DRAFT Regulation to implement HB1251

10.07.01.01

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(13 - 1) "Doula" means a nonmedical professional who provides continuous physical, emotional, and informational support to the birthing parent throughout the prenatal, labor, and postpartum periods.

(31-1) "Significant medical interventions" has the meaning stated in §19-2601.

10.07.01.38

.38 Policies for Hospitals Providing Obstetric Care

A. *Pursuant to the requirements in Health-General Article, §§19-2601 and 19-2602, Annotated Code of Maryland, a hospital that provides obstetrical services shall adopt policies on:*

1. *A doula policy that allows every birthing parent to have at least one doula (as defined in Health-General Article, §19-2601(B)) present during birth in addition to authorized guests;*
2. *An obstetrics specific informed consent policy for significant medical interventions, including a cesarian section, induction of labor, augmentation of labor, operative vaginal delivery, or episiotomy, for the birthing parent; and*
3. *A transfer acceptance policy that includes the hospital's process for receiving:*

(1) a patient from a health care practitioner regulated under Title 8 of the Health Occupations Article who had provided services to a birthing parent in a home birth setting;

(2) a birthing parent 's or newborn's medical information from the home birth provider; and

(3) a transfer from a licensed direct-entry midwife that is consistent with the requirements of § 8–6C–08 of the Health Occupations Article.

B. *Hospitals that provide obstetrical services shall provide evidence of policies, as required in §A of this regulation, to the Department in an electronic format and manner specified by the Office of Health Care Quality:*

    (1) by January 1, 2026; and

    (2) Upon any updates to the policy.

C. *Hospital obstetric policies provided to the Department in accordance with §B of this regulation are available to the public upon request in accordance with the Maryland Public Information Act, Annotated Code of Maryland.*

D. *Enforcement of §§A and B of this regulation shall be in accordance with the Department's complaint investigation process in accordance with COMAR 10.07.01.08.*