

3701-7-04

Prohibitions.

- (A) ~~Upon the effective date of rules in this chapter, no~~ No person or agency of state or local government shall operate a maternity unit, newborn care nursery, or maternity home that does not comply with the provisions of this chapter of the Administrative Code.
- (B) No person or agency of state or local government shall:
- (1) Interfere with an inspection or investigation of a hospital maternity unit, newborn care nursery, or maternity home by the director. As used in this paragraph, "interfere" means to obstruct directly or indirectly any individual conducting an authorized inspection or investigation from carrying out his or her duties, including:
 - (a) Harassment;
 - (b) Intimidation;
 - (c) Refusal to permit the director upon presentation of official department identification, to inspect or investigate the operation of a maternity unit, newborn care nursery, or maternity home; or
 - (d) Refusal to permit the director upon presentation of official department identification to enter and inspect records that are kept concerning the operations of the hospital maternity unit, newborn care nursery, or maternity home for information necessary to determine compliance with the applicable rules of this chapter.
 - (2) Materially misrepresent any information provided to the director pursuant to section 3711.10 of the Revised Code and Chapter 3701-7 of the Administrative Code.
- (C) Each provider of a hospital maternity unit, newborn care nursery, or maternity home shall ensure that the building or structure where it is located is in compliance with all applicable federal, state and local laws and regulations.
- (D) Nothing in this chapter shall be construed as authorizing individuals to provide services outside their licensed scope of practice.
- (E) A new maternity unit, newborn care nursery, or maternity home shall provide the service in compliance with all applicable provisions of Chapter 3701-7 of the Administrative Code, unless a waiver or variance is granted under the provisions of

rule 3701-7-17 of the Administrative Code for all provisions not met.