

1 **OCCUPATIONAL AND PROFESSIONAL LICENSING**

2 **AMENDMENTS**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Deidre M. Henderson**

6 House Sponsor: Michael S. Kennedy

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions of the Direct-Entry Midwife Act.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ modifies the definition of the "practice of direct-entry midwifery" to include giving
- 14 one dose of oxytocin to a client after the delivery of a baby; and
- 15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **58-77-102**, as last amended by Laws of Utah 2008, Chapter 365

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **58-77-102** is amended to read:

26 **58-77-102. Definitions.**

27 In addition to the definitions in Section **58-1-102**, as used in this chapter:



28 (1) "Board" means the Licensed Direct-entry Midwife Board created in Section
29 58-77-201.

30 (2) "Certified nurse-midwife" means a person licensed under Title 58, Chapter 44a,
31 Nurse Midwife Practice Act.

32 (3) "Client" means a woman [~~under the care of a direct-entry midwife~~] and her fetus or
33 newborn baby under the care of a direct-entry midwife.

34 (4) "Direct-entry midwife" means an individual who is engaging in the practice of
35 direct-entry midwifery.

36 (5) "Licensed direct-entry midwife" means a person licensed under this chapter.

37 (6) "Low risk" means a labor and delivery and postpartum, newborn, and
38 interconceptual care that does not include a condition that requires a mandatory transfer under
39 administrative rules adopted by the division.

40 (7) "Physician" means an individual licensed as a physician and surgeon, osteopathic
41 physician, or naturopathic physician.

42 (8) "Practice of direct-entry midwifery" means the practice of providing the necessary
43 supervision, care, and advice to a client during essentially normal pregnancy, labor, delivery,
44 postpartum, and newborn periods that is consistent with national professional midwifery
45 standards and that is based upon the acquisition of clinical skills necessary for the care of a
46 pregnant [~~women and newborns~~] woman and a newborn baby, including antepartum,
47 intrapartum, postpartum, newborn, and limited interconceptual care, and includes:

- 48 (a) obtaining an informed consent to provide services;
- 49 (b) obtaining a health history, including a physical examination;
- 50 (c) developing a plan of care for a client;
- 51 (d) evaluating the results of client care;
- 52 (e) consulting and collaborating with and referring and transferring care to licensed
53 health care professionals, as is appropriate, regarding the care of a client;

54 (f) obtaining medications, as specified in this Subsection (8)(f), to administer to
55 [~~clients~~] a client, including:

- 56 (i) prescription vitamins;
- 57 (ii) Rho D immunoglobulin;
- 58 (iii) sterile water;

- 59 (iv) one dose of intramuscular oxytocin after the delivery of [~~the placenta~~] a baby to
60 minimize a client's blood loss;
- 61 (v) an additional single dose of oxytocin if a hemorrhage occurs, in which case the
62 licensed direct-entry midwife must initiate transfer if [~~the~~] a client's condition does not
63 immediately improve;
- 64 (vi) oxygen;
- 65 (vii) local anesthetics without epinephrine used in accordance with Subsection (8)(l);
- 66 (viii) vitamin K to prevent hemorrhagic disease of [~~the~~] a newborn baby;
- 67 (ix) as required by law, eye prophylaxis to prevent ophthalmia neonatorum [~~as required~~
68 ~~by law~~]; and
- 69 (x) any other medication approved by a licensed health care provider with authority to
70 prescribe that medication;
- 71 (g) obtaining food, food extracts, dietary supplements, as defined by the federal Food,
72 Drug, and Cosmetic Act, homeopathic remedies, plant substances that are not designated as
73 prescription drugs or controlled substances, and over-the-counter medications to administer to
74 clients;
- 75 (h) obtaining and using appropriate equipment and devices such as a Doppler, a blood
76 pressure cuff, phlebotomy supplies, instruments, and sutures;
- 77 (i) obtaining appropriate screening and testing, including laboratory tests, urinalysis,
78 and ultrasound scans;
- 79 (j) managing the antepartum period;
- 80 (k) managing the intrapartum period, including:
- 81 (i) monitoring and evaluating the condition of a mother and a fetus;
- 82 (ii) performing an emergency episiotomy; and
- 83 (iii) delivering a baby in any out-of-hospital setting;
- 84 (l) managing the postpartum period, including the suturing of an episiotomy [~~or~~] and
85 the suturing of first and second degree natural perineal and labial lacerations, including the
86 administration of a local anesthetic;
- 87 (m) managing the newborn period, including:
- 88 (i) providing care for [~~the~~] a newborn baby, including performing a normal newborn
89 baby examination; and

- 90 (ii) resuscitating a newborn baby;
- 91 (n) providing limited interconceptual services in order to provide continuity of care,
- 92 including:
- 93 (i) breastfeeding support and counseling;
- 94 (ii) family planning, limited to natural family planning, cervical caps, and diaphragms;
- 95 and
- 96 (iii) pap smears, where [~~all clients with abnormal results are~~] each client with an
- 97 abnormal result is to be referred to an appropriate licensed health care provider; and
- 98 (o) executing the orders of a licensed health care professional, [~~only~~] if the orders are
- 99 within the education, knowledge, and skill of the direct-entry midwife.
- 100 (9) "Unlawful conduct" [~~is as~~] means the same as that term is defined in Sections
- 101 58-1-501 and 58-77-501.
- 102 (10) "Unprofessional conduct" [~~is as~~] means the same as that term is defined in
- 103 Sections 58-1-501 and 58-77-502 and as may be further defined by rule.

Legislative Review Note
Office of Legislative Research and General Counsel