**Section 1110.3130 Birth Center − Alternative Health Care Model – Review Criteria**

a) Location Requirements – Review Criteria

1) *There shall be no more than 10 birth center alternative health care models in the demonstration program* including:

A) A total of 4 located in the combined Cook, DuPage, Kane, Lake, McHenry and Will counties;

B) A total of 3 located in municipalities with a population of 50,000 or more not located in an area described in subsection (a)(1)(A); and

C) A total of 3 located in rural areas.

2) In each of the geographic groups identified in subsection (a)(1), one birth center shall be owned or operated by a hospital and one birth center shall be owned and operated by a federally qualified health center.

3) Documentation

A) The applicant shall document that the proposed birth center will be located in one of the geographic areas stated in the Act and described in subsection (a)(1); and

B) The applicant shall document that the proposed birth center is owned or operated by a hospital or owned or operated by a federally qualified health center or owned and operated by a private person or entity.

4) As stated in Section 30 of the Act, *there shall be no more than 2 birth centers authorized to operate in any single health planning area for obstetric services as determined under the Illinois Health Facilities Planning Act* [20 ILCS 3960]*.*

b) Service Provision to a Health Professional Shortage Area – Review Criteria

1) *The first 3 birth centers authorized to be operated by* IDPH *shall be located in or provide service to a health professional shortage area, as determined by the U.S. Department of Health and Human Services.* [210 ILCS 3/30] The applicant shall document whether the proposed site is located in or will predominantly serve the residents of a health professional shortage area.

2) *If a birth center is located outside of a health professional shortage area*:

A) *the birth center shall be located in a health planning area with a demonstrated need for obstetrical service beds, as determined by the Health Facilities and Services Review Board*; *or*

B) *there* shall *be a reduction in the existing number of obstetrical service beds in the planning area so that the establishment of the birth center does not result in an increase in the total number of obstetrical service beds in the health planning area.* [210 ILCS 3/30]

c) Admission Policies – Review Criterion

*A birth center may not discriminate against any patient requiring treatment because of the source of payment for services, including Medicare and Medicaid recipients*. [210 ILCS 3/35]Documentation shall consist of copies of all admission policies to be in effect at the facility and a signed statement that no restrictions on admissions due to these factors will occur.

d) Bed Capacity – Review Criterion

The applicant shall document that the proposed birth center will have no more than 10 beds.

e) Staffing Availability – Review Criterion

The applicant shall document that relevant clinical and professional staffing needs for the proposed project were considered and that licensure staffing requirements can be met.  In addition, the applicant shall document that necessary staffing is available by providing letters of interest from prospective staff members, completed applications for employment, or a narrative explanation of how the proposed staffing will be achieved.

f) Emergency Surgical Backup – Review Criterion

The applicant shall document that either:

1) The birth center will operate under a hospital license and will be *located within 30 minutes ground travel time from the hospital to allow for an emergency caesarian delivery to be started within 30 minutes* after *the decision that a caesarian delivery is necessary*; or

2) A contractual agreement has been signed with a licensed hospital for the referral and transfer of patients in need of an emergency caesarian delivery. *Birth centers shall be located within 30 minutes ground travel time from the licensed hospital to allow for an emergency caesarian delivery to be started within 30 minutes* after *the decision that a caesarian delivery is necessary.* [210 ILCS 3/35]

g) Education – Review Criterion

*A birth center shall offer prenatal care and community education services and shall coordinate these services with other health care services available in the community.* [210 ILCS 3/35] Documentation shall consist of a written narrative on the prenatal care and community education services offered by the birth center and how these services are being coordinated with other health services in the community.

h) Inclusion in Perinatal System – Review Criterion

1) Requirements

A) *At a minimum,* the birth center's *participation shall require a birth center to establish a letter of agreement with a hospital designated under the Perinatal System.*

B) *A hospital that operated or has a letter of agreement with a birth center shall include the birth center under its maternity service plan under the Hospital Licensing Act and shall include the birth center in the hospital's letter of agreement with its perinatal center.* [210 ILCS 3/30]

2) Documentation

A) A hospital that operated or has a letter of agreement with a birth center shall provide a copy of the hospital's letter of agreement with its perinatal center and of copy of the hospital's maternity service plan.

B) An applicant that is not a hospital shall identify the regional perinatal center that will provide neonatal intensive care services, as needed, to the applicant birth center patients. A letter of intent, signed by both the administrator of the proposed birth center and the administrator of the regional perinatal center, shall be provided.

i) Medicare/Medicaid Certification – Review Criterion

The applicant shall document that the proposed birth center will be certified to participate in the Medicare and Medicaid programs under titles XVIII and XIX, respectively, of the federal Social Security Act (42 USC 1395 and 1396).

j) Charity Care – Review Criterion

*All* birth centers *shall provide charitable care consistent with that provided by comparable health care providers in the geographic area.* [210 ILCS 3/30] The applicant shall provide to HFSRB a copy of the charity care policy that will be adopted by the proposed birth center.

k) Quality Assurance – Review Criterion

*Each* birth center *shall implement a quality assurance program with measurable benefits.* [210 ILCS 3/30] The applicant shall provide to HFSRB a copy of the quality assurance program to be adopted by the birth center.

(Source: Added at 36 Ill. Reg. 2569, effective January 31, 2012)