

WSR 21-04-048
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 27, 2021, 11:20 a.m.]

Subject of Possible Rule Making: Chapter 246-834 WAC, Midwives, the department of health (department) is considering amendments to WAC 246-834-050 Examination requirements for licensure as a midwife, 246-834-060 Initial application requirements for licensure as a midwife, 246-834-160 Student midwife permit, 246-834-250 Legend drugs and devices, and 246-834-370 Data submission. The department is considering amendments to address barriers and repeal AIDS education requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.50 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering revisions to several sections of the midwifery chapter in order to modernize and reduce barriers in the rules.

First, midwifery applicants must take and pass three examinations to become a licensed midwife: Midwifery examination offered by the North American Registry of Midwives (NARM), Washington state licensure examination, and midwifery jurisprudence examination. The department is considering adding language to allow the department flexibility to remove an exam requirement if one of the exams is not able to be widely administered, as is the case during the coronavirus disease 2019 (COVID-19) pandemic.

Second, in support of ESHB 1551, chapter 76, Laws of 2020, the department is proposing repealing AIDS education and training requirements for licensed midwives. ESHB 1551 included removing AIDS training and education requirements for health professionals, health care facility staff, and emergency medical personnel.

Third, the legend drug and devices section does not currently include nasopharyngeal or nasal swabs, so midwives may not use them. The department is considering adding nasal swabs to test for COVID-19 to the legend drugs and devices section in support of the pandemic response.

Finally, proof of participation in data submission on perinatal outcomes to a research organization is a renewal requirement for midwives. Currently, there are two department approved organizations, Midwives Alliance of North America (MANA) stats and American Association of Birth Centers (AABC) Perinatal Data Registry. The MANA stats database for midwives is unfunded and access to the system is inconsistent. AABC Perinatal Data Registry annual costs may be prohibitive for individual midwives. Both databases present barriers, preventing midwives from participating in data submission to meet renewal requirements. The department is considering allowing a waiver for this requirement until a suitable database on perinatal outcomes is created and maintained for Washington midwives.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathy Weed, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4883, fax 360-236-2901, TTY 711, email kathy.weed@doh.wa.gov.

January 25, 2021

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