
SENATE BILL 5922

State of Washington

54th Legislature

1995 Regular Session

By Senators Moyer, Wojahn and Winsley

Read first time 02/14/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to midwifery; amending RCW 18.50.010, 18.50.040,
2 18.50.105, and 18.50.108; creating a new section; and declaring an
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.50.010 and 1991 c 3 s 103 are each amended to read
6 as follows:

7 Any person shall be regarded as practicing midwifery within the
8 meaning of this chapter who shall render medical aid for a fee or
9 compensation to a woman during prenatal, intrapartum, and postpartum
10 stages or who shall advertise as a midwife by signs, printed cards, or
11 otherwise. Nothing shall be construed in this chapter to prohibit
12 gratuitous services. It shall be the duty of a midwife to consult with
13 a physician whenever there are significant deviations from normal in
14 either the mother or the infant.

15 A person licensed under this chapter shall not undertake the care
16 of any woman who is at high risk for complications during the prenatal,
17 intrapartum, or postpartum period, as the term "high risk" is defined
18 pursuant to section 5 of this act. A woman who presents evidence of
19 such high risk shall be expeditiously referred to a physician licensed

1 under chapter 18.57 or 18.71 RCW. Nothing in this section shall
2 prohibit a physician from returning the patient to the midwife, if the
3 problem is appropriately managed and relieved or not confirmed, nor
4 shall the physician be prohibited from agreeing to a comanage
5 arrangement.

6 The physician shall not be liable for complications that occur in,
7 or are caused by, the pregnancy when the woman was not directly under
8 the physician's care.

9 **Sec. 2.** RCW 18.50.040 and 1994 sp.s. c 9 s 705 are each amended to
10 read as follows:

11 (1) Any person seeking to be examined shall present to the
12 secretary, at least forty-five days before the commencement of the
13 examination, a written application on a form or forms provided by the
14 secretary setting forth under affidavit such information as the
15 secretary may require and proof the candidate has received a high
16 school degree or its equivalent; that the candidate is twenty-one years
17 of age or older; that the candidate has received a certificate or
18 diploma from a midwifery program accredited by the secretary and
19 licensed under chapter 28C.10 RCW, when applicable, or a certificate or
20 diploma in a foreign institution on midwifery of equal requirements
21 conferring the full right to practice midwifery in the country in which
22 it was issued. The diploma must bear the seal of the institution from
23 which the applicant was graduated. Foreign candidates must present
24 with the application a translation of the foreign certificate or
25 diploma made by and under the seal of the consulate of the country in
26 which the certificate or diploma was issued.

27 (2) The candidate shall meet the following conditions:

28 (a) Obtaining a minimum period of midwifery training for at least
29 three years including the study of the basic nursing skills that the
30 department shall prescribe by rule. However, if the applicant is a
31 registered nurse or licensed practical nurse under chapter 18.79 RCW,
32 or has had previous nursing education or practical midwifery
33 experience, the required period of training may be reduced depending
34 upon the extent of the candidate's qualifications as determined under
35 rules adopted by the department. In no case shall the training be
36 reduced to a period of less than two years.

37 (b) Meeting minimum educational requirements which shall include
38 studying obstetrics; neonatal pediatrics; basic sciences; female

1 reproductive anatomy and physiology; behavioral sciences; childbirth
2 education; community care; obstetrical pharmacology; epidemiology;
3 gynecology; family planning; genetics; embryology; neonatology; the
4 medical and legal aspects of midwifery, including the identification of
5 patients presenting high risk for complications during the prenatal,
6 intrapartum, or postpartum period, as the term "high risk" is defined
7 pursuant to section 5 of this act, and the legal requirements relating
8 to such patients in RCW 18.50.010; nutrition during pregnancy and
9 lactation; breast feeding; nursing skills, including but not limited to
10 injections, administering intravenous fluids, catheterization, and
11 aseptic technique; and such other requirements prescribed by rule.

12 (c) For a student midwife during training, undertaking the care of
13 not less than fifty women in each of the prenatal, intrapartum, and
14 early postpartum periods, but the same women need not be seen through
15 all three periods. A student midwife may be issued a permit upon the
16 satisfactory completion of the requirements in (a), (b), and (c) of
17 this subsection and the satisfactory completion of the licensure
18 examination required by RCW 18.50.060. The permit permits the student
19 midwife to practice under the supervision of a midwife licensed under
20 this chapter, a physician or a certified nurse-midwife licensed under
21 the authority of chapter 18.79 RCW. The permit shall expire within one
22 year of issuance and may be extended as provided by rule.

23 (d) Observing an additional fifty women in the intrapartum period
24 before the candidate qualifies for a license.

25 (3) Notwithstanding subsections (1) and (2) of this section, the
26 department shall adopt rules to provide credit toward the educational
27 requirements for licensure before July 1, 1988, of nonlicensed
28 midwives, including rules to provide:

- 29 (a) Credit toward licensure for documented deliveries;
30 (b) The substitution of relevant experience for classroom time; and
31 (c) That experienced lay midwives may sit for the licensing
32 examination without completing the required course work.

33 The training required under this section shall include training in
34 either hospitals or alternative birth settings or both with particular
35 emphasis on learning the ability to differentiate between low-risk and
36 high-risk pregnancies.

37 **Sec. 3.** RCW 18.50.105 and 1991 c 3 s 111 are each amended to read
38 as follows:

1 The secretary, with the advice of the midwifery advisory committee,
2 shall develop a form to be used by a midwife to inform the patient of
3 the qualifications of a licensed midwife and the requirements relating
4 to treating patients who are at high risk for complications during the
5 prenatal, intrapartum, or postpartum period, as the term "high risk" is
6 defined pursuant to section 5 of this act, and the legal requirements
7 relating to such patients in RCW 18.50.010.

8 **Sec. 4.** RCW 18.50.108 and 1981 c 53 s 14 are each amended to read
9 as follows:

10 Every licensed midwife shall develop a written plan for
11 consultation with other (~~health care providers~~) physicians, emergency
12 transfer, transport of an infant to a newborn nursery or neonatal
13 intensive care nursery, and transport of a woman to an appropriate
14 obstetrical department or patient care area. The written plan shall be
15 submitted annually together with the license renewal fee to the
16 department.

17 A plan shall also be submitted indicating how the licensee will
18 identify patients presenting high risk for complications during the
19 prenatal, intrapartum, or postpartum period, as the term "high risk" is
20 defined pursuant to section 5 of this act, and how the licensee will
21 implement compliance with the requirements of this chapter relating to
22 such patients. A signed statement from the consultant agreeing to
23 provide backup shall be appended to the plan application.

24 NEW SECTION. **Sec. 5.** The medical quality assurance commission
25 with the advice of the midwifery advisory committee shall develop a
26 definition of high risk for the purposes of this act.

27 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and shall take
30 effect immediately.

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