
A BILL FOR AN ACT

RELATING TO FREESTANDING BIRTHING FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

FREESTANDING BIRTH FACILITIES

§ -1 **Definitions.** As used in this chapter:

"Broad service hospital" means a medical facility which is staffed and equipped to provide definite inpatient, medical, surgical, and obstetrical care for a twenty-four hour period or longer.

"Department" means the department of health.

"Director" means the director of health.

"Freestanding birthing facility" means a public or private facility that is not financially or administratively connected with a broad service hospital whose only purpose is the reception of low-risk maternity patients and the providing of



1 care during pregnancy, delivery, and the immediate postpartum
2 period.

3 "Low-risk maternity patient" means a person who does not
4 exhibit any evidence of any risk criteria that will adversely
5 affect the health of the mother or infant during pregnancy,
6 labor, birth, or the immediate postpartum period.

7 § -2 **License required.** (a) It shall be unlawful for
8 any group or person to operate a freestanding birthing facility
9 without a license.

10 (b) Every group or person seeking a license to operate a
11 freestanding birthing facility shall file a written application
12 with the director that shall contain such information and be in
13 such form as the director may prescribe.

14 (c) A license shall be issued only to the group or person
15 named in the application and only for the premises listed in the
16 application for licensure.

17 § -3 **License; standards.** (a) A license shall not be
18 issued to any group or person that is not:

19 (1) Currently accredited by the Commission for the
20 Accreditation of Birth Centers; or



1 (2) In the process of obtaining accreditation within six
2 months of the date of the application for licensure;
3 provided that if a freestanding birthing facility loses the
4 accreditation required by this section, it shall immediately
5 notify the director of its change in accreditation status.

6 (b) An applicant for licensure shall clearly define
7 written risk criteria or factors which, when present, would
8 preclude a patient from being considered a low-risk patient and
9 therefore ineligible for a health care services at the
10 freestanding birthing center.

11 § -4 **Licenses; renewals.** Licenses shall be renewed on
12 an annual basis.

13 § -5 **Licenses; suspension or revocation.** The director
14 may suspend, revoke, or refuse to issue or renew a license if a
15 freestanding birthing facility substantially violates any
16 requirement of this chapter or rule adopted by the department
17 under this chapter.

18 § -6 **Fees.** The director may establish reasonable fees
19 for the issuance or renewal of licenses.

20 § -7 **Rules.** The department may adopt rules pursuant to
21 chapter 91 necessary for the purposes of this chapter.

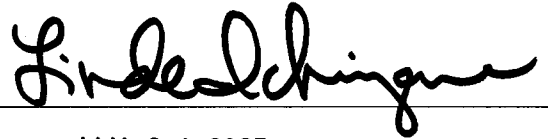


1 § -8 **Penalties.** Any person who violates any rule
2 adopted by the department under this chapter or violates any
3 provision of this chapter shall be subject to a fine of no more
4 than \$. Each violation shall constitute a separate
5 offense."

6 SECTION 2. This Act shall take effect upon its approval.

7

INTRODUCED BY:



JAN 21 2025



H.B. NO. 927

Report Title:

DOH; Freestanding Birthing Facilities; License

Description:

Establishes licensure requirements for freestanding birthing facilities.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

