

**IC 16-50   ARTICLE 50. MATERNAL MORTALITY REVIEW**

- Ch. 1.   Statewide Maternal Mortality Review Committee
- Ch. 2.   Statewide Maternal Mortality Review Coordinator

**IC 16-50-1   Chapter 1. Statewide Maternal Mortality Review Committee**

- 16-50-1-1   "Maternal morbidity"
- 16-50-1-2   "Maternal mortality"
- 16-50-1-3   Statewide maternal mortality review committee established; duties; authority
- 16-50-1-4   Committee members; meetings; executive session
- 16-50-1-5   Member requirements
- 16-50-1-6   Duty to report; release of data
- 16-50-1-7   Committee duties; authority; findings
- 16-50-1-8   Review of records; access to records; no liability; confidentiality
- 16-50-1-9   Annual report; release on Internet web site
- 16-50-1-10   Immunity; privileged communications
- 16-50-1-11   Other investigations or reviews
- 16-50-1-12   Expiration

**IC 16-50-1-1   "Maternal morbidity"**

Sec. 1. As used in this article, "maternal morbidity" refers to any health condition occurring to an individual in Indiana that is attributable to or aggravated by pregnancy and childbirth.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-2   "Maternal mortality"**

Sec. 2. As used in this article, "maternal mortality" refers to death, occurring in Indiana, of an individual during pregnancy through up to one (1) year after pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to or aggravated by the pregnancy or management of the pregnancy.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-3   Statewide maternal mortality review committee established; duties; authority**

Sec. 3. (a) The state department shall establish a statewide maternal mortality review committee to:

- (1) review cases of maternal morbidity and maternal mortality;
- (2) determine factors contributing to maternal morbidity and maternal mortality;
- (3) identify public health and clinical interventions to improve systems of care and enhance coordination; and
- (4) develop strategies for the prevention of maternal morbidity and maternal mortality;

in Indiana.

(b) The statewide mortality review committee:

- (1) shall review cases of maternal mortality; and
- (2) may review cases of maternal morbidity.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-4   Committee members; meetings; executive session**

Sec. 4. (a) The state health commissioner or the commissioner's designee shall appoint members to the statewide maternal mortality review committee.

(b) The membership of the statewide maternal mortality review committee must be multidisciplinary, be culturally diverse, and include the following:

- (1) One (1) representative from each of the following:
  - (A) The state department.

(B) The office of the secretary of family and social services.

(C) The Indiana Hospital Association.

(2) Two (2) representatives of a local health department, each representing a different regional area and population size.

(3) Two (2) representatives of community based organizations that focus on maternal health and well-being.

(4) One (1) epidemiologist.

(5) One (1) representative from each of the following areas who provides services or community resources to families, with expertise and knowledge in the area:

(A) Obstetrics.

(B) Maternal-fetal medicine.

(C) Family medicine.

(D) Social work.

(E) Pathology.

(F) Public health nursing.

(G) Midwifery.

(H) Anesthesiology.

(I) Mental health.

(c) The state health commissioner shall designate a member of the statewide maternal mortality review committee as the chairperson.

(d) The statewide maternal mortality review committee shall meet at the call of the chairperson. Except as provided in subsection (e), statewide maternal mortality review committee meetings are open to the public.

(e) Statewide maternal mortality review committee meetings that involve confidential records or identifying information regarding a maternal death or maternal morbidity that is confidential under state or federal law must be held as an executive session and are not open to the public.

*As added by P.L.48-2018, SEC.3.*

#### **IC 16-50-1-5 Member requirements**

Sec. 5. A member of the statewide maternal mortality review committee shall:

(1) sign a confidentiality form prepared by the statewide maternal mortality review coordinator under IC 16-50-2-3;

(2) review the purpose and goals of the statewide maternal mortality review committee; and

(3) review the data collection form developed by the statewide maternal mortality review coordinator under IC 16-50-2-2.

*As added by P.L.48-2018, SEC.3.*

#### **IC 16-50-1-6 Duty to report; release of data**

Sec. 6. (a) If a health care provider or a health care facility has a patient who suffers a maternal mortality and the health care provider or health care facility has knowledge of the circumstances of the maternal mortality, the health care provider or the health care facility shall report the maternal mortality to the statewide maternal mortality review committee in the manner established by the statewide maternal mortality review coordinator under IC 16-50-2-4.

(b) The state department may provide data held by the state department, including:

(1) vital statistics;

(2) trauma data; and

(3) hospital discharge data;

to the statewide maternal mortality review coordinator to aid in the identification of cases of maternal morbidity and maternal mortality.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-7 Committee duties; authority; findings**

Sec. 7. (a) The statewide maternal mortality review committee shall review all cases of maternal mortality reported to the statewide maternal mortality review committee.

(b) The statewide maternal mortality review committee may do any of the following concerning each maternal mortality case reported to the statewide maternal mortality review committee:

- (1) Review medical records and other relevant data as set forth in section 8(a) of this chapter.
- (2) Contact family members and other affected or involved persons to collect data.
- (3) Consult with relevant experts to evaluate the records and data described in subdivisions (1) and (2).
- (4) Make determinations regarding the factors contributing to maternal morbidities and maternal mortalities and the preventability of maternal morbidities and maternal mortalities.
- (5) Identify, if applicable, public health and clinical health interventions to improve systems of care and enhance coordination.
- (6) Develop recommendations for the prevention of maternal morbidities and maternal mortalities.
- (7) Disseminate findings and recommendations as required under this chapter.

(c) The statewide maternal mortality review committee's findings for each case must be maintained in a data collection form developed by the statewide maternal mortality review coordinator under IC 16-50-2-2.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-8 Review of records; access to records; no liability; confidentiality**

Sec. 8. (a) In conducting a review under this chapter, the statewide maternal mortality review committee shall review all applicable records and information related to the death, including the following:

- (1) Records held by the local or state health departments, including the death certificate.
- (2) Medical records submitted by the health care provider or health care facility.
- (3) Law enforcement records.
- (4) Coroner records, including an autopsy report.
- (5) Mental health records.
- (6) Emergency medical services reports.
- (7) Subject to IC 31-33-18-2, records held by the department of child services.
- (8) To the extent allowable under state and federal law, other records held by the state department.

(b) The following shall provide to the statewide maternal mortality review committee, in good faith, access to records concerning a case under review under this chapter:

- (1) A health care provider.
- (2) A health care facility.
- (3) An individual.
- (4) An entity.

(c) A person described in subsection (b) that provides access to records in good faith under this section is not subject to liability in:

- (1) a civil;
- (2) an administrative;
- (3) a disciplinary; or
- (4) a criminal;

action that might otherwise be imposed as a result of the disclosure.

(d) Except as otherwise provided under this chapter, information and records acquired and

interviews conducted by the statewide maternal mortality review committee in the exercise of the committee's duties under this chapter are confidential and exempted from disclosure.

(e) Records, information, documents, and reports acquired or produced by the statewide maternal mortality review committee are not:

- (1) subject to subpoena or discovery; or
- (2) admissible as evidence;

in any judicial or administrative proceeding. Information that is otherwise discoverable or admissible from original sources is not immune from discovery or use in any proceeding merely because the information was presented during proceedings before the statewide maternal mortality review committee.

(f) The statewide maternal mortality review committee members and individuals who attend a statewide maternal mortality review committee meeting at the invitation of the chairperson shall maintain the confidentiality of records and information discussed and disseminated during the statewide maternal mortality review committee meeting.

*As added by P.L.48-2018, SEC.3.*

#### **IC 16-50-1-9                      Annual report; release on Internet web site**

Sec. 9. (a) The statewide maternal mortality review committee shall, before July 1 of each year, submit a report to the state department that includes the following information:

- (1) A summary of the data collected regarding the reviews conducted by the statewide maternal mortality review committee.
- (2) Actions recommended by the statewide maternal mortality review committee to improve systems of care and enhance coordination to reduce maternal morbidity and maternal mortality in Indiana.
- (3) Legislative recommendations for consideration by the general assembly.

(b) A report released under this section must not contain identifying information relating to the deaths reviewed by the statewide maternal mortality review committee.

(c) The state department shall make a report prepared under this section available to public inspection and post the report on the state department's Internet web site.

*As added by P.L.48-2018, SEC.3.*

#### **IC 16-50-1-10                      Immunity; privileged communications**

Sec. 10. (a) The statewide maternal mortality review committee members and individuals who attend a statewide maternal mortality review committee meeting at the invitation of the chairperson:

- (1) may discuss among themselves confidential matters that are before the statewide maternal mortality review committee; and
- (2) are, except when acting:
  - (A) with malice;
  - (B) in bad faith; or
  - (C) with negligence;

immune from any civil or criminal liability that might otherwise be imposed as a result of sharing among themselves those matters.

(b) The discussions, determinations, conclusions, and recommendations of the statewide maternal mortality review committee or its members concerning a review of a fatality at a statewide maternal mortality review committee meeting:

- (1) are privileged; and
- (2) are not:
  - (A) subject to subpoena or discovery; or
  - (B) admissible as evidence;

in any judicial or administrative proceeding.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-11            Other investigations or reviews**

Sec. 11. Nothing in this chapter shall preclude any death, illness, or injury investigation or review to the extent authorized by other laws.

*As added by P.L.48-2018, SEC.3.*

**IC 16-50-1-12            Expiration**

Sec. 12. This article expires June 30, 2023.

*As added by P.L.48-2018, SEC.3.*