**Section 265.1750 Personnel**

a) *Medical Director. The services of a medical director physician, licensed to practice medicine in all its branches, who is certified or eligible for certification by the American College of Obstetricians and Gynecologists or the American Board of Osteopathic Obstetricians and Gynecologists or has hospital obstetrical privileges are required in birth centers*. (Section 35(6) of the Act)

1) The medical director shall be appointed by and responsible to the governing body and shall have full obstetrical privileges in a licensed hospital near the birth center. The medical director may also be designated as the individual responsible for the administrative operation of the birth center. The medical director shall be responsible for:

A) Advising and consulting with the staff of the birth center on all matters related to medical management of pregnancy; birth; postpartum, newborn and gynecologic health care; and infection control;

B) Establishing a Written Collaborative Agreement for midwifery care management as required by Section 65-35 of the Nurse Practice Act;

C) Coordinating all professional medical consultants to the birth center (e.g., consulting obstetrical physicians, pediatricians, family physicians); and

D) Such other functions as may be deemed appropriate.

2) The medical director or a physician designee shall be available on the premises or within the proximity specified in Section 265.1250(n).

b) Administrator. The administrator is an individual designated by the governing body to be responsible for the administrative operation of the birth center. One person may function in more than one capacity, provided that the person meets all of the minimum qualifications and is capable of performing all of the prescribed duties.

1) The duties of the administrator include, but are not limited to:

A) Administratively supervising the provision of services at the birth center;

B) Organizing and directing the birth center's ongoing functions;

C) Employing qualified staff;

D) Ensuring education and evaluations of staff; and

E) Supervising non-professional staff.

2) The administrator shall implement a budgeting and accounting system, which shall include an auditing system for monitoring State or federal funds. The administrator shall ensure that all billings or insurance claims (e.g., Medicaid) submitted are accurate.

3) The administrator shall ensure that issues and complaints relating to the conduct or actions of licensed health care professionals are addressed and, if warranted, referred and reported to the appropriate licensing board, and that such review and action taken are documented.

4) The administrator shall administratively conduct or supervise the resolution of complaints received from clients concerning the delivery of their care or services at the birth center.

c) Director of Nursing and Midwifery Services

1) *If a birth center employs certified nurse midwives, a certified nurse midwife shall be the Director of Nursing and Midwifery Services who is responsible for the development of policies and procedures for services as provided by* this Part. (Section 35(6) of the Act)

2) The nursing or midwifery services shall be under the direction of a registered nurse or a certified nurse midwife who has qualifications in nursing administration and/or nursing management and who has the ability to organize, coordinate, and evaluate the service.

3) The Director of Nursing and Midwifery Services shall hold a degree in nursing and have documented experience and relevant continuing education.

4) The Director of Nursing and Midwifery Services shall be accountable to the governing body for developing and implementing policies and procedures of the birth center and for the nursing/midwifery practice.

5) The Director of Nursing and Midwifery Services shall have authority over the selection, promotion and retention of nursing/midwifery personnel based on established job descriptions.

6) A registered nurse or certified nurse midwife qualified by training shall be designated and authorized to act in the absence of the Director of Nursing and Midwifery Services on a 24-hour basis.

d) Birth Attendants and Birth Assistants

1) A birth attendant is *an obstetrician, family practitioner*/physician*, or certified nurse midwife* who attends a *woman in labor from the time of admission through birth and throughout the immediate postpartum period*, in accordance with Section 265.1850. (Section 35(6) of the Act)

2) A birth assistant shall be *licensed or certified in Illinois in a health-related field and under the supervision of the physician or certified nurse midwife in attendance, have specialized training in labor and delivery techniques and care of newborns, and receive planned and ongoing training as needed to perform assigned duties effectively*. (Section 35(6) of the Act) The birth assistant acts as the second staff person who is required by Section 35(6) of the Act to be present at each birth.

e) Professional and support staff (nurses, clerical, housekeeping, food service, maintenance, etc.) shall be on duty and on call to meet the demands for services provided to assure client safety and satisfaction.

f) At each birth there shall be two staff currently certified in:

1) Adult CPR equivalent to American Heart Associate Class C life support; and

2) Neonatal CPR equivalent to American Academy of Pediatrics/American Heart Association requirements.

g) Each birth center shall establish an employee health program that includes, at a minimum, the following:

1) An assessment of the employee's health and immunization status at the time of employment;

2) Policies regarding required immunizations;

3) Policies and procedures for the periodic health assessment of all personnel. These policies shall specify the content of the health assessment and the interval between assessments and shall comply with the Control of Tuberculosis Code;

4) All birth center employees who are exposed to blood shall have full immunization against hepatitis B or documented refusal; and

5) Annual training on infection control for birth center personnel. The training shall follow the standards set forth in the Guidelines for Infection Control in Health Care Personnel; and

6) Procedures related to identifying potential dangers to the health and safety of personnel providing services in the birth center and procedures for protecting agency personnel from identified dangers.

h) Each birth center shall develop a system for training and continued education for all personnel according to their assigned duties and for evaluation of skills consistent with the individual's scope of practice.

i) Prior to employing any individual in a position that requires a State license, the birth center shall contact the Illinois Department of Financial and Professional Regulation to verify that the individual's license is active and in good standing. A copy of the verification shall be placed in the individual's personnel file.

j) A birth center shall comply with the Health Care Worker Background Check Act and the Health Care Worker Background Check Code.

k) The birth center shall check the status of all applicants with the Health Care Worker Registry prior to hiring.