

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.20717 Prohibited conduct; development of policies and procedures; exception for insufficient time.

Sec. 20717.

(1) A freestanding birth center shall not do any of the following:

(a) Except as otherwise provided in this subdivision, use general or regional anesthesia, including epidural anesthesia. Local anesthesia, nitrous oxide, and other forms of pain relief may be administered at the freestanding birth center if all of the following are met:

(i) It is determined to be clinically necessary by a health care provider.

(ii) It is administered by a health care provider who is acting within the scope of the health care provider's practice.

(iii) It is used according to the freestanding birth center's policies and procedures and according to the professionally recognized standards of practice described in section 20727.

(b) Use pharmacologic agents to induce, stimulate, or augment labor, or bring about cervical ripening, during the first or second stages of labor or before labor. A freestanding birth center may use pharmacologic agents during the delivery of a placenta and in the postpartum period.

(c) Perform surgical procedures other than the following:

(i) Episiotomies.

(ii) Repairs of perineal lacerations.

(iii) Circumcisions.

(iv) Newborn frenulum revisions.

(v) Any other surgical procedure that is authorized by the department by rule.

(d) Use vacuum extractors or vaginal forceps.

(e) Except as otherwise provided in subsection (3), permit a patient to deliver at the freestanding birth center if any of the following limiting factors apply:

(i) Fetal gestation is less than 36 weeks and 0 days.

(ii) Labor has not started before fetal gestation of 42 weeks and 1 day.

(iii) Any other limiting factor established by rule under section 20727 is present in the patient or the clinical needs of the patient fall outside the scope of practice of a health care provider at the freestanding birth center.

(2) A freestanding birth center shall develop policies and procedures for assessing a patient seeking perinatal care to determine whether it is appropriate for the patient to deliver at the freestanding birth center.

(3) A freestanding birth center may permit a patient who meets a limiting factor described in subsection (1) or in rules promulgated under section 20727 to deliver at the freestanding birth center if there is insufficient time to convey the responsibility for the care of the patient to a hospital before the fetus is born.

History: Add. 2024, Act 252, Eff. Apr. 2, 2025

Popular Name: Act 368