



## Ohio Revised Code

### Section 3702.301 Licensing of freestanding birthing center - exemption.

Effective: August 17, 2006

Legislation: House Bill 287 - 126th General Assembly

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(A) Except as provided in division (C) of this section, a freestanding birthing center is not required to obtain a license under section 3702.30 of the Revised Code if all of the following are the case:

- (1) A religious denomination, sect, or group owns and operates the center.
- (2) Requiring that the center be licensed significantly abridges or infringes on the religious practices or beliefs of that religious denomination, sect, or group.
- (3) The center provides care only during low-risk pregnancy, delivery, and the immediate postpartum period exclusively to women who  
  
are members of that religious denomination, sect, or group.
- (4) The center monitors and evaluates the care provided to its patients in accordance with at least the minimum patient safety monitoring and evaluation requirements established in rules adopted under division (D) of this section.
- (5) The center meets the quality assessment and improvement standards established in rules adopted under division (D) of this section.

(B) If the director determines that a freestanding birthing center is no longer exempt from the requirement to obtain a license under section 3702.30 of the Revised Code because the center ceases to comply with division (A)(4) or (5) of this section, the director may order the center to come into compliance. In the order, the director may do all of the following:

- (1) Identify what the center is not in compliance with and what the center needs to do to come into compliance;



- (2) Require that the center come into compliance within a period of time specified in the order;
- (3) Require that the center provide the director a written notice within a period of time specified in the order that contains all of the following:
  - (a) Certification that the center has come into compliance;
  - (b) The signature of the center's administrator or medical director and certification that the administrator or medical director, whichever signs the notice, is the center's authorized representative;
  - (c) Certification that the information contained in the notice and in any accompanying documentation is true and accurate;
  - (d) Any other information or documentation that the director may require to verify that the center has come into compliance.
- (C) If the director issues an order to a freestanding birthing center under division (B) of this section and the center fails to comply with the order within the time specified in the order, the director may issue a second order that requires the center to cease operations until the center obtains a license under section 3702.30 of the Revised Code.
- (D) The director of health shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. The rules shall establish all of the following:
  - (1) Minimum patient safety monitoring and evaluation requirements;
  - (2) Quality assessment and improvement standards;
  - (3) Procedures for determining whether freestanding birthing centers are in compliance with the rules.