

SUBSTITUTE FOR
HOUSE BILL NO. 4598

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16192 and 16201 (MCL 333.16192 and 333.16201),
section 16192 as amended by 2013 PA 268 and section 16201 as
amended by 1988 PA 462, and by adding section 16326 and part 171.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16192. (1) A licensee or registrant shall report to the
2 department a change in name, ~~or~~ mailing address, **OR ELECTRONIC MAIL**
3 **ADDRESS IF THE LICENSEE OR REGISTRANT HAS PROVIDED AN ELECTRONIC**
4 **MAIL ADDRESS UNDER SUBSECTION (4)**, not later than 30 days after the
5 change occurs.

6 (2) The department may serve a notice of hearing or a
7 complaint on an applicant, licensee, or registrant in an action or
8 proceeding for a violation of this article, article 7, or article 8

1 or a rule promulgated under this article, article 7, or article 8
2 by regular mail and by certified mail, return receipt requested, to
3 the applicant's, licensee's, or registrant's last known address, by
4 serving the notice on the applicant, licensee, or registrant, or by
5 making a reasonable attempt to serve the notice on the applicant,
6 licensee, or registrant. For purposes of this subsection, if
7 service is by mail, service is effective 3 days after the date of
8 mailing, and nondelivery does not affect the validity of the
9 service if the nondelivery was caused by the refusal of the
10 applicant, licensee, or registrant to accept service.

11 (3) A license or registration is not transferable.

12 (4) IF THE DEPARTMENT IS REQUIRED OR PERMITTED UNDER THIS
13 ARTICLE TO DELIVER OR SERVE A NOTICE OR OTHER COMMUNICATION TO A
14 LICENSEE OR REGISTRANT BY MAIL, THE DEPARTMENT MAY DELIVER OR SERVE
15 THAT NOTICE OR COMMUNICATION BY ELECTRONIC MAIL RATHER THAN BY
16 FIRST-CLASS MAIL IF THE LICENSEE OR REGISTRANT HAS PROVIDED AN
17 ELECTRONIC MAIL ADDRESS TO THE DEPARTMENT; AUTHORIZED THE
18 DEPARTMENT IN WRITING TO DELIVER OR SERVE NOTICES AND
19 COMMUNICATIONS TO THE LICENSEE OR REGISTRANT AT THAT ELECTRONIC
20 MAIL ADDRESS; AND AGREED IN WRITING THAT THE LICENSEE OR REGISTRANT
21 CONSENTS TO THE SERVICE OF ANY NOTICE OR COMMUNICATION SENT TO THAT
22 ELECTRONIC MAIL ADDRESS THAT THE DEPARTMENT WOULD OTHERWISE SERVE
23 BY MAIL.

24 Sec. 16201. (1) A license or registration shall be renewed by
25 the licensee or registrant on or before the expiration date as
26 prescribed by rule. The department shall mail a notice to the
27 licensee or registrant at the last known address on file with a

board, OR MAY SEND THAT NOTICE BY ELECTRONIC MAIL TO A LICENSEE OR REGISTRANT DESCRIBED IN SECTION 16192(4), advising of the time, procedure, and fee for renewal. Failure of the licensee or registrant to receive notice under this subsection does not relieve the licensee or registrant of the responsibility for renewing his or her license or registration.

(2) A license or registration not renewed by the expiration date may be renewed within 60 days of the expiration date upon application, payment of renewal, and late renewal fees, and fulfillment of any continued competency or continuing education requirements set forth in this article or rules promulgated under this article. The licensee or registrant may continue to practice and use the title during the 60-day time period.

(3) If a license or registration is not renewed within 60 days of the expiration date pursuant to subsection (2), the license or registration shall be considered null and void. The licensee shall not practice or use the title and a registrant shall not use the title. Except as otherwise provided by rule, a person may be relicensed or reregistered within 3 years of the expiration date upon application, payment of the application processing, renewal, and late renewal fees, and fulfillment of any continued competency or continuing education requirements in effect at the time of the expiration date, or which would have been required had the individual renewed his or her license or registration pursuant to subsection (1). A temporary license or registration may be issued under section 16181 pending the results of action taken under this subsection.

(4) Except as otherwise provided in this article or by rule, a person may be relicensed or reregistered more than 3 years after the expiration date upon application as a new applicant, meeting all licensure or registration requirements in effect at the time of application, taking or retaking and passing any examinations required for initial licensure or registration, and payment of fees required of new applicants.

(5) The expiration or surrender of a license or registration does not terminate the board's authority to impose sanctions on the licensee or registrant whose license or registration has expired or been surrendered.

SEC. 16326. (1) FEES FOR AN INDIVIDUAL WHO IS LICENSED OR SEEKING LICENSURE TO ENGAGE IN THE PRACTICE OF MIDWIFERY UNDER PART 171 ARE AS FOLLOWS:

(A) SUBJECT TO SUBSECTION (2), APPLICATION

PROCESSING FEE. \$ 450.00

(B) LICENSE FEE, PER YEAR..... 200.00

(C) STUDENT LICENSE FEE, PER YEAR..... 10.00

(D) TEMPORARY LICENSE..... 10.00

(2) AFTER THE DEPARTMENT RECEIVES MORE THAN A TOTAL OF \$23,000.00 IN APPLICATION PROCESSING FEES FROM INDIVIDUALS WHO ARE LICENSED OR SEEKING LICENSURE TO ENGAGE IN THE PRACTICE OF MIDWIFERY UNDER PART 171, THE APPLICATION PROCESSING FEE IS REDUCED TO \$75.00. THE DEPARTMENT SHALL PROVIDE INFORMATION RELATED TO THIS FEE CHANGE ON ITS INTERNET WEBSITE AND SHALL PROVIDE NOTICE TO THE LEGISLATURE WHEN THE FEE IS REDUCED.

PART 171. MIDWIFERY

SEC. 17101. (1) AS USED IN THIS PART:

(A) "APPROPRIATE HEALTH PROFESSIONAL", FOR THE PURPOSES OF REFERRAL, CONSULTATION, OR COLLABORATION WITH A MIDWIFE UNDER THIS PART, MEANS ANY OF THE FOLLOWING:

(i) A PHYSICIAN.

(ii) A CERTIFIED NURSE MIDWIFE.

(iii) AS IDENTIFIED IN RULES PROMULGATED UNDER SECTION 17117, ANOTHER APPROPRIATE HEALTH PROFESSIONAL LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED TO ENGAGE IN A HEALTH PROFESSION UNDER THIS ARTICLE.

(B) "CERTIFIED NURSE MIDWIFE" MEANS A REGISTERED PROFESSIONAL NURSE UNDER PART 172 WHO HAS BEEN ISSUED A SPECIALTY CERTIFICATION IN THE PROFESSION SPECIALTY FIELD OF NURSE MIDWIFERY BY THE BOARD OF NURSING UNDER SECTION 17210.

(C) "MIDWIFE" MEANS AN INDIVIDUAL LICENSED UNDER THIS PART TO ENGAGE IN THE PRACTICE OF MIDWIFERY.

(D) "PHYSICIAN" MEANS AN INDIVIDUAL LICENSED TO ENGAGE IN THE PRACTICE OF MEDICINE UNDER PART 170 OR THE PRACTICE OF OSTEOPATHIC MEDICINE AND SURGERY UNDER PART 175.

(E) "PRACTICE OF MIDWIFERY", SUBJECT TO SUBSECTION (2), MEANS PROVIDING MATERNITY CARE THAT IS CONSISTENT WITH A MIDWIFE'S TRAINING, EDUCATION, AND EXPERIENCE, TO WOMEN AND NEONATES DURING THE ANTEPARTUM, INTRAPARTUM, AND POSTPARTUM PERIODS.

(2) FOR PURPOSES OF SUBSECTION (1)(E), PRACTICE OF MIDWIFERY DOES NOT INCLUDE EITHER OF THE FOLLOWING:

(A) THE PRACTICE OF MEDICINE OR OSTEOPATHIC MEDICINE AND

1 SURGERY.

2 (B) THE PRACTICE OF NURSING, INCLUDING THE PRACTICE OF NURSING
3 WITH A SPECIALTY CERTIFICATION IN THE PROFESSION SPECIALTY FIELD OF
4 NURSE MIDWIFERY UNDER PART 172.

5 (3) IN ADDITION TO THE DEFINITIONS OF THIS PART, ARTICLE 1
6 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
7 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
8 DEFINITIONS APPLICABLE TO THIS PART.

9 SEC. 17103. BEGINNING THE EFFECTIVE DATE OF RULES PROMULGATED
10 UNDER SECTION 17117, AN INDIVIDUAL SHALL NOT USE THE TITLES
11 "LICENSED MIDWIFE" OR "L.M.", OR SIMILAR WORDS OR INITIALS THAT
12 INDICATE THAT THE INDIVIDUAL IS LICENSED AS A MIDWIFE, UNLESS THE
13 INDIVIDUAL IS LICENSED UNDER THIS PART.

14 SEC. 17105. (1) BEGINNING ON THE EFFECTIVE DATE OF RULES
15 PROMULGATED UNDER SECTION 17117, AN INDIVIDUAL SHALL NOT ENGAGE IN
16 THE PRACTICE OF MIDWIFERY UNLESS LICENSED UNDER THIS PART OR IS
17 OTHERWISE AUTHORIZED BY THIS ARTICLE.

18 (2) A MIDWIFE SHALL NOT PERFORM AN ACT, TASK, OR FUNCTION
19 WITHIN THE PRACTICE OF MIDWIFERY UNLESS HE OR SHE IS TRAINED TO
20 PERFORM THE ACT, TASK, OR FUNCTION AND THE PERFORMANCE OF THAT ACT,
21 TASK, OR FUNCTION IS CONSISTENT WITH THE RULES PROMULGATED UNDER
22 SECTION 17117.

23 (3) IN ADDITION TO THE EXEMPTIONS FROM LICENSURE UNDER SECTION
24 16171, SUBSECTION (1) DOES NOT PREVENT ANY OF THE FOLLOWING:

25 (A) AN INDIVIDUAL LICENSED, REGISTERED, OR CERTIFIED UNDER ANY
26 OTHER PART OR ACT FROM PERFORMING ACTIVITIES THAT ARE CONSIDERED TO
27 BE WITHIN THE PRACTICE OF MIDWIFERY IF THOSE ACTIVITIES ARE WITHIN

1 THE INDIVIDUAL'S SCOPE OF PRACTICE AND IF THE INDIVIDUAL DOES NOT
2 USE THE TITLES PROTECTED UNDER SECTION 17103.

3 (B) SUBJECT TO SECTION 16215, AN EMPLOYEE OR OTHER INDIVIDUAL
4 WHO IS ASSISTING A MIDWIFE; WHO IS UNDER THE MIDWIFE'S SUPERVISION;
5 AND WHO IS PERFORMING ACTIVITIES OR FUNCTIONS THAT ARE DELEGATED BY
6 THE MIDWIFE, THAT ARE NONDISCRETIONARY, THAT DO NOT REQUIRE THE
7 EXERCISE OF PROFESSIONAL JUDGMENT FOR THEIR PERFORMANCE, AND THAT
8 ARE WITHIN THE MIDWIFE'S AUTHORITY TO PERFORM.

9 (C) AN INDIVIDUAL FROM PERFORMING ACTIVITIES THAT ARE WITHIN
10 THE PRACTICE OF MIDWIFERY IF THOSE ACTIVITIES ARE PERFORMED UNDER
11 THE DIRECT AND IMMEDIATE SUPERVISION OF AN APPROPRIATE HEALTH
12 PROFESSIONAL DURING COMPLETION OF THE NORTH AMERICAN REGISTRY OF
13 MIDWIVES PORTFOLIO EVALUATION PROCESS OR AS A STUDENT AT A
14 MIDWIFERY EDUCATION PROGRAM ACCREDITED BY THE MIDWIFERY EDUCATION
15 ACCREDITATION COUNCIL OR OTHER ACCREDITING BODY APPROVED BY THE
16 BOARD.

17 (D) SELF-CARE BY A PATIENT OR UNCOMPENSATED CARE BY A FRIEND
18 OR FAMILY MEMBER WHO DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF
19 OUT TO BE A MIDWIFE.

20 (E) SERVICES PROVIDED BY A RELIGIOUS PRACTITIONER IF THAT
21 RELIGIOUS PRACTITIONER DOES NOT HOLD HIMSELF OR HERSELF OUT TO THE
22 PUBLIC AS A MIDWIFE WHO IS LICENSED TO ENGAGE IN THE PRACTICE OF
23 MIDWIFERY IN THIS STATE AND DOES NOT USE ANY OF THE TITLES
24 PROTECTED UNDER SECTION 17103.

25 (F) SERVICES PROVIDED BY A MEMBER OF A BONA FIDE CHURCH OR
26 RELIGIOUS DENOMINATION IF ALL OF THE FOLLOWING ARE MET:

27 (i) THE SERVICES ARE PROVIDED TO ANOTHER MEMBER OF THAT CHURCH

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1 OR DENOMINATION AND THAT OTHER MEMBER IS AN ADHERENT OF THE
2 ESTABLISHED TENETS OR TEACHINGS OF THAT CHURCH OR DENOMINATION AND
3 RELIES ON TREATMENT BY PRAYER OR SPIRITUAL MEANS ONLY, IN
4 ACCORDANCE WITH THE CREED OR TENETS OF THAT CHURCH OR DENOMINATION.

5 (ii) THE INDIVIDUAL PROVIDING THE SERVICES DOES NOT RECEIVE A
6 FEE FOR THOSE SERVICES. FOR PURPOSES OF THIS SUBPARAGRAPH, A
7 VOLUNTARY CONTRIBUTION IS NOT CONSIDERED A FEE FOR THE SERVICES
8 PROVIDED BY THAT INDIVIDUAL.

9 SEC. 17107. AT HIS OR HER INITIAL CONSULTATION WITH A PATIENT,
10 A MIDWIFE SHALL ESTABLISH A PROTOCOL FOR MEDICAL EMERGENCIES,
11 INCLUDING TRANSPORTATION TO A HOSPITAL, THAT IS SPECIFIC TO THAT
12 PATIENT.

13 SEC. 17109. A MIDWIFE SHALL OBTAIN INFORMED CONSENT FROM A
14 PATIENT AT THE INCEPTION OF CARE AND CONTINUING THROUGHOUT THE
15 PATIENT'S CARE.

[SEC. 17110. A HEALTH CARE PROVIDER IS NOT LIABLE FOR AN INJURY
RESULTING FROM AN ACT OR OMISSION BY A MIDWIFE WHO IS LICENSED UNDER THIS
PART, EVEN IF THE HEALTH CARE PROVIDER HAS CONSULTED WITH OR ACCEPTED A
REFERRAL FROM THE LICENSED MIDWIFE. AS USED IN THIS SECTION, "HEALTH CARE
PROVIDER" MEANS AN INDIVIDUAL WHO IS LICENSED OR REGISTERED UNDER THIS
ARTICLE.]

16 SEC. 17111. (1) A MIDWIFE SHALL NOT DO ANY OF THE FOLLOWING:

17 (A) EXCEPT AS PROVIDED IN SUBSECTION (2), ADMINISTER
18 PRESCRIPTION DRUGS OR MEDICATIONS.

19 (B) USE VACUUM EXTRACTORS OR FORCEPS.

20 (C) PRESCRIBE MEDICATIONS.

21 (D) PERFORM SURGICAL PROCEDURES OTHER THAN EPISIOTOMIES OR
22 REPAIRS OF PERINEAL LACERATIONS.

23 (E) ANY OTHER ACT, TASK, OR FUNCTION PROHIBITED IN RULES
24 PROMULGATED UNDER THIS PART.

25 (2) BEGINNING ON THE EFFECTIVE DATE OF, AND SUBJECT TO, THE
26 RULES DESCRIBED IN SUBSECTION (3), A MIDWIFE WHO HOLDS A STANDING
27 PRESCRIPTION FROM A LICENSED HEALTH CARE PROVIDER WITH PRESCRIPTIVE

1 AUTHORITY MAY ADMINISTER ANY OF THE FOLLOWING:

2 (A) PROPHYLACTIC VITAMIN K TO A NEWBORN, EITHER ORALLY OR
3 THROUGH INTRAMUSCULAR INJECTION.

4 (B) POSTPARTUM ANTIHEMORRHAGIC AGENTS TO A MOTHER.

5 (C) LOCAL ANESTHETIC FOR THE REPAIR OF LACERATIONS TO A
6 MOTHER.

7 (D) OXYGEN TO A MOTHER OR NEWBORN.

8 (E) PROPHYLACTIC EYE AGENT TO A NEWBORN.

9 (F) PROPHYLACTIC RHO(D) IMMUNOGLOBULIN TO A MOTHER.

10 (G) AGENTS FOR GROUP B STREPTOCOCCUS PROPHYLAXIS, RECOMMENDED
11 BY THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION, TO A
12 MOTHER.

13 (H) INTRAVENOUS FLUIDS, EXCLUDING BLOOD PRODUCTS, TO A MOTHER.

14 (I) ANY OTHER DRUG OR MEDICATION PRESCRIBED BY A HEALTH CARE
15 PROVIDER WITH PRESCRIPTIVE AUTHORITY THAT IS CONSISTENT WITH THE
16 SCOPE OF THE PRACTICE OF MIDWIFERY OR AUTHORIZED BY THE BOARD BY
17 RULE.

18 (3) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL
19 PROMULGATE RULES CONCERNING THE ADMINISTRATION OF PRESCRIPTION
20 DRUGS OR MEDICATIONS DESCRIBED IN SUBSECTION (2) BY MIDWIVES.

21 SEC. 17113. (1) THE MICHIGAN BOARD OF LICENSED MIDWIFERY IS
22 CREATED IN THE DEPARTMENT. THE BOARD CONSISTS OF THE FOLLOWING 7
23 MEMBERS WHO MEET THE REQUIREMENTS OF PART 161:

24 (A) FIVE MIDWIVES.

25 (B) TWO MEMBERS OF THE GENERAL PUBLIC, 1 OF WHOM IS A CONSUMER
26 OF MIDWIFERY CARE.

27 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, THE TERM OF

1 OFFICE OF A MEMBER OF THE BOARD IS 4 YEARS AND EXPIRES ON DECEMBER
2 31 OF THE YEAR IN WHICH THE TERM EXPIRES. FOR MEMBERS FIRST
3 APPOINTED UNDER THIS SECTION, 2 MEMBERS SHALL SERVE FOR 2 YEARS, 2
4 MEMBERS SHALL SERVE FOR 3 YEARS, AND 3 MEMBERS SHALL SERVE FOR 4
5 YEARS.

6 SEC. 17115. (1) IF IT RECEIVES A COMPLETE APPLICATION AND
7 PAYMENT OF THE FEE PRESCRIBED IN SECTION 16326, THE DEPARTMENT
8 SHALL ISSUE A LICENSE UNDER THIS PART TO THE APPLICANT IF THE
9 APPLICANT MEETS ALL OF THE FOLLOWING:

10 (A) HE OR SHE HAS RECEIVED A HIGH SCHOOL DIPLOMA OR PASSED THE
11 GENERAL EDUCATIONAL DEVELOPMENT (G.E.D.) DIPLOMA TEST OR ANY OTHER
12 HIGH SCHOOL GRADUATE EQUIVALENCY EXAMINATION APPROVED BY THE BOARD.

13 (B) EXCEPT AS PROVIDED IN SUBSECTION (2), HE OR SHE HAS
14 COMPLETED AN EDUCATIONAL PROGRAM OR PATHWAY ACCREDITED BY THE
15 MIDWIFERY EDUCATION ACCREDITATION COUNCIL OR A SUCCESSOR
16 ORGANIZATION.

17 (C) HE OR SHE HOLDS THE CREDENTIAL OF CERTIFIED PROFESSIONAL
18 MIDWIFE FROM THE NORTH AMERICAN REGISTRY OF MIDWIVES OR HOLDS AN
19 EQUIVALENT CREDENTIAL FROM ANOTHER ACCREDITED MIDWIFERY TRAINING
20 PROGRAM APPROVED BY THE BOARD UNDER SECTION 16148.

21 (D) HE OR SHE SUCCESSFULLY PASSES AN EXAMINATION APPROVED BY
22 THE DEPARTMENT IN CONSULTATION WITH THE BOARD. IF THE TRAINING
23 PROGRAM DESCRIBED IN SUBDIVISION (C) INCLUDES AN EXAMINATION THAT
24 MEETS THE REQUIREMENTS OF SECTION 16178(1), THE BOARD MAY ACCEPT
25 PASSING OF THAT EXAMINATION AS MEETING THE REQUIREMENTS OF THIS
26 SUBDIVISION.

27 (2) AN APPLICANT WHO HOLDS THE CREDENTIAL DESCRIBED IN

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1 SUBSECTION (1) (C) BEFORE JANUARY 1, 2020, AND HAS NOT COMPLETED THE
2 EDUCATIONAL PROGRAM OR PATHWAY DESCRIBED IN SUBSECTION (1) (B),
3 MEETS THE REQUIREMENT OF SUBSECTION (1) (B) IF HE OR SHE PROVIDES
4 EVIDENCE OF COMPLETION IN THE PRECEDING 5 YEARS OF AN ADDITIONAL 50
5 HOURS OF ACCREDITED CONTINUING EDUCATION UNITS IN ACCORDANCE WITH A
6 CERTIFICATE ISSUED BY THE NORTH AMERICAN REGISTRY OF MIDWIVES OR A
7 SUCCESSOR ORGANIZATION, AND APPROVED BY THE BOARD.

8 SEC. 17117. (1) WITHIN 24 MONTHS AFTER THE EFFECTIVE DATE OF
9 THIS PART, THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL
10 PROMULGATE RULES TO DO ALL OF THE FOLLOWING:

11 (A) ESTABLISH AND IMPLEMENT THE LICENSURE PROGRAM FOR THE
12 PRACTICE OF MIDWIFERY UNDER THIS PART.

13 (B) SUBJECT TO SECTION 16204, PRESCRIBE THE COMPLETION OF
14 CONTINUING EDUCATION FOR THE PRACTICE OF MIDWIFERY AS A CONDITION
15 FOR LICENSE RENEWAL.

16 (C) DESCRIBE AND REGULATE, LIMIT, OR PROHIBIT THE PERFORMANCE
17 OF ACTS, TASKS, OR FUNCTIONS BY MIDWIVES. THE DEPARTMENT SHALL
18 INCLUDE RULES THAT RECOGNIZE AND INCORPORATE THE REQUIREMENTS UNDER
19 SECTION 17107 REGARDING THE REFERRAL TO AND CONSULTATION WITH
20 APPROPRIATE HEALTH PROFESSIONALS.

21 (D) FOR PURPOSES OF SECTION 17109, ESTABLISH THE PROCESS BY
22 WHICH INFORMED CONSENT IS OBTAINED. [THE PROCESS ESTABLISHED FOR
OBTAINING INFORMED CONSENT SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING:

(i) A REQUIREMENT THAT AT AN INITIAL CONSULTATION BETWEEN A MIDWIFE
AND A CLIENT, THE MIDWIFE MUST PROVIDE A COPY OF THE RULES PROMULGATED BY
THE DEPARTMENT UNDER THIS SECTION.

(ii) A REQUIREMENT THAT AT AN INITIAL CONSULTATION BETWEEN A
MIDWIFE AND A CLIENT, THE MIDWIFE MUST ORALLY AND IN WRITING DISCLOSE
WHETHER THE MIDWIFE HAS MALPRACTICE LIABILITY INSURANCE COVERAGE AND, IF
SO, THE POLICY LIMITATIONS OF THAT COVERAGE.]

23 (2) IN ADDITION TO THE AUTHORITY TO PROMULGATE RULES UNDER
24 SECTION 16145 AND SUBJECT TO THIS SECTION AND SECTION 16175, THE
25 DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY PROMULGATE RULES TO
26 SUPPLEMENT THE REQUIREMENTS FOR LICENSURE UNDER THIS PART,
27 INCLUDING THE ADOPTION OF UPDATED STANDARDS APPLICABLE TO THE

1 PRACTICE OF MIDWIFERY ESTABLISHED BY THE NORTH AMERICAN REGISTRY OF
2 MIDWIVES OR A SUCCESSOR ORGANIZATION.

3 SEC. 17119. (1) THE DEPARTMENT MAY GRANT A LICENSE UNDER THIS
4 PART TO AN INDIVIDUAL WHO IS LICENSED AS A MIDWIFE IN ANOTHER STATE
5 AT THE TIME OF APPLICATION IF THE APPLICANT PROVIDES EVIDENCE
6 SATISFACTORY TO THE BOARD AND THE DEPARTMENT THAT ALL OF THE
7 FOLLOWING ARE MET:

8 (A) SUBJECT TO SUBSECTION (2), THE APPLICANT MEETS THE
9 REQUIREMENTS OF THIS PART AND RULES PROMULGATED UNDER THIS PART FOR
10 LICENSURE.

11 (B) THERE ARE NO PENDING DISCIPLINARY PROCEEDINGS AGAINST THE
12 APPLICANT BEFORE A SIMILAR LICENSING AGENCY OF THIS OR ANY OTHER
13 STATE OR COUNTRY.

14 (C) IF SANCTIONS HAVE BEEN IMPOSED AGAINST THE APPLICANT BY A
15 SIMILAR LICENSING AGENCY OF THIS OR ANY OTHER STATE OR COUNTRY
16 BASED UPON GROUNDS THAT ARE SUBSTANTIALLY SIMILAR TO THOSE UNDER
17 THIS ARTICLE, AS DETERMINED BY THE BOARD, THE SANCTIONS ARE NOT IN
18 FORCE AT THE TIME OF THE APPLICATION.

19 (D) THE OTHER STATE MAINTAINS LICENSURE STANDARDS EQUIVALENT
20 TO OR MORE STRINGENT THAN THOSE OF THIS STATE.

21 (2) IF AN APPLICANT IS LICENSED AS A MIDWIFE IN A STATE THAT
22 DOES NOT REQUIRE COMPLETION OF AN EDUCATIONAL PROGRAM OR PATHWAY
23 EQUIVALENT TO SECTION 17115(1)(B) FOR LICENSURE, THE DEPARTMENT MAY
24 DETERMINE THAT THE APPLICANT HAS MET THE REQUIREMENTS OF SUBSECTION
25 (1)(A) IF HE OR SHE MEETS ALL OF THE FOLLOWING:

26 (A) THE REQUIREMENTS OF THIS PART AND RULES PROMULGATED UNDER
27 THIS PART FOR LICENSURE, EXCEPT SECTION 17115(1)(B).

1 (B) THE REQUIREMENTS OF SECTION 17115(2), REGARDLESS OF THE
2 DATE HE OR SHE OBTAINED THE CREDENTIAL OF CERTIFIED PROFESSIONAL
3 MIDWIFE DESCRIBED IN SECTION 17115(1)(C).

4 (3) THE BOARD MAY MAKE AN INDEPENDENT INQUIRY TO DETERMINE
5 WHETHER AN APPLICANT MEETS THE REQUIREMENTS DESCRIBED IN SUBSECTION
6 (1)(B) AND (C).

7 SEC. 17121. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL THIRD
8 PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR
9 SERVICES RENDERED BY AN INDIVIDUAL LICENSED UNDER THIS PART.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.