

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1470 - L.D. 2189

An Act to Require Prior Notification of Closures of Labor and Delivery Units and Changes in Maternity or Newborn Care Services by Hospitals as Recommended by the Commission to Evaluate the Scope of Regulatory Review and Oversight over Health Care Transactions That Impact the Delivery of Health Care Services in the State

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the notification required by this legislation is needed as soon as possible to give affected residents adequate time to prepare for closures of labor and delivery units and make other plans; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1822-B is enacted to read:

§1822-B. Notice of termination of or change in maternity or newborn care services

1. Termination of maternity or newborn care services. A hospital shall file with the department at least 120 days prior to the effective date of the termination of maternity or newborn care services a notice setting forth the following information:

- A. The effective date of the proposed termination and the reason for the termination;
- B. The name, title, e-mail address and phone number for a contact person at the hospital;
- C. The hospital's plan for emergency care, including the development and review of policy and procedure for maternity emergencies and training for emergency department and family practice staff on emergency obstetric care;

D. A list and descriptions of notifications sent to surrounding hospitals within 50 miles and Level II, Level III and Level IV newborn nursery units, to any local emergency management, fire and law enforcement services and to any registered patients that are affected by the termination; and

E. A description of how the hospital provided public notification of the termination.

2. Change in level of care of maternity or newborn care services. A hospital shall file with the department at least 120 days prior to the effective date of a change in the level of care of maternity or newborn care services a notice setting forth the following information:

A. The effective date of the proposed change in the level of care and the reason for the change;

B. The name, title, e-mail address and phone number for a contact person at the hospital;

C. A list and descriptions of notifications sent to surrounding hospitals within 50 miles and Level II, Level III and Level IV newborn nursery units, to any local emergency management, fire and law enforcement services and to any registered patients that are affected by the change; and

D. A description of how the hospital provided public notification of the change.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.