

SENATE BILL REPORT

SB 5256

As of February 3, 2019

Title: An act relating to the use of the term birth center.

Brief Description: Concerning the use of the term birth center.

Sponsors: Senators Keiser, Saldaña and Randall.

Brief History:

Committee Activity: Health & Long Term Care: 2/01/19.

Brief Summary of Bill

- Prohibits health care facilities not licensed by the Department of Health as birthing centers, from using the terms birthing center, childbirth center, or birth center.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: LeighBeth Merrick (786-7445)

Background: The Department of Health (DOH) licenses and regulates healthcare professions and facilities in Washington State. Under current law, a licensed birthing center is a healthcare facility, not part of a hospital or in a hospital, that provides facilities and staff to support a birth service for low-risk maternity clients in a home-like setting. The clinical staff practicing at the birthing center include DOH licensed physicians and midwives. Hospitals approved by the American College of Surgeons or the American Osteopathic Association are exempt from birthing center licensing laws.

National birth center standards define the midwifery and wellness model of care as a general philosophical and clinical approach to care that includes:

- support for pregnancy and birth as a natural physiological process;
- prevention of disease/promotion of health for the woman and newborn;
- promotion of individual responsibility, shared decision-making and self-sufficiency;
- and
- a holistic, integrated approach to health services delivery.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: A DOH licensed birthing center, childbirth center, or birth center is a health facility that provides facilities and staff to support birth service exclusively for low-risk maternity clients in accordance with the midwifery and wellness model of care as delineated by national birth center standards. The licensed facility may be part of a hospital or in a hospital, and hospitals approved by the American College of Surgeons or the American Osteopathic Association are not exempt from licensing requirements.

A health facility may not use the term birthing center, childbirth center, or birth center if they are not licensed by DOH as such. Any facility that is using the term birthing center, childbirth center, or birth center prior to this law going into effect, must be licensed as a birthing center or discontinue the use of the terms upon voluntary rebranding or within five years of the effective date of the law.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Labor and delivery units of hospitals are using the term birth center, but do not provide the midwifery model of care. This is confusing for the public and it is important that a distinction be made since licensed birth centers are proven to provide better health outcomes at lower costs than non-birth centers. Hospitals that provide midwifery services can receive national birth center certification as a Alongside Maternity Center. Several other states already enacted laws to protect the birth center term, and the facilities currently using the term that aren't licensed will have five years to discontinue the use of the term.

CON: This bill would prohibit hospitals that utilize midwives from being licensed as a birth center since hospitals do not exclusively serve low-risk patients. The significant amount of time and costs for hospitals to rebrand is unnecessary when there is no data available indicating this a threat to the public.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Valerie Sasson, Puget Sound Midwives and Birth Center, LLC; Cynthia Flynn, CNM, PhD, FACNM, American Association of Birth Centers; Neva Gerke, Midwives' Association.

CON: Lauren McDonald, Washington State Hospital Association.

Persons Signed In To Testify But Not Testifying: No one.