



CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH

BOARD OF HEALTH: 1/12/2023
LAW DEPARTMENT:
RECORDS DEPARTMENT:

**REGULATION RELATING TO SEVERE MATERNAL MORBIDITY SURVEILLANCE
BY THE DIVISION OF MATERNAL, CHILD, AND FAMILY HEALTH OF THE
DEPARTMENT OF PUBLIC HEALTH**

WHEREAS, Section 5-301(b) of the Philadelphia Home Rule Charter authorizes the Board of Health to issue Department of Public Health regulations for the preservation and promotion of the health of the people of Philadelphia; and

WHEREAS, the Pennsylvania Disease Control and Prevention Law of 1955, 1956, April 23, P.L. 1510, 35 P.S. § 521.1 *et seq.*, (“the DCPL”) and Section 6-201 of The Philadelphia Code authorize the Board of Health to establish lists of reportable diseases and conditions; and

WHEREAS, The Philadelphia Board of Health has adopted *Regulations Governing the Control of Communicable and Non-communicable Diseases and Conditions* (“Regulations”); and

WHEREAS, Section 6-202(4) of The Philadelphia Code mandates reporting to the Department of Public Health such information and reports as may be required by regulations adopted by the Board of Health to aid in the formulation and review of municipal programs for the promotion of the health of the public; and

WHEREAS, on January 12, 2023, the Board of Health added “Severe Maternal Morbidity” to the list of reportable conditions in the *Regulations Governing the Control of Communicable and Non-Communicable Diseases and Conditions*; and

WHEREAS, the Division of Maternal, Child, and Family Health of the Department of Public Health (“the Division”) has identified Severe Maternal Morbidity, as defined in detail herein, as a health condition that should be surveilled by collecting medical data; and

WHEREAS, medical providers and facilities serving Philadelphia residents currently collect and maintain data to monitor the health of pregnant people during the peripartum period; and

WHEREAS, the Division will use the collected data from providers and facilities, as defined in detail herein, to better understand the prevalence of Severe Maternal Morbidity in Philadelphia including disparities that may be present, and utilize collected data to inform policies and procedures aimed at improving maternal health; and

WHEREAS, the receipt of identifiable information on affected pregnant people will allow the Division to supplement the data collected about pregnant people and their infants from medical providers and facilities with information stored in City databases; and

WHEREAS, the Division will use the collected data about pregnant people who have suffered from severe maternal morbidities to produce conclusions and nonbinding recommendations to help inform public health and social service programs, policies, and interventions intended to prevent future severe maternal morbidities, which are greatly associated with maternal mortality and highly preventable through improved quality of care and treatment; and

WHEREAS, the Division has the authority to collect and review this information pursuant to the authority set forth in (1) the Disease Prevention and Control Law of 1955, as amended, 35 P.S. § 521.1 *et seq*; and (2) the Philadelphia Department of Public Health *Regulations Governing the Control of Communicable and Non-communicable Diseases and Conditions*; and

NOW, THEREFORE, the Board of Health hereby adopts this Regulation Relating to Severe Maternal Morbidity Surveillance by the Division of Maternal, Child, and Family Health of the Philadelphia Department of Public Health, as follows:

Section 1. Definitions

The capitalized terms in this regulation shall have the following meanings:

Abstracted Medical Data. Limited data elements that have been transcribed from a patient's medical record into discrete fields or locations in a separate file or document that reflects just those limited data elements and not the broader patient record.

Department. Philadelphia Department of Public Health.

Division. Division of Maternal, Child, and Family Health of the Philadelphia Department of Public Health.

Facilities. All hospitals and medical facilities where pregnant people may receive support with care pre- and post-pregnancy and/or give birth.

Provider. A person or entity providing medical care to pregnant people pre- and post-pregnancy.

Pseudonymized Data. Data elements, including numerical medical identification numbers and birth certificate and death certificate identification numbers, that store personal data in such a manner that the personal data cannot be attributed to a specific person without the use of additional information.

Severe Maternal Morbidity. Morbidity experienced by pregnant people of one or more of the following types: (1) transfusion of greater than four units of packed red blood cells, (2) intensive care unit admission, (3) extended postpartum length of stay greater than or equal to five days, and (4) readmission to a Facility within thirty (30) days of discharge.

Severe Maternal Morbidity Surveillance Data. Information about pregnant people who experience Severe Maternal Morbidity, including, first name, last name, date of birth, medical identification number, maternal demographics, medical co-morbidities, obstetric characteristics, delivery information, and medical complications. This information shall exclude any data concerning mental health and substance use treatment history. The foregoing is the minimum information necessary to carry out the public health purposes of this regulation under 45 CFR § 164.512(b)(1)(i). The Severe Maternal Morbidity Data Dictionary is attached to this regulation as Appendix A.

Section 2. Collection of Severe Maternal Morbidity Surveillance Data By the Division

1. The Division may issue requests to Facilities and Providers for Severe Maternal Morbidity Surveillance Data.
2. Upon request from the Division, Facilities and Providers shall transmit Severe Maternal Morbidity Surveillance Data to the Division, in the form requested, which shall be in the form of Abstracted Medical Data and Pseudonymized Data.
3.
 - a. Upon receipt of the Severe Maternal Morbidity Surveillance Data from Facilities and Providers, the Division may use the first name, last name, and date of birth information provided for a specific individual to cross-reference City databases. This connection to other City datasets allows the Division to supplement Severe Maternal Morbidity Surveillance Data regarding an individual that has been reported by Facilities and Providers with pertinent health and service information that would support development of meaningful recommendations for action. The databases cross-referenced shall exclude any data concerning mental health and substance use treatment history.
 - b. As part of this cross-reference process, the Division shall (i) add a point of reference using Pseudonymized Data from the City databases, such as birth or death certification identification numbers, to the Severe Maternal Morbidity Surveillance Data regarding the particular individual to allow continued cross-reference to internal City databases; and (ii) destroy all identifiable information regarding that particular individual, excluding Pseudonymized Data.
4. This regulation shall not be interpreted to give the Division access to City databases to which it otherwise does not have access or to access such databases for purposes for which it is not otherwise authorized.
5. After the Division has cross-referenced City databases for additional information about the pregnant people identified in the Severe Maternal Morbidity Surveillance Data received from Facilities and Providers, all identifiable information in the possession of the Division, excluding numerical Pseudonymized Data, shall be destroyed.

6. The Division shall use the collected Severe Maternal Morbidity Surveillance Data collected pursuant to this regulation solely for the purpose of identifying opportunities and risks related to health care, public health and social service programs, policies, and interventions intended to prevent future severe maternal morbidities and improve overall maternal health in the City of Philadelphia. The Severe Maternal Morbidity Surveillance Data shall not be used for any other purposes.

Section 3. Confidentiality of Maternal Morbidity Surveillance Data

1. Any Severe Maternal Morbidity Surveillance Data, Abstracted Medical Data, and Pseudonymized Data obtained under this Regulation shall be stored and maintained by the Division in a manner consistent with the confidentiality standards of 35 P.S. § 521.15.
2. Severe Maternal Morbidity Surveillance Data, Abstracted Medical Data, and Pseudonymized Data shall be considered confidential and not subject to public disclosure or disclosure outside the Division except to the extent necessary for the Department to perform its obligations under the Disease Control and Prevention Act, 35 P.S. § 521.1 et seq., and the Department's associated regulations.