

183 (4) A transfer plan under Subsection (3)(b) shall:

184 (a) be signed by the patient; and

185 (b) indicate that the plan is not an agreement with a hospital.

186 (5) If a birthing center transfers a patient to a licensed maternity care practitioner or  
187 facility, the responsibility of the licensed maternity care practitioner or facility, for the patient:

188 (a) does not begin until the patient is physically within the care of the licensed  
189 maternity care practitioner or facility;

190 (b) is limited to the examination and care provided after the patient is transferred to the  
191 licensed maternity care practitioner or facility; and

192 (c) does not include responsibility or accountability for the patient's decision to pursue  
193 an out-of-hospital birth and the services of a birthing center.

194 (6) (a) Except as provided in Subsection (6)(c), a licensed maternity care practitioner  
195 who is not practicing at a birthing center may, upon receiving a briefing from a member of a  
196 birthing center's clinical staff, issue a medical order for the birthing center's patient without  
197 assuming liability for the care of the patient for whom the order was issued.

198 (b) Regardless of the advice given or order issued under Subsection (6)(a), the  
199 responsibility and liability for caring for the patient is that of the birthing center and the  
200 birthing center's clinical staff.

201 (c) The licensed maternity care practitioner giving the order under Subsection (6)(a) is  
202 responsible and liable only for the appropriateness of the order, based on the briefing received  
203 under Subsection (6)(a).

204 (7) (a) A birthing center that is not freestanding may be licensed as an alongside  
205 midwifery unit if the birthing center:

206 (i) is accredited by the Commission on Accreditation of Birth Centers;

207 (ii) is connected to a hospital facility, either through a bridge, ramp, or adjacent to the  
208 labor and delivery unit within the hospital with care provided with the midwifery model of  
209 care, where maternal patients are received and care provided during labor, delivery, and  
210 immediately after delivery; and

211 (iii) is supervised by a clinical director who is licensed as a ~~H~~→ **physician as defined in**  
211a **Section 58-67-102 or a ←~~H~~ certified nurse midwife**  
212 under Title 58, Chapter 44a, Nurse Midwife Practice Act.

213 (b) An alongside midwifery unit shall have a transfer agreement in place with the