

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 21 years a signed statement from a client 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.