

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Manisha Juthani, MD
Commissioner



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

DEPARTMENT OF PUBLIC HEALTH NOTICE OF INTENT TO ADOPT REGULATIONS

In accordance with the provisions of section 4-168(a) of the Connecticut General Statutes, the Department of Public Health ("DPH") hereby gives notice of its intent to adopt regulations concerning Birth Centers, in accordance with section 19a-566 of the Connecticut General Statutes as amended by Public Act 24-68. A description of the proposed regulations, a statement of the purposes for which they are proposed, and information concerning when, where and how interested parties may present views on and obtain copies of the proposed regulations is provided below.

The Department hereby implements policies and procedures as authorized pursuant to section 19a-566 of the Connecticut General Statutes as amended by Public Act 24-68, effective June 6, 2024. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations under this section are adopted.

Comment Period (Conn. Gen. Stat. § 4-168 (a)(1)(A))

A comment period of not less than thirty days shall begin on June 10, 2024 via the eRegulations System website, and shall end on July 12, 2024.

Description of Proposed Regulations (Conn. Gen. Stat. § 4-168 (a)(1)(B))

Proposed Section 1 establishes standards for the licensure of birth centers in Connecticut. Section 19a-566-1 establishes definitions surrounding the licensure of birth centers in Connecticut. Section 19a-566-2 establishes applicability, distinguishing between facilities that should obtain birth center licenses from those that should obtain hospital licenses. Section 19a-566-3 establishes licensure procedures. Section 19a-566-4 sets standards for facility organization and administration. Section 19a-566-5 sets standards for liability and malpractice insurance. Section 19a-566-6 sets personnel standards. Section 19a-566-7 establishes the scope, requirements, and limitations, of services. Section 19a-566-8 sets patient discharge requirements. Section 19a-566-9 establishes requirements for referrals and collaborations. Section 19a-566-10 establishes requirements for patient transfers and emergency planning. Section 19a-566-11 establishes standards for laboratory services. Section 19a-566-12 sets standards for pharmaceutical services. Section 19a-566-13 sets standards for dietary services. Section 19a-566-14 establishes requirements for medical records, including clinical and transport records, and filing requirements. Section 19a-566-15 sets standards for facilities. Section 19a-566-16 establishes equipment and supply standards, including quality assurance and equipment specifications. Section 19a-566-17 sets standards for quality assurance, data collection, and reporting requirements. Section 19a-566-18 sets standards



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for infection control, including training, surveillance, and prevention. Section 19a-566-19 establishes standards for patients' rights, including publication requirements and minimum rights.

Section 2 repeals Section 19-13-D14 of the Regulations of Connecticut State Agencies.

Statement of Purpose (Conn. Gen. Stat. § 4-168(a)(1)(C))

The purpose of the proposed regulations is to provide licensure procedures and standards of operations for birth centers, as defined in Section 19a-490 of the Connecticut General Statutes, to offer an out-of-hospital setting for the midwifery model of care for labor and delivery. The proposed regulations fulfill Section 19a-566 of the Connecticut General Statutes to set forth birth center requirements regarding accreditation, administration, liability coverage, the scope of services for patients and newborns, and personnel. The proposed regulations set forth standards for eligibility for birth center services, discharge criteria, and procedures for referral and collaboration with outside providers, and procedures for transfer of care when patient needs exceed the scope of services available at a birth center. Final proposed sections govern records, facilities, amenities, ancillary services including pharmaceutical and laboratory services, quality assurance, data collection and reporting, and patient rights.

Statutory Authority (Conn. Gen. Stat. § 4-168(a)(1)(D))

The statutory authority for the proposed regulations adding sections 19a-566-1 to 19a-566-19, inclusive, to the Regulations of Connecticut State Agencies, is Section 19a-566(c) of the Connecticut General Statutes.

How to Obtain Copy of Small Business Impact and Regulatory Flexibility Analysis (Conn. Gen. Stat. § 4-168(a)(1)(E))

A copy of the Small Business Impact Statement, Fiscal Note, and the Regulatory Flexibility Analysis applicable to the proposed regulation are available by visiting the e-Regulations portal on the website of the Secretary of State: <https://eregulations.CT.gov/eRegsPortal/Browse/ProposedRegulations> or available for inspection at the Department of Public Health, 410 Capitol Avenue, Hartford, CT 06134 or by requesting a copy from the Department of Public Health by emailing Dante Costa at Dante.Costa@ct.gov.


Comments on Proposed Regulations (Conn. Gen. Stat. 4-168(a)(1)(F))

Interested persons may present their views, data and arguments regarding this proposed regulation in writing within thirty (30) days of the start of the public comment period. Interested persons may submit their written comments to the Department regarding this regulation using one of the following methods:

- Online on the Secretary of State's webpage at the Connecticut eRegulations System, <http://eregulations.ct.gov>. Select "Open for Public Comment" then select this regulation or search for this regulation on the Connecticut eRegulations System. Then follow instructions for submitting comments;
- By email to Dante.Costa@ct.gov (PDF preferred); or
- In writing via U.S. Mail or Express Delivery service to: Commissioner of Public Health, Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut 06134; telephone number (860) 509-7259.

A public hearing will be scheduled if requested by fifteen (15) or more persons, a governmental subdivision or agency, or an association having not less than fifteen (15) members, provided that notice of such request is received by the agency not later than fourteen (14) days after the date of posting of this notice by the agency on the eRegulations System, which may be found on the Secretary of State's webpage.

In addition, copies of the proposed amendment and related documents may be obtained online at the Connecticut eRegulations System, at <http://eregulations.ct.gov>, select “Regulations in Progress”, then select Department of Public Health, or by writing to Dante Costa, Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut 06134, or by emailing Dante.Costa@ct.gov.

A handwritten signature in black ink, appearing to read "Manisha Juthani", is written over a horizontal line.

Manisha Juthani, MD, Commissioner