

3701-7-01 **Definitions.**

- (A) "Administrator" means the person responsible for the overall daily management of the maternity unit, or newborn care nursery, or both.
- (B) "Advanced practice nurse" means an individual who holds a valid certificate of authority under Chapter 4723. of the Revised Code to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.
- (C) "Anesthesiologist" means a physician who has completed a residency training program in anesthesiology accredited by the accreditation council for graduate medical education or the American osteopathic association.
- (D) "Anesthesiologist assistant" means an individual who holds a valid certificate of registration under Chapter 4760. of the Revised Code to practice as a anesthesiologist assistant.
- (E) "Available for consultation" means an individual is capable of rendering advice, opinions, recommendations, suggestions, and counsel in evaluating a patient upon notice by the requesting physician and in accordance with the medical needs of the patient. This may be done by telemedicine or e-medicine in accordance with acceptable standards of practice.
- (F) "Certified nurse-midwife" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a certified nurse-midwife in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (G) "Certified nurse practitioner" means a registered nurse who holds a valid certificate of authority issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as a certified nurse practitioner in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.
- (H) "Department" means the Ohio department of health.
- (I) "Director" means the director of the department of health or his duly authorized representative.
- (J) "Donor human milk" means milk from a lactating mother or lactating mothers, other than the milk of the mother of the newborn, that has been screened pursuant to the guidelines issued by the "Human milk bank association of North America."
- (K) "Feeding preparation area" means a designated clean area within the newborn care nursery that is specifically for the storage and preparation of human milk, donor human milk, or commercial infant formula.
- (L) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of conception, which after such expulsion or extraction, does not breathe or show any other evidence of life such as beating of the heart,

pulsation of the umbilical cord, or definite movement of voluntary muscles. "Fetal death" does not include termination of the pregnancy.

- (M) "Guidelines for perinatal care" means the sixth edition of the "Guidelines for perinatal care" issued by the American academy of pediatrics and the American congress of obstetricians and gynecologists.
- (N) "Gynecologic patient" means a woman with or suspected of having a disorder related to her reproductive organs.
- (O) "Hospital" means an institution required to be registered under section 3701.07 of the Revised Code.
- (P) "Human milk" means the milk produced by a mother to feed her newborn.
- (Q) "Lactation consultant" means an individual who holds credentials as an "International board certified lactation consultant."
- (R) "Level classification" means the level designation of the maternity unit and newborn care nursery that determines the services that may be provided.
- (S) "Licensee" or "license holder" means the individual, corporation, partnership, board, association or entity licensed by the director under Chapter 3711. of the Revised Code and rule 3701-7-03 of the Administrative Code to maintain a maternity unit, newborn care nursery, or maternity home.
- (T) "Licensed capacity" means the maximum number of patients that the maternity unit, newborn care nursery, or maternity home is authorized to accommodate under its license.
- (U) "Licensed dietitian" means an individual licensed under chapter 4759. of the Revised Code to practice as a licensed dietitian.
- (V) "Licensed practical nurse" means an individual licensed under Chapter 4723. of the Revised Code to practice nursing as a licensed practical nurse.
- (W) "Maternity home" means a facility for pregnant girls and women where accommodations, medical care, and social services are provided during the prenatal and postpartal periods. Maternity home does not include a private residence where obstetric or newborn services are received by a resident of the home.
- (X) "Maternity unit" means a distinct portion of a hospital in which inpatient care is provided to women during all or part of the maternity cycle.
- (Y) "Medical director" means the physician who is responsible for managing and directing the provision of medical services at the maternity unit or newborn care nursery.
- (Z) "Neonatal resuscitation program" means the neonatal resuscitation program developed by the American heart association and American academy of pediatrics, or an equivalent program approved by the director.

- (AA) "Newborn care nursery" means a distinct portion of a hospital in which inpatient care is provided to infants. Newborn care nursery includes a distinct portion of a hospital in which intensive care is provided to infants.
- (BB) "Nurse" means either a licensed practical nurse or a registered nurse.
- (CC) "Nursing staff" means registered nurses, licensed practical nurses, and other staff that render care under the supervision of a registered nurse.
- (DD) "Obstetric and newborn care service" means the staff, equipment, physical space, and support services required to care for pregnant women, fetuses, women who have recently delivered a child, and newborns.
- (EE) "On-call" means an individual is capable of being reached by telephone or other electronic device and able to return to the maternity unit or newborn care nursery in accordance with facility policies.
- (FF) "On-duty" means in the maternity unit, newborn care nursery, or maternity home, alert and responsive to patient needs.
- (GG) "On-site" means in the building in which the maternity unit or newborn care nursery is located, or in the case of campus settings, in a nearby building and able to immediately respond to the maternity unit or newborn care nursery.
- (HH) "On-staff" means a member of the formal organization of physicians and other health professionals approved by the governing body with the delegated responsibility to provide for the quality of all medical care, and other health care as appropriate, provided to patients.
- (II) "Patient" means any individual who receives health care services.
- (JJ) "Pharmacist" means an individual registered under Chapter 4729. of the Revised Code to practice pharmacy.
- (KK) "Physician" means an individual who is licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, or osteopathic medicine and surgery.
- (LL) "Physician assistant" means a individual who holds a valid certificate to practice issued under Chapter 4730. of the Revised Code to provide services to patients as a physician assistant under the supervision, control, and direction of one or more physicians who are responsible for the physician assistant's performance.
- (MM) "Registered nurse" means an individual who is licensed under section 4723.09 of the Revised Code to practice as a licensed registered nurse.
- (NN) "Resident" means a woman or a newborn to whom the maternity home provides accommodations, medical care, or social services.
- (OO) "Resident representative" means either a person acting on behalf of a resident with the consent of the resident or the resident's legal guardian.

(PP) "Social worker" means an individual licensed to practice social work under Chapter 4757. of the Revised Code.

(QQ) "Special delivery services" means services provided by a freestanding children's hospital that does not offer typical obstetric services as a level I obstetric service, level II obstetric service, or level III obstetric service, but is licensed as a level III neonatal care service, and is designed and equipped to provide delivery services to pregnant women as part of a comprehensive multidisciplinary program of fetal and neonatal care when it is determined that the fetus, once delivered, will require immediate highly subspecialty neonatal intensive care or neonatal surgery typically provided by a level IIIB or level IIIC neonatal care service.

(RR) "Staff member" or "staff" means the administrator and individuals providing direct care to patients on a full-time, part-time, temporary, contract, or voluntary basis. Staff member or staff does not include volunteers who are family members of a patient.

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