



W. Marshall Taylor Jr., Acting Director

Promoting and protecting the health of the public and the environment

February 26, 2015

Kristin Dennison (kldenni@gmail.com)
13 Austree Court
Columbia, S.C. 29229

RE: Message to the Office of Governor regarding Birthing Centers

Dear Ms. Dennison:

The Office of the Governor forwarded the Department your message entitled "Birthing Center needs reprieve." The Department of Health and Environmental Control appreciates the opportunity to explain and clarify its position on the issues noted in your message concerning the licensure of birthing centers.

The Department licenses and regulates birthing centers in South Carolina pursuant to the *Birthing Center Licensure Act*, S.C. Code Ann. §§ 44-89-10, *et seq.*, and *Standards for Licensing Birthing Centers for Deliveries by Midwives*. 8 S.C. Code Ann. Regs. 61-102. Section 44-89-60(3) of the S.C. Code of Laws requires a physician to be on call and available to provide medical assistance at the birthing center at all times that the birthing center is serving the public. There are other provisions that require physician involvement with the care of birthing center clients. *See, e.g.*, 8 S.C. Code Ann. Regs. 61-102 § D.(6)(a). The Department faithfully administers and executes these laws passed by the General Assembly in order to promote and protect the health and welfare of the citizens of South Carolina.

The Department is unable to publicly disclose information it receives from Carolina Community Maternity or other licensed birthing centers. S.C. Code Ann. § 44-89-70 provides:

Information received by the department through inspection or as otherwise authorized must not be disclosed publicly in a manner as to identify individuals, facilities, or programs except in a proceeding involving the question of licensing or the revocation of a license or unless ordered to do so by a court of competent jurisdiction.

The Department appreciates your interest in these matters. Should you have any questions, please do not hesitate to contact Michell Hatcher at (803) 545-4968 or hatcheml@dhec.sc.gov.

Sincerely,

Gwen C. Thompson, Chief
Bureau of Health Facilities Licensing

Enclosures

GCT:BW

cc: Jonathan Yarborough, DHEC
Pam Hawley, DHEC
Taylor Craig, Office of the Governor