

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1205

H.P. 765

House of Representatives, March 14, 2023

An Act Regarding the Scope of Practice of Certified Professional Midwives and Certified Midwives

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MEYER of Eliot.
Cosponsored by Senator CARNEY of Cumberland and
Representatives: ANDREWS of Paris, KUHN of Falmouth, PERRY of Calais, PRINGLE of
Windham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §12535, sub-§2**, as enacted by PL 2015, c. 502, §11, is amended
3 to read:

4 **2. National standards.** A certified professional midwife shall at all times practice
5 within the scope of practice and national standards as delineated by the ~~national association~~
6 ~~of certified professional midwives~~ American College of Nurse-Midwives and the American
7 College of Obstetricians and Gynecologists or their successor organizations.

8 **Sec. 2. 32 MRSA §12535, sub-§5**, as enacted by PL 2015, c. 502, §11, is amended
9 to read:

10 **5. Board rules.** ~~Clarifications of~~ The board shall adopt rules relating to the scope of
11 practice of a certified professional midwife may be established by board rule consistent
12 with subsection 2. Rules adopted under this subsection are routine technical rules as
13 defined in Title 5, chapter 375, subchapter 2-A.

14 **Sec. 3. 32 MRSA §12537, sub-§2**, as enacted by PL 2015, c. 502, §11, is amended
15 to read:

16 **2. Standards.** A certified midwife shall at all times practice within the scope of
17 practice and national standards as delineated by the ~~national college of nurse midwives~~
18 American College of Nurse-Midwives and the American College of Obstetricians and
19 Gynecologists or their successor organizations.

20 **Sec. 4. 32 MRSA §12537, sub-§5**, as enacted by PL 2015, c. 502, §11, is amended
21 to read:

22 **5. Board rules.** ~~Clarifications of~~ The board shall adopt rules relating to the scope of
23 practice of a certified midwife may be established by board rule, consistent with national
24 standards subsection 2. Rules adopted under this subsection are routine technical rules as
25 defined in Title 5, chapter 375, subchapter 2-A.

26 **Sec. 5. Board of Complementary Health Care Providers to amend rules.**
27 The Board of Complementary Health Care Providers shall amend its rules adopted pursuant
28 to the Maine Revised Statutes, Title 32, section 12535, subsection 5 related to
29 circumstances under which certified professional midwives are required to recommend and
30 facilitate modification of the care relationship to replace the terms "collaboration" and
31 "consultation" with "referral."

32 SUMMARY

33 This bill amends the national standards by which certified professional midwives and
34 certified midwives are required to practice and changes from permissive to mandatory the
35 rulemaking of the Board of Complementary Health Care Providers relating to the scope of
36 practice of certified professional midwives and certified midwives and directs the board to
37 replace the terms "collaboration" and "consultation" with "referral" in the board's rules
38 regarding certified professional midwives.