



Ohio Revised Code

Section 2151.3532 Rules governing newborn safety incubators.

Effective: October 3, 2023

Legislation: House Bill 33

(A) The director of health shall adopt rules in accordance with Chapter 119. of the Revised Code governing newborn safety incubators provided by entities described in section 2151.3517 of the Revised Code. The rules shall provide for all of the following:

(1) Design and function requirements that include the following:

(a) Take into account installation at a facility operated by a law enforcement agency, hospital, or emergency medical service organization;

(b) Allow a child to be placed anonymously from outside the facility;

(c) Lock the incubator after a child is placed in it so that a person outside the facility is unable to access the child;

(d) Provide a controlled environment for the care and protection of the child;

(e) Provide notification to a centralized location in the facility within thirty seconds of a child being placed in the incubator;

(f) Trigger a 9-1-1 call if a facility does not respond within a reasonable amount of time after a child is placed in the facility's incubator.

(2) Manufacturing and manufacturer standards;

(3) Installation and installer standards, including:

(a) Qualifications for installers, including that installers must maintain appropriate certification and licensing credentials;



- (b) Procedures and forms for registration of newborn safety incubator installers.

- (4) Subject to section 2151.3533 of the Revised Code, operating policies, supervision, and maintenance requirements for an incubator;

- (5) Procedures to provide emergency care for a child placed into an incubator;

- (6) Sanitation standards;

- (7) Costs for registering and regulating incubators and fees to cover those costs;

- (8) Creating and posting signs to be placed near or on incubators to provide information about using them;

- (9) Enforcement of and remedies for violations for failure to comply with the requirements governing incubators.

- (B) Notwithstanding division (A) of section 2151.3526 of the Revised Code, video surveillance is permitted at the facility where the incubator is located. The surveillance footage may be reviewed only when:
 - (1) A child has been surrendered under the circumstances described in division (B) of section 2151.3526 of the Revised Code;

 - (2) There is reason to believe a crime has been committed within view of the video surveillance system.