



PUBLIC NOTICE OF PROPOSED RULE CHANGES

Pursuant to the Georgia Administrative Procedures Act, Official Code of Georgia Annotated (O.C.G.A.) § 50-13-1 et seq., the Georgia Department of Community Health is required to provide public notice of its intent to adopt, amend, or repeal certain rules, other than interpretive rules or general statements of policy. Accordingly, the Department hereby provides notice of its intent to revise its Rules and Regulations for Birth Centers, specifically Ga. Comp. R. & Regs. r. 111-8-7-.07, *Transfer and Transport Capability*. These proposed changes are needed to align current licensing requirements with certificate of need rules and regulations of the Department previously adopted by the Board in compliance with House Bill (HB) 1339 from the 2024 Session of the General Assembly. An exact copy of the revised rules and a synopsis of the revisions are attached to this public notice.

NOTICE OF PUBLIC HEARING

An opportunity for public comment will be held on February 17, 2026, at 11:30 a.m. via Zoom. There will be no in-person attendance at the Department of Community Health. The Zoom meeting ID number is 843 6067 4822 and the event password is “927248”. Follow these instructions to join the event:

1. Click the link or copy and paste the link text to a browser:

<https://us02web.zoom.us/j/84360674822?pwd=dcb3Xxytvi3Ox2WUBbrf33E0fRtvCZ.1>

2. Click “Join Now”

To join by telephone: One tap mobile

+16465588656,,84360674822#,,,,*927248# US (New York)

+16469313860,,84360674822#,,,,*927248# US

Oral comments will be limited to ten (10) minutes per person. Individuals who are disabled and require assistance to participate during this meeting should contact the Office of General Counsel at (470) 259-0735 at least three (3) business days prior to the meeting.

Individuals wishing to comment in writing on any of the proposed changes must do so on or before February 19, 2026, at 5:00 p.m. Due to reduced physical staffing at the 2 M.L.K., Jr. Drive, SE location, DCH encourages written public comments submitted in accordance with O.C.G.A. § 50-13-4(a)(2) to be submitted via e-mail to the following e-mail address: Public.Comment@dch.ga.gov. ***Please note that any comments submitted are subject to open records.***



**GEORGIA DEPARTMENT
OF COMMUNITY HEALTH**

Written comments may be submitted via regular mail to the following address:

Attention: Alycia Allgood
Office of General Counsel
Georgia Department of Community Health
2 M.L.K. Jr. Drive, SE, 18th Floor, East Tower
Atlanta, GA 30334

If the proposed changes are presented to the Board for final action, relevant comments from written and public testimony will be provided to the Board. The Board expects to vote on the proposed changes at the Board meeting to be held on April 9, 2026, at 10:30 a.m. at the Department of Community Health unless withdrawn or withheld by the Department for further review.

NOTICE IS HEREBY GIVEN THIS 12th DAY OF FEBRUARY 2026

A handwritten signature in blue ink, appearing to read "Dean Burke, MD", written over a horizontal line.

Dean Burke, MD, Commissioner

**111. RULES OF DEPARTMENT OF COMMUNITY HEALTH
111-8. HEALTHCARE FACILITY REGULATION
111-8-7. RULES AND REGULATIONS FOR BIRTH CENTERS**

AMEND CHAPTER 111-8-7

SYNOPSIS OF REVISED RULE

STATEMENT OF PURPOSE:

The Georgia Department of Community Health proposes to amend and update the Rules and Regulations for Healthcare Facility Regulation, Rules and Regulations for Birth Centers, Ga. Comp. R. & Regs. r. 111-8-7. These rules are being proposed pursuant to the authority granted to the Department of Community Health in O.C.G.A. §§ 31-2-4 and 31-7-1, *et seq.*

MAIN FEATURES OF THE PROPOSED RULE CHANGE:

The proposed rule changes align current licensing requirements with certificate of need rules and regulations of the Department previously adopted by the Board in compliance with House Bill (HB) 1339 from the 2024 Session of the General Assembly.

**111. RULES OF DEPARTMENT OF COMMUNITY HEALTH
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TABLE OF CONTENTS

111-8-7-.07 Transfer and Transport Capability

Rule 111-8-7-.07. Transfer and Transport Capability

- (1) Each birth center shall have a written hospital affiliation agreement with an acute care hospital(s) with at least Level III perinatal ~~which is licensed to provide obstetrical services within a reasonable distance from the birth center or the medical staff at the birth center shall have admitting privileges or other acceptable documented arrangements with such acute care hospital to ensure the necessary backup for the birth center for medical complications, for emergency care. Each physician practicing in the birth center shall have admitting privileges at the back-up hospital.~~
- (2) Each birth center shall have a written agreement with the ~~emergency back-up acute care~~ hospital for acceptance and examination of laboratory specimens to expedite treatment, prior to formal admission procedures.
- (3) The center shall have the capability to transfer and transport the adult and/or newborn patients immediately to the ~~contract acute care~~ hospital within a reasonable distance from the birth center ~~thirty (30) minutes of initiation of transfer procedure to the arrival on the obstetric/newborn service of the hospital.~~ Documentation of each transfer shall be maintained by the center to substantiate to the Department that it has met this requirement.
- (4) The center shall have a written contract with a licensed ambulance service which will assure timely response.

Authority: O.C.G.A. §§ 31-2-4; 31-7-1 et seq.