

28 (a) ~~[representing or holding oneself out as a]~~ represent or hold out that the individual is
 29 a licensed direct-entry midwife ~~[when not licensed under this chapter, and];~~

30 (b) ~~[using]~~ administer a prescription ~~[medications]~~ medication, except oxygen, ~~[while~~
 31 engaged] in the practice of direct-entry midwifery ~~[when not licensed under this chapter.];~~

32 (c) before engaging in the practice of midwifery with a client, fail to obtain from the
 33 client an informed consent statement that includes the following:

34 (i) a description of the individual's midwifery education, training, continuing
 35 education, and experience;

36 (ii) a statement that the individual is not licensed by the state as a direct-entry midwife;

37 (iii) a statement that it is unlawful for the individual to administer to the client a
 38 prescription medication, except oxygen, in the practice of direct-entry midwifery;

39 (iv) a written plan to address medical issues the client may experience during
 40 pregnancy, labor, or childbirth, which plan shall address transfer of the client to a licensed
 41 health care provider or facility, if necessary;

42 (v) the name and signature of the individual;

43 (vi) the name and signature of the client;

44 (vii) the date the individual signed the statement; and

45 (viii) the date the client signed the statement; or

46 (d) fail to retain for at least ~~H~~→ [21] 4 ←~~H~~ years a signed statement from a client
 46a described by

47 Subsection (1)(c).

48 (2) (a) Except ~~[as provided in Subsections (1)(a) and (b)]~~ for conduct that constitutes
 49 unlawful conduct under Subsection (1), it is lawful to practice direct-entry midwifery in the
 50 state without being licensed under this chapter.

51 (b) The practice of direct-entry midwifery is not considered the practice of medicine,
 52 nursing, or nurse-midwifery.

Legislative Review Note
Office of Legislative Research and General Counsel