

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Birth Center Licensing Act is amended by  
5 changing Sections 5 and 25 as follows:

6 (210 ILCS 170/5)

7 Sec. 5. Definitions. In this Act:

8 "Birth center" means a designated site, other than a  
9 hospital:

10 (1) in which births are planned to occur following a  
11 normal, uncomplicated, and low-risk pregnancy;

12 (2) that is not the pregnant person's usual place of  
13 residence;

14 (3) that is exclusively dedicated to serving the  
15 childbirth-related needs of pregnant persons and their  
16 newborns, and has no more than 10 beds;

17 (4) that offers prenatal care and community education  
18 services and coordinates these services with other health  
19 care services available in the community; and

20 (5) that does not provide general anesthesia or  
21 surgery.

22 "Certified nurse midwife" means an advanced practice  
23 registered nurse licensed in Illinois under the Nurse Practice

1 Act with full practice authority or who is delegated such  
2 authority as part of a written collaborative agreement with a  
3 physician who is associated with the birthing center or who  
4 has privileges at a nearby birthing hospital.

5 "Department" means the Illinois Department of Public  
6 Health.

7 "Hospital" does not include places where pregnant females  
8 are received, cared for, or treated during delivery if it is in  
9 a licensed birth center, nor include any facility required to  
10 be licensed as a birth center.

11 "Licensed certified professional midwife" means a person  
12 who has successfully met the requirements under Section 45 of  
13 the Licensed Certified Professional Midwife Practice Act and  
14 holds an active license to practice as a licensed certified  
15 professional midwife in Illinois.

16 "Physician" means a physician licensed to practice  
17 medicine in all its branches in Illinois.

18 (Source: P.A. 102-518, eff. 8-20-21.)

19 (210 ILCS 170/25)

20 Sec. 25. Staffing.

21 (a) A birth center shall have a clinical director, who may  
22 be:

23 (1) a physician who is either certified or eligible  
24 for certification by the American College of Obstetricians  
25 and Gynecologists or the American Board of Osteopathic

1           Obstetricians and Gynecologists or has hospital  
2           obstetrical privileges; or

3           (2) a certified nurse midwife.

4           (b) The clinical director shall be responsible for:

5           (1) the development of policies and procedures for  
6           services as provided by Department rules;

7           (2) coordinating the clinical staff and overall  
8           provision of patient care;

9           (3) developing and approving policies defining the  
10          criteria to determine which pregnancies are accepted as  
11          normal, uncomplicated, and low-risk; and

12          (4) developing and approving policing regarding the  
13          anesthesia services available at the center.

14          (c) An obstetrician, family practitioner, ~~or~~ certified  
15          nurse midwife, or licensed certified professional midwife  
16          shall attend each person in labor from the time of admission  
17          through birth and throughout the immediate postpartum period.  
18          Attendance may be delegated only to another physician, ~~or~~ a  
19          certified nurse midwife, or a licensed certified professional  
20          midwife.

21          (d) A second staff person shall be present at each birth  
22          who:

23          (1) is licensed or certified in Illinois in a  
24          health-related field and under the supervision of a  
25          physician, ~~or~~ a certified nurse midwife, or a licensed  
26          certified professional midwife who is in attendance;

1           (2) has specialized training in labor and delivery  
2           techniques and care of newborns; and

3           (3) receives planned and ongoing training as needed to  
4           perform assigned duties effectively.

5           (Source: P.A. 102-518, eff. 8-20-21.)