

CONCERNS ABOUT SENATE BILL 85

Senate Bill (SB) 85 seeks to establish the Kentucky Board of Midwifery (Board) to begin licensing lay midwives, or Certified Professional Midwives (CPMs). A number of organizations, including the Kentucky Section of the American College of Obstetricians and Gynecologists, the Kentucky Medical Association and Kentucky Hospital Association, share significant concerns regarding the substantive provisions of the legislation, which are outlined below.

EDUCATIONAL REQUIREMENTS

- Lay midwives, or Certified Professional Midwives (CPMs), are not certified nurse midwives, which are advanced practice registered nurses in nurse midwifery.
- CPMs are not currently required to meet education or qualification standards before engaging in the practice of midwifery. While SB 85 would allow the new midwifery board latitude to determine these standards, such requirements should be specifically defined in statute.
- CPMs are not required to obtain a nursing degree.

SCOPE OF CARE

- CPMs' scope of care is not specifically defined.
- CPMs' scope of care is not limited to low-risk pregnancy. Furthermore, the legislation does not define "high risk" conditions that would necessitate interaction between patient and a professionally trained provider.
- Conditions requiring consultation and/or referral to a physician are not specified.
- The legislation lacks detailed, standardized requirements for immediate transfer during complications with a pregnancy, labor or delivery. Even abortion clinics require agreements with local ambulance service and transfer agreements with hospitals. SB 85 requires neither.
- CPMs would be permitted to administer medications that seemingly extend beyond their training and education.
- CPMs are not required to work under the supervision of or collaboration with another qualified provider.
- The legislation places no restrictions on where CPMs can practice.
- The legislation would allow CPMs to provide care to the client and newborn for the first six (6) weeks of the newborn's life without requiring consultation with a pediatrician.

PRACTICE REQUIREMENTS

- CPMs are not required to obtain and maintain medical malpractice insurance.
- Informed consent requirements are not specified in the bill.
- The legislation does not specify specific outcomes/data reporting requirements.

Despite the state's continual efforts to improve prenatal health, this legislation is a significant step backward. KMA opposes this legislation for the reasons cited.