

BIRTHING CENTERS

The following standard will apply to all birthing centers not exempted from review by Section 4, Article 2, Chapter 16 of the West Virginia Code, as amended, that are defined and licensed by the Office of Health Facility Licensure pursuant to 64 CFR 31 et seq. (1984). These standards shall not apply to any other obstetrical services except birthing centers.

All applications submitted to the HCCRA for Certificate of Need approval for birthing centers not exempt from review shall be in compliance with the following standards.

I. DEFINITION

A. Birthing Center: A birthing facility which provides professional care to childbearing women during pregnancy, birth and immediately following childbirth, and, where low-risk deliveries are planned to occur away from the mother's usual residence following normal, uncomplicated pregnancy, with sufficient space to accommodate participating family members and support people of the women's choice: Provided, that a birthing facility shall not be considered a birthing center for purposes of these standards unless its policies and practices plan for the discharge of the mother and infant within 24 hours after birth. Provided further, that a facility that owns or operates on the premises medical equipment with a value in excess of the statutory threshold for major medical equipment for ambulatory care centers or performs surgical procedures other than those performed during a normal, uncomplicated childbirth and neonatal periods shall not be considered a birthing center within the meaning of this standard and shall be regulated by the agency in accordance with other applicable standards.

B. Underserved Service Area: A geographic area which meets the Office of Community and Rural Health definition of an area that is underserved with respect to low risk obstetrical services.

C. Service Area: Service areas of birthing centers shall be the areas of service approved by the Office of Community and Rural Health of the Department of Health and Human Resources.

II. CURRENT INVENTORY

The HCCRA shall provide the applicant with a current inventory of birthing centers.

III. NEED METHODOLOGY

A. Underserved Service Areas: Birthing centers applying for certificates of need shall have already satisfied the need requirement if the application establishes that the service area is located within an underserved service area. The agency shall not deny certificates of need to such centers based on need.

B. Non-underserved Service Areas: Birthing centers applying for certificates of need in non-underserved areas shall satisfy the need requirement if they demonstrate with specificity that there is sufficient need in the area for birthing center services to allow the proposed birthing center to maintain its financial viability over time. And that existing obstetrical units of hospitals in the service area must be utilized at an occupancy rate of 65% of licensed obstetrical beds for the preceding 12 months before new birthing centers will be allowed. New birthing centers approved in non-underserved areas shall not affect the financial viability of any existing birthing centers.

IV. QUALITY

A. Birthing centers applying for certificates of need shall document plans for the development of its organizational structure, identifying the governing body which has authority and responsibility for fiscal management and policy decisions in operation of the center in keeping with the stated purposes of the organization and the regulations under which it is licensed and/or certified.

B. Birthing centers applying for certificates of need shall submit a detailed description of how the birthing center shall comply with the quality of care requirements of the appropriate licensing agency.

C. All birthing centers applying for certificates of need shall document the development of written protocols, procedures and transfer agreements for appropriate transfer of patients to a nearby acute care hospital with obstetrical services.

V. CONTINUUM OF CARE

A. Birthing centers applying for certificates of need shall submit a detailed description of how the birthing center shall comply with the continuum of care requirements of the appropriate licensing agency.

VI. COSTS

A. Birthing centers applying for certificates of need shall provide evidence of protocols that demonstrate that funds are to be budgeted and expended in accordance with applicable procedures as promulgated by the center's governing body, shall demonstrate financial viability by providing estimates of revenues and expenses, and shall develop a policy regarding the care of indigent patients. The policy must address the issues of sliding fee schedules and/or free care to the extent such free care is financially feasible for the organization.

VII. ACCESSIBILITY

A. Birthing centers applying for certificates of need shall submit a detailed description of how the birthing center shall comply with the accessibility requirements of the appropriate licensing agency.