

3701-7-01

Definitions.

- (A) "Administrator" means the person responsible for the overall daily management of the health care service.
- (B) "Advanced practice nurse" means an individual who holds a valid certificate of authority under Chapter 4723. of the Revised Code to practices nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.
- (C) "Anesthesiologist" means a physician who has completed a residency training program in anesthesiology accredited by the American council of graduate medical education or the American osteopathic association.
- (D) "Anesthesiologist assistant" means an individual who holds a valid certificate of registration under Chapter 4760. of the Revised Code to practice as a anesthesiologist assistant.
- (E) "Available for consultation" means an individual is capable of rendering advice, opinions, recommendations, suggestions, and counsel in evaluating a patient upon notice by the requesting physician and in accordance with the medical needs of the patient. This may be done by telemedicine or e-medicine in accordance with acceptable standards of practice.
- (F) "Certified nurse-midwife" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a certified nurse-midwife in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (G) "Certified nurse practitioner" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a certified nurse practitioner in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (H) "Department" means the Ohio department of health.
- (I) "Director" means the director of the department of health or his duly authorized representative.
- (J) "Donor human milk" means milk from a lactating mother or lactating mothers, other than the milk of the mother of the newborn, that has been screened pursuant to the guidelines issued by the "Human milk bank association of North America."
- (K) "Doula" mean an individual trained to provide emotional support, guidance, and comfort measures before, during and after childbirth.
- (L) "Feeding preparation area" means a designated clean area within the newborn care nursery that is specifically for the storage and preparation of human milk, donor

human milk, or commercial infant formula.

(M) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of conception of at least twenty weeks gestation, which after such expulsion or extraction, does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

(N) "Guidelines for perinatal care" means the current edition of the "Guidelines for perinatal care" issued by the American academy of pediatrics and the American college of obstetricians and gynecologists.

(O) "Gynecologic patient" means a woman with or suspected of having a disorder related to her reproductive organs.

(P) "Hospital" means an institution required to be registered under section 3701.07 of the Revised Code.

(Q) "Human milk" means the milk produced by a mother to feed her newborn.

(R) "Lactation consultant" mean an individual who holds credentials as an "International board certified lactation consultant."

(S) "Level classification" means a perinatal unit designation that determines the level of services the unit may provide.

(T) "Level I neonatal care service" means a newborn care service organized with the personnel and equipment to perform neonatal resuscitation, evaluate and provide postnatal care of healthy newborn infants, stabilize and provide care for infants born at 35 to 37 weeks gestation who remain physiologically stable, and stabilize newborn infants born at less than 35 weeks gestational age or that are ill until transfer to a facility that can provide the appropriate level of neonatal care.

(U) "Level II neonatal care service" means a newborn care service organized with the personnel and equipment to provide care to infants born at more than 32 weeks gestation and weighing more than 1500 grams who have physiologic immaturity such as apnea of prematurity, inability to maintain body temperature, or inability to take oral feedings; who are moderately ill with problems that are expected to resolve rapidly and are not anticipated to need subspecialty services on an urgent basis; or who are convalescing from intensive care.

(1) "Level IIA neonatal care service" means a level II neonatal care service that does not have the capability to provide mechanical ventilation for brief durations of less than 24 hours or continuous positive airway pressure.

(2) "Level IIB neonatal care service" means a level II neonatal care service that has the capability to provide mechanical ventilation for brief durations of less

than 24 hours or continuous positive airway pressure.

(V) "Level III neonatal care service" means a newborn care service organized with personnel and equipment to provide continuous life support and comprehensive care for extremely high-risk newborn infants and those with complex and critical illness. Level III is subdivided into three levels differentiated by the capability to provide advanced medical and surgical care as may be required:

(1) "Level IIIA neonatal care service" means a level III neonatal care service that can provide care for infants with birth weight of more than 1000 grams and gestational age of more than 28 weeks. Continuous life support can be provided, but is limited to conventional mechanical ventilation.

(2) "Level IIIB neonatal care service" means a level III neonatal care service that can provide:

(a) Comprehensive care for extremely low birth weight infants (1000 grams birth weight or less and 28 or less weeks gestation);

(b) Advanced respiratory care such as high-frequency ventilation and inhaled nitric oxide;

(c) Prompt and on-site access to a full range of pediatric medical subspecialists;

(d) Advanced imaging with interpretation on an urgent basis, including computed tomography, magnetic resonance imaging, and echocardiography; and

(e) Pediatric surgical subspecialists and pediatric anesthesiologists on site or at a nearby closely related hospital or institution to perform major surgery.

(3) "Level IIIC neonatal care service" means a level III neonatal care service that has all of the capabilities of a level IIIB neonatal care service and that is located within a hospital or other institution that can provide extracorporeal oxygenation and surgical repair of serious congenital cardiac malformations that require cardiopulmonary bypass.

(W) "Level I obstetrical services" means a maternity unit organized with the obstetric care service personnel and equipment to provide maternal care limited to term and near-term gestations, but shall ensure the availability of skilled personnel for perinatal emergencies.

(X) "Level II obstetrical services" means a maternity unit organized with the obstetric care service personnel and equipment to provide maternal care to term and near-term gestations, but, in addition to ensuring the availability of skilled

- personnel for perinatal emergencies, also has the capability to provide specialty care to pregnant women as may be indicated.
- (Y) "Level III obstetrical services" means a maternity unit organized with obstetric care service personnel and equipment to provide subspecialty care to pregnant women; maternal care spanning the range of normal term gestation care to the management of moderate prematurity, moderately complex maternal complications, and highly complex or critically ill mothers.
- (Z) "Licensee" or "license holder" means the individual, corporation, partnership, board, association or entity licensed by the director under Chapter 3711. of the Revised Code and rule 3701-7-03 of the Administrative Code to maintain a maternity unit or a maternity home.
- (AA) "Licensed capacity" means the maximum number of patients that the maternity unit or maternity home is authorized to accommodate under its license.
- (BB) "Licensed dietitian" means an individual licensed under chapter 4759. of the Revised Code to practice as a licensed dietitian.
- (CC) "Licensed practical nurse" means an individual licensed under Chapter 4723. of the Revised Code to practice nursing as a licensed practical nurse.
- (DD) "Maternity home" means a facility for pregnant girls and women where accommodations, medical care, and social services are provided during the prenatal and postpartal periods. Maternity home does not include a private residence where obstetric or newborn services are received by a resident of the home.
- (EE) "Maternity unit" means a distinct portion of a hospital in which inpatient care is provided to women during all or part of the maternity cycle.
- (FF) "Medical director" means the physician who is responsible for managing and directing the provision of medical services at the health care service.
- (GG) "Neonatal resuscitation program" means the neonatal resuscitation program developed by the American heart association and American academy of pediatrics, or an equivalent program approved by the director.
- (HH) "Newborn care nursery" means a distinct portion of a hospital in which inpatient care is provided to infants. Newborn care nursery includes a distinct portion of a hospital in which intensive care is provided to infants.
- (II) "Nurse" means either a licensed practical nurse or a registered nurse.
- (JJ) "Nursing staff" means registered nurses, licensed practical nurses, and other staff that render care under the supervision of a registered nurse.

- (KK) "Obstetric and newborn care service" means the staff, equipment, physical space, and support services required to care for pregnant women, fetuses, women who have recently delivered a child, and newborns.
- (LL) "On-call" means an individual is capable of being reached by telephone or other electronic device and able to return to the maternity unit or newborn care nursery in accordance with facility policies.
- (MM) "On-duty" means in the maternity unit, newborn care nursery, or maternity home, alert and responsive to patient needs.
- (NN) "On-site" means in the building in which the maternity unit or newborn care nursery is located, or in the case of campus settings, in a nearby building and able to immediately respond to the maternity unit or newborn care nursery.
- (OO) "On-staff" means a formal organization of physicians and other health professionals approved by the governing body with the delegated responsibility to provide for the quality of all medical care, and other health care as appropriate, provided to patients.
- (PP) "Patient" means any individual who receives health care services.
- (QQ) "Pharmacist" means an individual registered under Chapter 4729. of the Revised Code to practice pharmacy.
- (RR) "Physician" means an individual who is licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, or osteopathic medicine and surgery.
- (SS) "Physician assistant" means a individual who holds a valid certificate to practice issued under Chapter 4730. of the Revised Code to provide services to patients as a physician assistant under the supervision, control, and direction of one or more physicians who are responsible for the physician assistant's performance.-
- (TT) "Registered nurse" means an individual who is licensed under section 4723.09 of the Revised Code to practice as a licensed registered nurse.
- (UU) "Resident" means a woman or a newborn to whom the maternity home provides accommodations, medical care, or social services.
- (VV) "Resident representative" means either a person acting on behalf of a resident with the consent of the resident or the resident's legal guardian.
- (WW) "Social worker" means an individual licensed to practice social work under Chapter 4757. of the Revised Code.

(XX) "Special delivery services" means services provided by a freestanding children's hospital that does not offer typical obstetric services as a level I obstetric service, level II obstetric service, or level III obstetric service, but is licensed as a level III neonatal care service, and is designed and equipped to provide delivery services to pregnant women as part of a comprehensive multidisciplinary program of fetal and neonatal care when it is determined that the fetus, once delivered, will require immediate highly subspecialty neonatal intensive care or neonatal surgery typically provided by a level IIIB or level IIIC neonatal care service.

(YY) "Staff member" or "staff" means the administrator and individuals providing direct care to patients on a full-time, part-time, temporary, contract, or voluntary basis. Staff member or staff does not include volunteers who are family members of a patient.

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