

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1380

(Delegate Pena-Melnyk, *et al.*)

Health and Government Operations

Finance

Health Care Facilities - Hospitals and Freestanding Birthing Centers - Perinatal Care Standards

This bill requires the Maryland Department of Health (MDH), in coordination with the Maryland Institute for Emergency Medical Services Systems (MIEMSS) to adopt regulations establishing minimum perinatal care standards that meet or exceed the Maryland Perinatal System Standards for (1) each hospital that provides obstetrical services and (2) freestanding birthing centers. MDH must adopt the regulations by October 1, 2026. Each hospital that provides obstetrical services and freestanding birthing centers must meet the standards as a condition of licensure.

Fiscal Summary

State Effect: MDH can promulgate regulations and ensure compliance using existing budgeted resources. MIEMSS can coordinate with MDH on the regulations using existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Office of Health Care Quality (OHCQ) within MDH oversees and licenses health care facilities in the State. To ensure compliance with these rules and regulations, OHCQ inspects each health care facility, including birthing centers and hospitals. In general, OHCQ inspects facilities for which a license is sought and periodically after a license has been issued. MDH submits an annual report to the

General Assembly regarding the inspections conducted during the immediately preceding year.

“Hospital” means an institution that (1) has a group of at least five physicians who are organized as medical staff for the institution; (2) maintains facilities to provide, under the supervision of medical staff, diagnostic and treatment services for two or more unrelated individuals; and (3) admits or retains the individuals for overnight care.

“Freestanding birthing center” means a facility that provides nurse midwife services. “Freestanding birthing center” does not include a hospital or a private residence of the mother.

Perinatal Care System Standards

“Perinatal care” means the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods.

The [Maryland Perinatal System Standards](#) are the hospital perinatal program standards established by the MDH Perinatal Clinical Advisory Committee. Originally established in 1997, the standards are incorporated by reference into the Code of Maryland Regulations ([COMAR 10.11.06.03](#)) for designation of perinatal referral centers by MIEMMS, as well as the Maryland Health Care Commission’s regulations for obstetrical units and neonatal intensive care units.

In response to the publication of guidelines and policies by national professional organizations, the Perinatal Clinical Advisory Committee was reconvened in 2018 to revise the standards to be consistent with the Guidelines for Perinatal Care, issued in 2017 jointly by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists. MDH recently convened an *ad hoc* committee to review and revise the standards.

Additional Comments: As of February 26, 2025, there are no licensed freestanding birthing centers in the State.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 676 (Senator Gile) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2025

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