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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, 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.-

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incident" means an event over which a physician licensed under

For purposes of this section, the term "adverse

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chapter 458 or chapter 459, a nurse midwife certified under part
I of chapter 464, or a midwife licensed under chapter 467 could
exercise control and which is associated with an attempted or
completed planned out-of-hospital birth, and results in one or
more of the following injuries or conditions:
(a) A maternal death that occurs during delivery or within

- (a) A maternal death that occurs during delivery or within 42 days after delivery;
- (b) The transfer of a maternal patient to a hospital intensive care unit;
- (c) A maternal patient who experiences hemorrhagic shock or who requires a transfusion of more than 4 units of blood or blood products;
- (d) A fetal or newborn death, including a stillbirth, associated with an obstetrical delivery;
- (e) A transfer of a newborn to a neonatal intensive care unit due to a traumatic physical or neurological birth injury, including any degree of a brachial plexus injury;
- (f) A transfer of a newborn to a neonatal intensive care unit within the first 72 hours after birth if the newborn remains in such unit for more than 72 hours; or
 - (g) Any other injury as determined by department rule.
- (2) A physician licensed under chapter 458 or chapter 459, a nurse midwife certified under part I of chapter 464, or a midwife licensed under chapter 467 who performs an attempted or completed planned out-of-hospital birth must report an adverse

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

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Section 2. This act shall take effect upon becoming a law.