

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3070

By: Kiger

6 AS INTRODUCED

7 An Act relating to midwives; providing legislative
8 intent; defining terms; requiring certified trained
9 midwife license; providing for practice of midwifery;
10 providing for midwife licensing requirements;
11 providing exception; directing the Oklahoma Board of
12 Nursing to promulgate rules; providing for
13 codification; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 579 of Title 59, unless there is
16 created a duplication in numbering, reads as follows:

17 The Legislature recognizes the need for a person to have the
18 freedom to choose the manner, cost, and setting for giving birth.
19 The Legislature finds that access to prenatal care and delivery
20 services is limited by the inadequate number of providers of such
21 services and that the practice of midwifery may help reduce this
22 shortage. The Legislature also recognizes the need for the safe and
23 effective delivery of newborn babies and the health, safety and
24 welfare of the mothers in the delivery process. In the interest of

1 public health, the Legislature promotes the regulation of the
2 practice of midwifery in this state for the purpose of protecting
3 the health and welfare of women and infants. The Legislature
4 recognizes that midwifery is a profession in its own right and that
5 it is not the practice of medicine.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 579.1 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 As used in this act:

10 1. "Midwife" means a person who is trained to give the
11 necessary care and advice to women during pregnancy, labor, and the
12 post-birth period, to conduct normal deliveries and to care for the
13 newly born infant.

14 2. "Midwifery" means the practice of attending low-risk women
15 during pregnancy, labor and the post-birth period with the informed
16 consent of the mother. The scope of midwifery shall include
17 comprehensive care of the pregnant woman during the antepartal
18 phase, intrapartal phase, and postpartal phase, and application of
19 emergency care when necessary; and

20 3. "Physician" means a person who is licensed to practice:

21 a. allopathic medicine and surgery by the State Board of
22 Medical Licensure and Supervision pursuant to the
23 Oklahoma Allopathic Medical and Surgical Licensure and
24 Supervision Act, or

1 b. osteopathic medicine by the State Board of Osteopathic
2 Examiners pursuant to the Oklahoma Osteopathic
3 Medicine Act.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 579.2 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A person assisting or supervising the prenatal, labor and
8 delivery, or postpartum care of a woman outside of a hospital or
9 licensed medical facility must be licensed by the Oklahoma Board of
10 Nursing as a certified trained midwife.

11 B. The practice of midwifery includes, but shall not be limited
12 to:

13 1. Initial and ongoing assessment for suitability of midwifery
14 care;

15 2. Providing prenatal education and prenatal care, including
16 the routine monitoring of vital signs, indicators of fetal
17 developments, and laboratory tests, as needed, with attention to the
18 physical, nutritional, and emotional needs of the woman;

19 3. Attending and supporting the natural process of labor and
20 birth;

21 4. Postpartum care of the mother and an initial assessment of
22 the newborn; and
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1 5. Providing information and referrals to community resources
2 on childbirth preparation, breastfeeding, exercise, nutrition,
3 parenting, and care of the newborn.

4 C. It shall be required that all midwives licensed in the
5 state:

6 1. Be supervised by a physician at all times when practicing
7 midwifery;

8 2. Have a written treatment plan with the expectant mother and
9 physician which details:

10 a. prenatal care,

11 b. labor and delivery,

12 c. postpartum care, and

13 d. plan for emergencies and complications to include
14 selection of a hospital in case of emergency.

15 The written plan shall be signed by the midwife, expectant
16 mother, and physician at least three (3) months prior to the
17 expected due date; and

18 3. Inform the emergency room administrator of the hospital
19 designated as the hospital of choice in case of emergency to
20 expedite any emergency that may develop.

21 D. This section shall not apply to a person assisting in
22 emergency and unexpected labor and delivery.
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1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 579.3 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 The Oklahoma Board of Nursing shall promulgate rules to
5 implement the provisions of this act.

6 SECTION 5. This act shall become effective November 1, 2020.

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