STATE OF LOUISIANA

MINIMUM LICENSING

REQUIREMENTS

FOR

MATERNITY HOMES

MINIMUM REQUIREMENTS FOR THE LICENSURE OF MATERNITY HOMES

INTRODUCTION

The licensing authority of the Department of Health and Human Resources, Office of Licensing and Regulation is established by Act 367 of 1957 as amended (R.S. 46:1401-11), making mandatory the licensing of all child placing agencies, maternity homes, child caring institutions, day care centers and family boarding homes providing care to seven or more children.

The Office of Licensing and Regulation in fulfilling its responsibility under this statute has adopted Minimum Requirements for the Licensure of Maternity Homes. A maternity home is defined in Act 367 of 1957 as amended, as "any place in which any person, society, agency, corporation, or facility receives, treats or cares for within a period of six months, more than one illegitimately pregnant woman, either before, during or within two weeks after childbirth. The provisions of this definition shall not include the sixth degree of kindred computed according to civil law, or general or special hospitals in which maternity treatment and care is part of the medical services performed and the care of children only brief and incidental." This definition is presumed not to include foster family homes used by agencies in lieu of group care. These foster family homes would come under regulations governing child placing agencies.

The original application for a license is made on a form provided by the Office of Licensing and Regulation. A license will be issued for a period of one year unless there is mutual agreement between the Office and the maternity home that it be for a greater or lesser period.

A social services consultant of the Office's staff will prepare a comprehensive study of the home's program, measuring performance in relation to requirements and offering recommendations and suggestions in indicated areas. This report will be made available to the facility for review of facts prior to submission to the Assistant Secretary of the Office of Licensing and Regulation for a decision on the license. A home has the right to appeal through the court, as provided in the Act, if its license is denied or revoked.

The licensing report is held confidential by the Office but must be released to persons or courts upon request.

A maternity home which is operated in conjunction with other programs subject to license, such as child caring and/or child placing programs, shall obtain a license for each of its programs.

I. Organization and Administration.

A. Purpose.

1. There shall be a written statement specifying the purposes of the maternity home. This statement shall be one which has been adopted by the governing body. All the functions of the maternity home shall be stated in its charter, or articles, when the home operates under one of these.

2. It shall be clear from the practices of the home that the purposes for which it was declared to be established are being met.

3. The governing body shall adopt a supplementary statement of any new function which is added to the program of the maternity home.

B. Governing Body.

1. There shall be a responsible governing body which shall be one of the following:

   a. a board of local citizens elected or appointed for that purpose;
   b. a religious, fraternal, charitable organization, or veteran's organization; or
   c. a public authority.

2. This governing body shall exercise sufficient authority so that it can reasonably be held responsible for the practices within the maternity home.

3. The governing body shall have the power to appoint or dismiss the executive director and shall carry responsibility for the direction of the program.

4. If the governing body is a national or regional organization and has a local advisory board or committee, minutes of the local group setting forth changes in policies and administrative decisions affecting the local operation shall be made available to the licensing authority.

C. Administrative Responsibilities.

1. There shall be one person employed by the governing body to serve as superintendent or executive director. This person shall be responsible for the administration of the maternity home.

2. The agency executive director or superintendent shall be responsible for the direction and supervision of all personnel employed in the maternity home.

3. The duties, responsibilities, and authority of each staff member shall be clearly defined specifying:

   a. where responsibility and authority rest for each of his or her functions within the maternity;
   b. that no responsibility or authority shall conflict with another.

4. The duties, responsibilities, and authority of each Board Committee working directly with staff shall be clearly defined.

5. The following personnel practices shall be observed:

   a. The Office of Licensing and Regulation shall be notified promptly when there is a change of executive director within the period covered by a license. This notification shall include a statement of the qualifications of the new employee.
   b. Only such staff members who are qualified for the duties assigned by virtue of ability, health, age, emotional stability, education, and experience shall be employed and retained in employment.
   c. A written statement shall be given to the employee at the time of employment setting forth the duties that will be assigned to him, to whom he is directly responsible, and conditions of employment, including official responsibilities, salary, hours of work, sick leave, retirement benefits, vacations, and the notice he will be expected to give or receive in case of resignation or release.
   d. No person shall be required to do work in contravention of the labor laws of the State of Louisiana or the United States.
   e. The governing body of the maternity home shall be encouraged to participate in a retirement plan for the employees. Such coverage may be the home's own retirement plan or Retirement Survivors' and Disability Insurance.

D. Resources.

1. The maternity home shall prepare an annual budget adequate to finance the program. The budget shall be prepared for the maternity home's fiscal year and shall clearly indicate all sources of income as well as anticipated expenditures.

2. The maternity home partially dependent on board payments to carry out its functions shall have sufficient funds available to continue care until other plans can be made for residents should contributions cease.

3. The governing body shall not assign to the personnel of the maternity home the responsibility for fund raising.

4. Soliciting funds shall be the responsibility of the governing body or of a special officer appointed for this purpose.

E. Auditing of Accounts.

The accounts of the maternity home shall be audited annually by an independent certified public accountant or by a public authority.

F. Personnel Plan.

1. An executive director shall be employed whose qualifications include a basic year's training in an accredited school of social work, or three years of successful experience in a recognized social agency, or five years successful experience in closely allied fields such as nursing, education, or ministry.

2. A caseworker shall be employed who meets the following qualifications: completion of one basic year in an accredited school of social work and one year of experience in a family or children's agency. The experience may be waived if the facility employs a casework supervisor with the same qualifications as the supervisor in a child placing agency.

3. A case aide or aides may be employed with the following qualifications: a B.A. or B.S. degree in social work or a related field. This person shall be closely supervised by the casework supervisor.

4. A full-time resident staff person shall be employed when the superintendent does not live at the home. The resident staff person's qualifications shall include: a. a high school education; b. at least two years successful experience in allied fields such as practical nursing, household management, housemother experience; c. an ability to accept and work with expectant mothers; d. an ability to supervise assistant resident staff persons; and e. be over the age of twenty-one.

5. Assistant staff person, with the following qualifications, shall be employed when the population requires it: a. a high school education; b. an ability to accept and work with expectant mothers; and c. be over the age of twenty-one.

6. There shall be on call at all times an employee who is a graduate nurse or a practical nurse.

   a. The graduate nurse must have a current license to practice nursing in the State of Louisiana.
   b. The practical nurse must have a current license to practice in the State of Louisiana.

7. Sufficient clerical staff shall be employed to keep correspondence, records, bookkeeping system, and files current and in good order. Expectant mothers receiving care in the maternity home shall not be used in this capacity. Clerical staff shall be selected in relation to ability to understand the confidentiality of the work and to respect the program.

8. Sufficient domestic staff shall be employed so that the major and heavy household duties are not assigned to the expectant mothers or become the duties of the resident staff person. Domestic staff shall be selected in relation to ability to understand the confidentiality of the work and to respect the program.

9. All employees living or working within an institution shall be required to obtain a written statement from a physician certifying that the employee is free from venereal disease, tuberculosis, and other infectious or contagious disease. This statement shall be obtained prior to employment, or immediately thereafter and annually during employment.

10. Resident staff shall be provided with quarters which insure reasonable privacy and rest during hours off duty. In addition, provision shall be made for personal belongings and bathing and toilet facilities separate from those used by expectant mothers.

11. Foster homes which are used in lieu of a congregate home shall meet the standards outlined for foster homes in "Minimum Requirements for License of Child Placing Agencies," published by the Office of Licensing and Regulation.

G. Staff.

1. There shall be on duty at all times one adult serving in the capacity of resident staff. In addition, an alternate person shall be on call. There shall be one adult on the staff designated as the assistant to the resident staff who will also serve as relief resident staff.

2. In small maternity homes, it may be necessary for one employee to serve in more than one capacity. When this practice is followed, the employee shall be well qualified by training and experience for the different duties assigned.

II. Ethical Practices.

The following code of professional ethics shall be observed:

A. Respect for the confidential nature of information provided by the expectant mother and other agencies. Divulging identifying information about the expectant mother or her baby to anyone other than professional social casework staff and judicial agencies is prohibited. Information may be provided to other social casework staff and judicial agencies only when necessary for planning for the mother or the baby's welfare. Information about the mother may be given to other professional persons such as physicians or attorneys with the mother's written permission.

B. Honesty in all dealings with expectant mothers, with other organizations and the public, including the keeping of agreements made with each.

C. The fulfilling of any responsibility accepted by the maternity home from courts of law.

D. Utilizing funds for the stated purposes of the maternity home.

E. Honoring contracts and prompt payment of bills.

III. Social Services.

A social study shall be completed for every expectant mother accepted for care by the maternity home. The social study shall be completed by a caseworker on the maternity home's staff or by a caseworker of the referring agency. When she is accepted through correspondence or on an emergency basis, the expectant mother shall be interviewed by the maternity home caseworker within a week after arrival. An immediate interview, however, is preferable.

A. Intake.

1. The intake study shall include social information establishing that the expectant mother is in need of the services of the maternity home.

2. The following identifying information is essential: name, date of birth, nationality, religion, education, occupation, health history, physical appearance of mother, marital status, and home address.

3. The social worker shall discuss with the expectant mother the following:

   a. the regulations of the maternity home and her responsibilities;
   b. the services available to her through the maternity home and community;
   c. agreement that while she is in the care of the maternity home she may plan either to keep or to release her baby. The narrative record shall clearly show that a full discussion was held with the expectant mother regarding alternatives. The expectant mother should understand that should she not surrender her child to the home, the home will release the child only to the mother or to a licensed agency.

4. The agreement shall be in writing when a charge for care is made.

B. Continuing Casework.

1. Following admission, the social worker shall counsel with the expectant mother as often as her individual needs require. The caseworker will begin to establish a relationship in order to gain an understanding of the expectant mother's total situation and the meaning of the pregnancy for the expectant mother.

2. Interviewing shall be focused on the expectant mother's individual problems and on plans for the baby. In general, the treatment plan will be focused on preparing the expectant mother for a return to useful community life and providing her with information regarding the resources available in her local community.

3. The decision to surrender or take her baby should be made by the mother before, or at the time of, discharge. Should the expectant mother desire postponement of her decision regarding surrender, the consideration of allowing more time shall be made on an individual basis by the social worker. In any event, adequate discharge plans shall be made.

4. The social worker shall know at the time of discharge what plans the expectant mother has for living arrangements, employment, or school. It is the social worker's responsibility to assist the expectant mother directly or through referral to other agencies when she needs help in these areas.

C. Records.

A narrative record shall be maintained which incorporates the information required in A. and B. of this section. Copies of correspondence, agreements, and other forms shall be filed in this folder. The confidential nature of these records shall be respected, and these records are for the use of professional casework staff only. Social records shall be accessible only to the appropriate staff and shall be maintained in locked files.

IV. Care in the Home.

A. Health Aspects.

1. Responsibility for the health supervision of the maternity home shall be placed in a licensed physician or a group of licensed physicians appointed by the governing body. A physician shall approve written procedures governing the following: a. medications and treatment that may be given without specific orders from a licensed physician or by a physician designated by him; b. circumstances under which a physician shall be called; c. action to be taken in case of emergency; d. a special diet if required; and e. household tasks that may be required. The physician shall review annually the health practices within the maternity home and certify in writing that they meet the licensing requirements.

2. Unless the maternity home requires, prior to admission, a statement from a physician that the expectant mother is free from communicable diseases, the maternity home shall have an isolation facility available. The expectant mother admitted without the statement from the physician shall be placed in isolation until she has had a complete physical examination to determine her freedom from communicable diseases.

3. The expectant mother shall be placed immediately under medical supervision. She shall have a physical examination within a week after admission to the home and at least monthly prior to confinement and before discharge. Should she leave the home before she is medically discharged, this fact shall be recorded on her medical record.

4. Nourishing food, attractively served, shall be provided. The diet shall be planned in consultation with a nurse, or if a special diet, the physician in charge. Necessary changes in diet prescribed in individual cases by the physician shall be followed.

5. A complete medical record shall be maintained on each expectant mother when she delivers at the maternity home. The caseworker or nurse is responsible for maintaining a record for each expectant mother who delivers in public or private hospitals. This record shall contain dates of visits to the medical facility and a summary of medical consultation. Delivery information on the infant shall be recorded. These records shall be maintained in locked files.

6. When an infant is admitted for care into the home's nursery, all standards for child caring institutions apply.

B. Program.

1. Regulations.

a. The regulations of the maternity home shall not infringe on the expectant mother's privilege of writing and receiving uncensored mail and visits from her family.

b. The same food shall be served to the staff and expectant mothers when they dine together, except when special diets must be prepared for any of the expectant mothers.

c. A mother who wishes to give personal attention to her baby, such as bathing and feeding, shall be permitted to do so.

d. An expectant mother shall be allowed a choice of duties, insofar as possible.

2. Recreation.

A recreational program shall be provided which will meet the individual needs of the expectant mothers. This program shall consist of a well-stocked library, magazines, newspapers, games, radio or television, piano, and record players. It is desirable to encourage arts and crafts with proper leadership. There shall be provision for outdoor activities. The yard should provide for privacy and be equipped with comfortable outdoor furniture. Expectant mothers interested in community activities should be encouraged to participate.

3. Education

Every effort shall be made to arrange continued education for girls under sixteen and for older girls whose schooling has been interrupted. Vocational training when appropriate should be encouraged. Household duties should have an educational value.

4. Religion.

Expectant mothers shall have the privilege of attending the church of their choice. Religious services should be available in the maternity home to those expectant mothers wishing to attend. An expectant mother wishing consultation with her pastor shall be provided the opportunity.

V. Plant and Equipment.

A. Maintenance.

The building, grounds, and equipment shall be kept clean and in good repair.

B. Location.

Local zoning ordinances should be followed.

C. Allocation of Space.

1. The room assigned expectant mothers shall be clean, airy, and inviting. Each expectant mother shall have a separate bed, and there shall be at least four feet between beds. Each expectant mother shall have adequate closet and drawer space for personal posessions in the room assigned to her. There shall be toilet and bath facilities available in the ratio of one to six expectant mothers. Any maternity home established or rebuilt shall be designed for a maximum of not more than four girls to a room.

2. A recreation room for the exclusive use of the expectant mothers shall be provided.

3. A room insuring privacy where expectant mothers can visit with their families shall be provided.

4. An isolation room and bath for expectant mothers admitted prior to examination for communicable diseases shall be provided.

5. When facilities for delivery are provided in the maternity home, separate and properly equipped quarters approved by the home's physician shall be provided.

6. When the home has facilities for delivery, a recovery room shall be provided on the same floor as the delivery room unless an elevator is available.

7. Separate, private offices shall be provided for the casework staff when the offices are housed in the maternity home. Facilities for the use of a private telephone should be provided.

8. Living quarters separate from those occupied by the expectant mothers shall be provided for auxiliary staff (nursery attendants, domestic staff, and maintenance staff), if they are required to live in.

D. Safety Aspects.

All requirements of the local State fire prevention and health authorities shall be met. An annual inspection by each of these authorities shall be requested by a designated authority of the maternity home and the report shall be submitted to the Office of Licensing and Regulation.

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