

1 ENGROSSED SENATE
2 BILL NO. 1466

By: Bergstrom of the Senate

3 and

4 Kendrix of the House

5
6 An Act relating to professions and occupations;
7 amending 59 O.S. 2021, Section 3040.5, which relates
8 to the Advisory Committee on Midwifery; extending
9 sunset date; updating statutory language; providing
10 an effective date; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 59 O.S. 2021, Section 3040.5, is
13 amended to read as follows:

14 Section 3040.5. A. There is hereby created, to continue until
15 ~~July 1, 2026~~ July 1, 2031, an Advisory Committee on Midwifery, which
16 shall consist of seven (7) voting members to be appointed by the
17 State Commissioner of Health as follows:

18 1. Three licensed midwives, each of whom has at least three (3)
19 years of experience in the practice of midwifery;

20 2. One Certified Nurse-Midwife;

21 3. One physician who is certified by a national professional
22 organization of physicians that certifies obstetricians and
23 gynecologists and supports the practice of midwifery;

1 4. One physician who is certified by a national professional
2 organization of physicians that certifies family practitioners or
3 pediatricians and supports the practice of midwifery; and

4 5. One member of the general public who is not practicing or
5 trained in a health care profession, and who is a parent with at
6 least one child born with the assistance of a licensed midwife or a
7 Certified Nurse-Midwife.

8 B. Members of the Committee shall be divided into three
9 classes. The initial terms of the first class shall expire on
10 January 31, 2023, and subsequent terms shall expire on January 31 of
11 each sixth year thereafter. The initial terms of the second class
12 shall expire on January 31, 2025, and subsequent terms shall expire
13 on January 31 of each sixth year thereafter. The initial terms of
14 the third class shall expire on January 31, 2027, and subsequent
15 terms shall expire on January 31 of each sixth year thereafter.
16 Members shall serve until a qualified successor has been duly
17 appointed. The Commissioner shall fill a vacancy no later than
18 sixty (60) days from the date the vacancy occurs. No person shall
19 be appointed to serve more than two (2) consecutive terms.

20 C. The Committee shall annually elect a chair and ~~vice-chair~~
21 vice chair from among its members.

22 D. The Committee shall meet at least semiannually and at any
23 other time at the call of the chair or the Commissioner.

1 E. The Committee shall meet in accordance with the Oklahoma
2 Open Meeting Act.

3 F. A majority of the members of the Committee, including at
4 least two licensed midwives, shall constitute a quorum for the
5 conduct of Committee business.

6 G. 1. The Committee shall advise the Commissioner on all
7 matters pertaining to midwifery including, but not limited to:

8 a. scope and standards of practice,
9 b. licensure requirements, examination requirements,
10 exceptions thereto, renewal requirements, temporary
11 licensure, and endorsement or reciprocity
12 requirements,

13 c. methods and requirements for ensuring the continued
14 competence of licensed and registered persons
15 including the type of courses and number of hours
16 required to meet the basic midwifery education course
17 and continuing midwifery education course
18 requirements, and instructors or facilities used in
19 the basic and continuing education requirements,

20 d. procedures for reporting of outcomes including, but
21 not limited to, live births and fetal, newborn, or
22 maternal deaths,
23
24

1 e. grounds for reporting and processing complaints,
2 violations, probation, revocation or suspension of
3 license, or reinstatement provisions, and

4 f. all other matters which may pertain to the practice of
5 midwifery.

6 2. The Committee shall review and make recommendations to the
7 Commissioner on all applications for licensure.

8 3. The Committee shall assist and advise the Commissioner in
9 all hearings related to the enforcement of Shepherd's Law. The
10 Committee shall review all complaints and make recommendations to
11 the Commissioner on appropriate disciplinary action including, but
12 not limited to, administrative fines, license revocation, and
13 license suspension.

14 SECTION 2. This act shall become effective July 1, 2026.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health, or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

