

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 20—Division of Community and Public Health**  
**Chapter 60—Maternal and Neonatal Care**

**PROPOSED RULE**

**19 CSR 20-60.010 Levels of Maternal and Neonatal Care Designations**

*PURPOSE: This rule establishes criteria and procedures for reporting standardized assessments and levels of maternal and neonatal care designations for birthing facilities.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproductions. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) The following definitions shall apply throughout this rule:

(A) "Birthing facility" means any hospital as defined under section 197.020 RSMo, with more than one licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a birthing center licensed under sections 197.200 to 197.240, RSMo;

(B) "Department" means the Missouri Department of Health and Senior Services; and

(C) "LOCATe" or "CDC Maternal and Neonatal Levels of Care Assessment Tool" refers to a web-based tool created by the Centers for Disease Control and Prevention (CDC) that assists in creating standardized assessments of levels of maternal and neonatal care. LOCATe is based on the most recent guidelines and policy statements issued by the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, and the Society for Maternal-Fetal Medicine.

(2) By January 31, 2019, each birthing facility shall complete the CDC Maternal and Neonatal Levels of Care Assessment Tool ("LOCATe") based upon the assessment of the facility as of December 31, 2018. For each succeeding year thereafter, each birthing facility shall use LOCATe to reassess its designation as of December 31<sup>st</sup> preceding the due date of January 31. The LOCATe tool (version 0.8.0) which is incorporated by reference in this rule as published by the Centers for Disease Control and Prevention and available at [www.health.mo.gov](http://www.health.mo.gov). This rule does not incorporate any subsequent amendments or additions. The completed assessment shall be sent to the Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102-0570 by January 31 each year.

(3) The level of care designation for neonatal care selected by the birthing facility within LOCATe shall be based upon the most current standards published by the American Academy of Pediatrics ("AAP"). The level of care designation for maternal care selected by the birthing facility within LOCATe shall be based upon the most current standards published by the American College of Obstetricians and Gynecologists ("ACOG") and the Society for Maternal-Fetal Medicine.

(4) Each birthing facility shall have the results of their LOCATe assessment and level of care designations verified by the Department, AAP, or ACOG once every three years. When submitting the annual LOCATe assessment, birthing facilities shall notify the Department in writing about how they will have their results verified.

(5) If a birthing facility chooses to have the results of their LOCATe standardized assessment and level of care designations verified by either AAP or ACOG, the verification shall be conducted utilizing criteria collected in LOCATe. Verification processes conducted by AAP or ACOG may include criteria in addition to those included in LOCATe. Verification by the Department will only include criteria collected in LOCATe.

(6) A birthing facility shall provide written notification to the Department at any time their designation changes in between annual assessments.

(7) The Department may initiate a review and monitor compliance with the provisions set forth in this rule at any time. The Department will provide written notification to a birthing facility if it finds that verification does not match the self-designated levels of care.

*AUTHORITY: section 192.006, RSMo 2000 and section 192.380, RSMo Supp. 2017. Emergency rule filed December 20, 2018, effective December 30, 2018, expires June 27, 2019. Original rule filed December 20, 2018.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions \$184,802 for the initial three (3) year period and \$116,456 annually thereafter.*

*PRIVATE COST: This proposed rule will cost private entities \$172,852 for the initial three (3) year period and \$68,908 annually thereafter.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Adam Crumbliss, Director, Department of Health and Senior Services, Division of Community and Public Health, PO Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*