 21  
requirements for hospitals and freestanding birthing centers to 22  
conduct annual continuing education for employees and 23  
contractors who routinely care for pregnant and postpartum 24  
women, including employees and contractors of the facility's 25  
emergency department. In establishing the requirements, the 26  
director may consult with the American college of obstetricians 27  
and gynecologists and other professional associations concerned 28  
with the care of pregnant and postpartum women. 29

Among the requirements shall be a requirement that each 30  
hospital and freestanding birthing center provide its employees 31  
and contractors educational modules on each of the following in 32  
accordance with acceptable and prevailing standards of care: 33

(1) Severe maternal hypertension; 34

(2) Obstetric hemorrhage; 35

(3) The two most prevalent obstetric complications, other 36  
than those specified in divisions (B)(1) and (2) of this 37  
section, as identified in the most recent biennial report 38  
prepared under section 3738.08 of the Revised Code by the 39  
pregnancy-associated mortality review (PAMR) board established 40  
under section 3738.01 of the Revised Code. 41

The modules shall be updated and provided not less than 42  
annually. The director shall require that hospitals and 43  
freestanding birthing centers apply to the appropriate 44  
professional licensing boards to have each educational module 45  
approved for continuing education credit. 46

(C) All rules adopted under division (B) of this section 47

shall be adopted in accordance with Chapter 119. of the Revised Code. 48  
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Sec. 3702.36. The director of health shall monitor the compliance of hospitals and freestanding birthing centers with the requirements regarding continuing education established in rules adopted under section 3702.35 of the Revised Code. To that end, the director may inspect the records of any hospital or freestanding birthing center and require that each hospital and freestanding birthing center issue reports on the continuing education activities it has conducted. 50  
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Sec. 3738.20. (A) As used in this section: 58

(1) "Freestanding birthing center" means any facility in which deliveries routinely occur, regardless of whether the facility is located on the campus of another health care facility, and which is not licensed under Chapter 3711. of the Revised Code as a level one, two, or three maternity unit or a limited maternity unit. 59  
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(2) "Hospital" means a hospital registered with the department of health under section 3701.07 of the Revised Code. 65  
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(3) "Telemedicine services" has the same meaning as in section 3902.30 of the Revised Code. 67  
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(B) The department of health shall collaborate with the Ohio perinatal quality collaborative or its successor to develop an initiative to improve birth equity, reduce peripartum racial and ethnic disparities, and address implicit bias in the health care system. In developing the initiative, the department and Ohio perinatal quality collaborative shall consider existing programs, including those administered or supported by the alliance for innovation on maternal health and the Ohio equity 69  
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institute. The department shall ensure that the initiative 77  
includes the development of best practices for implicit bias 78  
training and education in cultural competency to be used by 79  
hospitals and freestanding birthing centers in interactions 80  
between patients and health care providers. 81

(C) The department of health, in collaboration with the 82  
pregnancy-associated mortality review (PAMR) board established 83  
under section 3738.01 of the Revised Code, shall make available 84  
to all hospitals and freestanding birthing centers best 85  
practices for the timely identification of all pregnant and 86  
postpartum women in the emergency department and for the 87  
appropriate and timely consultation with an obstetrician, 88  
certified nurse-midwife, or physician assistant with obstetric 89  
expertise to provide input on patient management and follow-up. 90  
A hospital or freestanding birthing center may use telemedicine 91  
services for the consultation. 92

(D) The director of health may adopt rules in accordance 93  
with Chapter 119. of the Revised Code as necessary to implement 94  
this section. 95

**Section 2.** This act shall be known as the "Save Our 96  
Mothers Act." 97