

**58-77-502 Unprofessional conduct.**

In addition to the definition in Subsection 58-1-501(2), "unprofessional conduct" includes:

- (1) failing to obtain informed consent as described in Subsection 58-77-601(1);
- (2) disregarding a client's dignity or right to privacy as to her person, condition, possessions, or medical record;
- (3) failing to file or record any medical report as required by law, impeding, or obstructing the filing or recording of the report, or inducing another to fail to file or record the report;
- (4) breaching a statutory, common law, regulatory, or ethical requirement of confidentiality with respect to a person who is a client, unless ordered by the court;
- (5) inappropriately delegating direct-entry midwifery duties;
- (6) using advertising or an identification statement that is false, misleading, or deceptive;
- (7) using in combination with the term "midwife" the term "nurse" or another title, initial, or designation that falsely implies that the direct-entry midwife is licensed as a certified nurse midwife, registered nurse, or licensed practical nurse; and
- (8) submitting a birth certificate known by the person to be false or fraudulent.

Enacted by Chapter 299, 2005 General Session