

**R432. Health and Human Services, Family Health and Preparedness, Licensing.**

**R432-14. Birthing Center Construction Rule.**

**R432-14-1. Legal Authority.**

This rule is authorized by Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

**R432-14-2. Purpose.**

This rule provides construction and physical plant standards for birthing centers.

**R432-14-3. General Design Requirements.**

(1) The licensee shall ensure compliance with the construction requirements listed in Rule R432-4. Rule R432-14 supersedes any conflicting requirements of Rule R432-4.

(2) The licensee shall ensure birthing centers consist of at least one, but not more than five birth rooms. Licensure is not required for birthing centers with only one birth room.

(3) The licensee shall ensure birthing rooms and ancillary service areas are organized in a contiguous physical arrangement.

(4) The licensee shall ensure birthing centers with four to five birth rooms comply with Rule R432-4.

(5) The licensee shall ensure birthing centers with one to three birth rooms comply with Rule R432-4.

(6) A birthing center located contiguous with a general hospital may share:

- (a) radiology services;
- (b) laboratory services;
- (c) pharmacy services;
- (d) engineering services;
- (e) maintenance services;
- (f) laundry services;
- (g) housekeeping services;
- (h) dietary services; and
- (i) business functions.

(7) The owner shall retain in the birthing center a written agreement for the shared services.

**R432-14-4. General Construction Patient Facilities.**

(1) The licensee shall ensure the facility is designed to allow access to service areas and common areas without compromising patient privacy.

(2) The licensee shall ensure birth rooms and service areas are grouped to form a physically defined service unit.

(3) The licensee shall ensure spaces are provided for each of the required services.

(4) The licensee shall ensure interior finishes, lighting, and furnishings reflect a residential rather than an institutional setting.

(5) The licensee shall ensure maximum room occupancy is one mother and her newborn infant or infants.

(6) The licensee shall ensure windows in a birth room with a sight line that permit observation from the exterior are arranged or draped to ensure patient privacy.

(7) The licensee shall ensure birth rooms provide each patient a wardrobe, closet, or locker, having minimum clearance dimensions of 24 inches by 20 inches, suitable for hanging full-length garments. A clothes rod and adjustable shelf shall be provided.

(8) The licensee shall ensure a toilet room with direct access from the birth room is accessible.

(a) The toilet room shall contain a toilet and a lavatory. A shower or tub shall be accessible to each birth room and may be located in the toilet room.

(b) A toilet room may serve two birth rooms.

(c) Each toilet room fixture shall be handicap-accessible and shall have grab bars.

(9) The licensee shall ensure newborn infant resuscitation equipment, including electrical receptacles, oxygen, and suction are immediately available to each birth room in addition to resuscitation equipment provided for the mother. Portable oxygen and suction equipment shall be permitted.

(10) The licensee shall ensure a mechanically exhausted area for storage of facility maintenance materials and equipment is provided and may be combined with the environmental services room.

(11) The licensee shall ensure an examination light is readily available in each birth room. Special surgical lighting is not required.

(12) The licensee shall ensure an emergency lighting system is required and includes:

- (a) emergency exit signs;
- (b) enough lighting to safely exit the building; and
- (c) an examination light.

**R432-14-5. Penalties.**

The department may assess a civil money penalty of up to \$10,000 and deny approval for patient utilization of new or remodeled areas if a health care provider does not submit architectural drawings to the department. The department may assess a

civil money penalty of up to \$10,000 if the licensee fails to follow department-approved architectural plans. The department may assess a civil money penalty of up to \$1,000 per day for each day a new or renovated area is occupied before licensing agency approval.

**KEY: health care facilities**

**Date of Last Change: May 5, 2023**

**Notice of Continuation: March 21, 2019**

**Authorizing, and Implemented or Interpreted Law: 26-21-5; 26-21-16**