

**Charles W. Gibbs, MD, MFA, FACOG**  
**Legislative Chair, Kansas Section**  
**American Congress of Obstetricians and Gynecologists**

**Maternal Mortality Legislation – HB 2573**  
**Position: Proponent**  
**February 12, 2018**  
**House Health and Human Services Committee – 546 S**

Maternal mortality continues to be a concern in Kansas and throughout the United States. Currently, no committee exists for the review of these cases in Kansas, although the authority to form such a committee does exist under the Kansas Department of Health and Environment. In order for review to be meaningful, medical professionals who would serve on this committee as well as the institutions providing cases for review require the legal protections provided for in the HB2573. The bill also provides protection for the records themselves, as well as any other information the committee and KDHE deem necessary related to maternal deaths. The committee can begin to review cases immediately upon passage of these protections, as there are many professionals eager to serve on the committee and to make an impact on maternal mortality in our state as soon as possible.

This bill accomplishes in particular the following:

- The KDHE secretary is granted authority to access records related to the maternal death from all causes in the State of Kansas
- Under this bill, these records remain confidential, assuring right to privacy for both patients and clinicians
- The Secretary is authorized to identify cases of maternal mortality and collect data through medical records, interviews with family members of decedent or others, and determine those cases in which death was possibly preventable. This data will be used to develop recommendations and strategies to prevent maternal death in cases where the opportunity exists.
- **The Bill makes protects medical facilities providing access from civil damages or criminal or disciplinary action for good faith efforts when providing these records to the Secretary and the MMR committee**
- **The Bill protects confidentiality of records and testimony for the purpose of the review**
- **The bill specifies that the material under review and those reviewing it shall not be subject to subpoena, discovery or introduction into evidence in any legal proceeding**

- The Bill requires the reporting of findings and recommendations from the Secretary and the MMR committee to facilities, identifying ways to improve or modify care in the prevention of maternal mortality, and that these findings be presented in a deidentified and confidential manner

I wish to thank the Committee for allowing me to provide testimony regarding this bill. I believe its passage is an important part of the continuing effort to improve care for women and their families in the state of Kansas. I apologize for not being able to testify in person. Please feel free to contact me with any questions or if I can be of further assistance.

Respectfully,

Charles W. Gibbs, M.D., F.A.C.O.G

Assistant Professor, Maternal-Fetal Medicine

Center for Advanced Fetal Care

University of Kansas Medical Center