

HB 894 -- Midwifery

Sponsor: Long

This bill changes the laws regarding midwifery. In its main provisions, the bill:

(1) Adds a licensed professional midwife to the list of professionals who must collect the appropriate specimens to be submitted to the Department of Health and Senior Services in order to test newborns for metabolic and genetic diseases;

(2) Specifies that a birth certificate filed by a licensed professional midwife as the certifier of the birth certificate cannot require the signature of a notary or any other witness;

(3) Establishes the Board of Professional Midwives within the Division of Professional Registration in the Department of Insurance, Financial Institutions and Professional Registration. The six-member board is to be appointed by the Governor with the advice and consent of the Senate. The powers, duties, terms, and membership of the board are specified in the bill;

(4) Requires an applicant to provide evidence of current certification as a certified midwife by the North American Registry of Midwives and current certification in basic life support for healthcare providers and infant or neonatal cardiopulmonary resuscitation, pay a licensure fee, comply with the written disclosure requirement, and meet other requirements established by the board;

(5) Requires a licensee to attend at least 10 hours of continuing education and at least three hours of peer review every three years in order to be eligible for license renewal;

(6) Authorizes the board to refuse to issue or renew, suspend, limit, restrict, or revoke a certificate of registration and cause a complaint to be filed with the Administrative Hearing Commission;

(7) Authorizes the board to establish fees at a level to produce revenue that does not substantially exceed the costs of the administration of the provisions of the bill. Moneys collected will be deposited into the newly created Board of Professional Midwives Fund;

(8) Requires a licensed midwife to present each client with a written disclosure statement containing specified information which must be signed by the client and kept by the midwife in the client's permanent records;

(9) Requires, as a condition of licensure, a professional midwife to carry medical malpractice insurance under the same conditions as physicians;

(10) Exempts certain specified medical providers from civil liability when treating a woman or infant during childbirth as a consequence of care received from a licensed midwife unless the act or omission was the result of negligence or willful misconduct;

(11) Specifies that a licensed professional midwife who has provided care or treatment for a woman or infant during childbirth prior to a transfer to medical care will not be liable for any civil damages for an act or omission resulting from the rendering of his or her services or for the consequences of care received from any medical provider unless the act or omission was the result of negligence or willful misconduct on the part of the midwife;

(12) Requires a professional midwife to be reimbursed under MO HealthNet at the same compensation rate as a physician;

(13) Requires the Department of Health and Senior Services to maintain and publish on its web site specified statistics regarding births for all Missouri maternity care providers;

(14) Prohibits a registered midwife from prescribing drugs; performing vacuum deliveries, medical inductions, cesarean sections, or abortions; and using forceps during a delivery;

(15) Removes midwives from the supervision of the State Board of Registration for the Healing Arts; and

(16) Removes the provision which specifies that anyone who engages in the practice of midwifery other than a licensed physician will be guilty of the unlawful practice of medicine and repeals Section 334.260, RSMo, regarding the licensure of midwives;

Any person violating the provisions of the bill will be guilty of a class A misdemeanor.