

The Home Birth Safety Act and Liability Concerns

p

Healthcare professionals know birth can be risky, yet some families continue to refuse hospital birth despite professional recommendations.

The Home Birth Safety Act (HBSA) has been developed to meet the needs of hospitals, physicians and other healthcare professionals who do not want to bear undue liability for the choices and actions of others.



HBSA limits the liability of physician and hospital to only those services they provided following appropriate transfer of care. Physicians and hospitals are protected from liability for errors occurring prior to transfer.

HBSA provides for strict regulation and enforcement of practice standards and appropriate participation in the healthcare team without the vicarious liability entailed in signed collaborative agreements.

HBSA provides a means for physicians to make a legally defensible referral for care when a patient refuses hospital birth.

HBSA protects patients from falling into the care of unqualified, underground midwives by maintaining a listing of licensed, qualified midwives who are held accountable for the services they provide.

HBSA mandates autonomous practice for midwives, preventing any claims of liability against the physician for choices in care they do not support and did not provide.

Support the Home Birth Safety Act
Protect doctors from vicarious liability.

SD Docs for Midwives
sdDocsForMidwives.org