

# LEGISLATIVE RESEARCH UNIT

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February 14, 2008

## MIDWIFE LICENSING IN OTHER STATES

You asked how other states license midwives, and mentioned House Bill 4440 which proposes a Certified Professional Midwife Licensure Act to license midwives in Illinois. We describe our findings below.

### Overview

Every state recognizes a nursing specialty such as "nurse-midwife" that requires both a nurse's license and midwife training. Some states also recognize and regulate a class of midwives sometimes called "direct-entry" midwives, who need not be licensed as nurses. The states that do allow "direct-entry" midwives set various requirements for their training and experience. Some require a direct-entry midwife to be a CPM—a credential issued by the North American Registry of Midwives (NARM). To take the CPM exam, a person must meet both education and experience requirements. The educational part requires one of the following:

- (1) graduation from a program accredited by the Midwifery Education Accreditation Council;
- (2) certification by the American College of Nurse-Midwives Accreditation Council as a Certified Nurse-Midwife or a Certified Midwife (a type of direct-entry midwife who need not be a nurse);
- (3) completion of NARM's Portfolio Evaluation Process (to verify that the applicant has the necessary skills); or
- (4) evidence of completion of a state-regulated program that has been evaluated for educational equivalency.

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The experience part requires at least 1 year of practice, including 1,350 supervised clinical contact hours. That experience must include actively participating in at least 20 births and functioning as the primary midwife in 20 others (including 10 not in hospitals, and 3 with women for whom the applicant provided primary care in at least 4 prenatal visits, birth, a newborn exam, and 1 postpartum exam). A candidate must also do 75 prenatal, 20 newborn, and 40 postpartum exams, and be certified in infant and adult cardiopulmonary resuscitation (CPR). After passing NARM's written exam, an applicant is certified as a CPM. Certification must be renewed every 3 years.<sup>1</sup>

### Illinois

A "certified nurse midwife" is recognized as a category of advanced practice nurse.<sup>2</sup> An advanced practice nurse must be a registered nurse; nationally certified in a specific area of nursing (nurse-midwives must be certified by the American College of Nurse-Midwives or the American Midwifery Certification Board<sup>3</sup>); and have a graduate degree or certificate.<sup>4</sup> The nurse must work under a collaborative agreement with a physician unless authorized to practice in a hospital or ambulatory surgical treatment center.<sup>5</sup>

Two court decisions around 1990 caused some uncertainty about the legality of direct-entry midwifery in Illinois, by holding that Illinois' Medical Practice Act of 1987 (as it existed before legislative changes) was unclear on whether such practice was allowed.<sup>6</sup> But later Illinois Supreme and Appellate Court decisions held that the practice of midwifery without a nursing license violates the Nursing and Advanced Practice Nursing Act<sup>7</sup> (now called the Nurse Practice Act<sup>8</sup>). Thus Illinois does not currently allow direct-entry midwife practice.

### Current Bills

House Bill 4440 (Flowers) would establish requirements for licensing of midwives by the Department of Financial and Professional Regulation (DFPR). A midwife would be eligible for licensure who:

- (1) is a CPM and in good standing with NARM;
- (2) completes a midwifery education program accredited by a direct-entry midwifery accreditation agency recognized by the U.S. Department of Education, such as the Midwifery Education Accreditation Council, and that includes at least 1,800 contact hours;

- (3) participates in an educational peer review process at least twice yearly; and
- (4) annually sends DFPR an informed consent document that describes her education, skill level, liability insurance coverage, and a plan for medical emergencies.

Licenses would be renewable every 3 years.

The bill has been assigned to the House Health Care Availability and Access Committee.

Senate Bill 385 (Haine-Sandoval-Martinez-Delgado-Peterson et al.—Turner-Flowers-Black-Hamos et al.) also proposes a process to license CPMs in Illinois. It passed the Senate in March 2007 and was assigned to the House Registration and Regulation Committee, but was re-referred to the House Rules Committee for lack of action by the deadline.

#### Other States

A table from the Midwives Alliance of North America reports on the status of direct-entry midwives in all states, and gives citations to some state laws and regulations.<sup>9</sup> We used it and a supplementary search of state laws and regulations to learn how direct-entry midwives are regulated in each state.

We found 24 states that license direct-entry midwives:<sup>10</sup>

Alaska	New Hampshire	Vermont
Arkansas	New Jersey	Virginia
Arizona	New Mexico	Washington
California	New York	Wisconsin
Colorado	Oregon	
Delaware	Rhode Island	
Florida	South Carolina	
Louisiana	Tennessee	
Minnesota	Texas	
Montana	Utah	

Being licensed is voluntary in Utah.<sup>11</sup> In Oregon, it is required only for reimbursement under the state's Medical Assistance (Medicaid) program.<sup>12</sup>

An examination of those states' laws and regulations indicates that at least 8 of them require a midwife to be a CPM to get a state license. (It is possible that some states follow an informal practice of accepting the CPM credential in lieu of other licensing requirements):<sup>13</sup>

Delaware\*  
 Minnesota  
 New Jersey\*  
 Tennessee  
 Utah

Vermont  
 Virginia  
 Wisconsin\*

\* Applicants certified by the American College of Nurse Midwives are also eligible for licensure.

In Arkansas, applicants who are CPMs need only pass a state exam to be licensed;<sup>14</sup> in Colorado,<sup>15</sup> Oregon,<sup>16</sup> and Texas,<sup>17</sup> CPMs are automatically eligible for licensure. In New Mexico, a CPM may take a shorter version of the state license exam.<sup>18</sup> Some states require applicants to take NARM's written exam but do not require the full CPM credential.<sup>19</sup> In most states that do not require a CPM credential, the requirements for state licensure are similar to those for the CPM credential; so CPMs may have already met or almost meet the requirements for licensure in those states.

The remaining 26 states either do not license direct-entry midwives, or prohibit them. In many of those states, the status of direct-entry midwives can be discerned only from court cases or other legal opinions. We relied mainly on the classifications of the Midwives Alliance of North America (MANA). According to MANA, 16 states do not specifically prohibit direct-entry midwives, but do not regulate them:<sup>20</sup>

Connecticut	Maine	Nevada	West Virginia
Georgia	Massachusetts	North Dakota	
Hawaii	Michigan	Ohio	
Idaho	Mississippi	Oklahoma	
Kansas	Nebraska	Pennsylvania	

MANA says that 10 states prohibit direct-entry midwifery by law, court decision, or other legal interpretations:<sup>21</sup>

Alabama	Maryland
Iowa	Missouri
<b>Illinois</b>	North Carolina
Indiana	South Dakota
Kentucky	Wyoming

Appendix A categorizes all states by whether they recognize and regulate; do not prohibit but do not regulate; or prohibit direct-entry midwives. Appendix B lists requirements to become a direct-entry midwife in the states that regulate them.

We hope this information is helpful. Please let us know if we can be of further assistance.

Sincerely,



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#### Notes

1. North American Registry of Midwives, "How to Become a NARM Certified Professional Midwife (CPM)" (mod. Jan. 28, 2008, downloaded from North American Registry of Midwives Internet site).
2. 225 ILCS 65/50-10, definition of "advanced practice nurse." (This and all later citations to the Illinois law are to it as amended by P.A. 95-639 (2007).)
3. 68 Ill. Adm. Code subsec. 1305.20(a)(2)(A).
4. 225 ILCS 65/65-5(b).
5. 225 ILCS 65/65-35.
6. *People v. Jihan*, 127 Ill. 2d 379, 537 N.E. 2d 751 (1989); *Peckmann v. Thompson*, 745 F. Supp. 1388 (N.D. Ill. 1990).
7. *People ex rel. Sherman v. Cryns*, 203 Ill. 2d 264, 786 N.E. 2d 139 (2003), cert. den. 540 U.S. 818; *Morris v. Department of Professional Regulation*, 356 Ill. App. 3d 83, 824 N.E.2d 1151 (2005).
8. 225 ILCS 65/5-1 ff. as amended by P.A. 95-639 (2007).
9. Midwives Alliance of North America, "Direct Entry Midwifery State-by-State Legal Status" (mod. April 25, 2007, downloaded from MANA Internet site).
10. Alaska Stat., sec. 08.65.010 ff.; Ark. Stat., sec. 17-85-101 ff.; Ariz. Rev. Stat., sec. 36-751 ff.; Cal. Bus. & Prof. Code, sec. 2505 ff.; Colo. Rev. Stat., sec. 12-37-101 ff.; Del. Code, tit. 16, subsec. 122(3)h; Fla. Stat., sec. 467.001 ff.; La. Rev. Stat., sec. 37:3240 ff.; Minn. Stat., sec. 147D.01 ff.; Mont. Code, sec. 37-27-101 ff.; N.H. Rev. Stat., sec. 326-D:1 ff.; N.J. Stat., sec. 45:10-1 ff.; N.M. Stat., secs. 9-7-6 and 24-1-21; N.Y. Educ. Law, secs. 6951 and 6952; Ore. Rev. Stat., secs. 687.420 and 687.430; R.I. Gen Laws, sec. 23-13-9; S.C. Code, secs. 48-1-10 ff. and 48-14-10 ff.; Tenn. Code, sec. 63-29-108; Tex. Occ. Code, sec. 203.001 ff.; Utah Code, Sec. 58-77-302; Vt. Stat., tit. 26, ch. 85 ff.; Va. Code, sec. 54.1-2957; Wash. Rev. Code, sec. 18.50 ff.; and Wis. Stat., sec. 440.980 ff.

11. Utah Code, sec. 58-77-501.
12. Ore. Rev. Stat., sec. 687.415.
13. Del. Code Regs., sec. 16-4000-4106; Minn. Stat., subsec. 147D.17(3); N.J. Adm. Code, tit. 13, secs. 35-2A.4; Tenn. Code, subsec. 63-29-108(b)(1); Utah Code, subsec. 58-77-302(4); Vt. Stat., tit. 26, subsec. 4183(1); Va. Code, sec. 54.1-2957.8, subd. A.; and Wis. Stat., subsec. 440.982(lm)(c).
14. Ark. Code Regs., sec. 016.24.006, subd. 301.03.
15. Colo. Code Regs., sec. 739-1, Rule 2.B.1.
16. Ore. Adm. R., subsec. 332-015-0040(3).
17. 22 Tex. Adm. Code, subsec. 831.13(2).
18. N.M. Adm. Code, tit. 16, sec. 16.11.3.8, subd. C(1)(a).
19. Those states include at least these: Alaska, Arkansas, Colorado, Florida, Montana, New Hampshire, Oregon, and Washington.
20. "Direct Entry Midwifery State-by-State Legal Status."
21. "Direct Entry Midwifery State-by-State Legal Status;" Ala. Code, subsec. 34-19-2(2) and sec. 34-19-3; 225 ILCS 65/50-10, definition of "advanced practice nurse," 65/65-5(b)(3), 65/65-30, 65/65-50, *People ex. rel. Sherman v. Cryns*, 203 Ill. 2d 264, 786 N.E. 2d 139 (2003), cert. den. 540 U.S. 818, and *Morris v. Department of Professional Regulation*, 356 Ill. App. 3d 83, 824 N.E.2d 1151 (2005); Ind. Code, subsec. 25-22.5-8-2(b) and secs. 25-23-1-13.1 and 34-18-2-19; Iowa Code, sec. 148.1, and 1978 Op. Atty. Gen. Iowa 371; Ky. Rev. Stat., sec. 314.043; Md. Health Occ. Code, subsecs. 8-503(b) and 8-701(a); Mo. Rev. Stat., secs. 334.010, subd. 1, and 334.260; N.C. Gen. Stat., sec. 90-178.5 and subsec. 90-178.2(3); S.D. Cod. Laws, sec. 36-9A-1 ff.; Wyo. Stat., secs. 35-2-901 ff. and 16-3-101 ff.; and Wyo. Code R., subsec. 048-152-006(f).

## Appendix A: Status of Midwife Practice in All States

Note: All states listed below recognize a nursing specialty such as "nurse-midwife" whose practitioners must be licensed nurses and have midwife training. This Appendix reports only on states' regulation of "direct-entry" midwives, who are trained as midwives but are not licensed as nurses or physicians.

<i>State</i>	<i>Recognizes and regulates</i>	<i>Does not regulate or prohibit</i>	<i>Prohibits</i>	<i>Citation</i>
Alabama	-	-	<input type="checkbox"/>	Ala. Code, subsec. 34-19-2(2) and sec. 34-19-3
Alaska	<input type="checkbox"/>	-	-	Alaska Stat., secs. 08.65.010 ff.
Arizona	<input type="checkbox"/>	-	-	Ariz. Rev. Stat., secs. 36-751 ff.
Arkansas	<input type="checkbox"/>	-	-	Ark. Stat., secs. 17-85-101 ff.
California	<input type="checkbox"/>	-	-	Cal. Bus. & Prof. Code, secs. 2505 ff.
Colorado	<input type="checkbox"/>	-	-	Colo. Rev. Stat., secs. 12-37-101 ff.
Connecticut	-	<input type="checkbox"/>	-	*
Delaware	<input type="checkbox"/>	-	-	Del. Code, tit. 16, subsec. 122(3)h.
Florida	<input type="checkbox"/>	-	-	Fla. Stat., secs. 467.001 ff.
Georgia	-	<input type="checkbox"/>	-	Ga. Code, secs. 31-26-1 ff. and Ga. Comp. R. & R., secs. 290-5-15-.01 ff.
Hawaii	-	<input type="checkbox"/>	-	*
Idaho	-	<input type="checkbox"/>	-	*
<b>Illinois</b>	-	-	<input type="checkbox"/> †	225 ILCS 65/50-10 (definition of "advanced practice nurse"), 65/65-5(b)(3), 65/65-30, and 65/65-50
Indiana	-	-	<input type="checkbox"/>	Ind. Code, subsec. 25-22.5-8-2(b) and secs. 25-23-1-13.1 and 34-18-2-19
Iowa	-	-	<input type="checkbox"/>	Iowa Code, sec. 148.1 and 1978 Op. Atty. Gen. Iowa 371
Kansas	-	<input type="checkbox"/>	-	*
Kentucky	-	-	<input type="checkbox"/>	Ky. Rev. Stat., sec. 314.043
Louisiana	<input type="checkbox"/>	-	-	La. Rev. Stat., secs. 37:3240 ff.

## Appendix A: Status of Midwife Practice in All States (cont'd)

<i>State</i>	<i>Recognizes and regulates</i>	<i>Does not regulate or prohibit</i>	<i>Prohibits</i>	<i>Citation</i>
Maine	-	<input type="checkbox"/>	-	*
Maryland	-	-	<input type="checkbox"/>	Md. Health Occ. Code, subsecs. 8-503(b) and 8-701(a)
Massachusetts	-	<input type="checkbox"/>	-	*
Michigan	-	<input type="checkbox"/>	-	*
Minnesota	<input type="checkbox"/>	-	-	Minn. Stat., secs. 147D.01 ff.
Mississippi	-	<input type="checkbox"/>	-	Miss. Code, sec. 73-25-33
Missouri	-	-	<input type="checkbox"/> ‡	Mo. Rev. Stat., sec. 334.010, subd. 1 and sec. 334.260
Montana	<input type="checkbox"/>	-	-	Mont. Code, secs. 37-27-101 ff.
Nebraska	-	<input type="checkbox"/> #	-	Neb. Rev. Stat., sec. 71-1765
Nevada	-	<input type="checkbox"/>	-	*
New Hampshire	<input type="checkbox"/>	-	-	N.H. Rev. Stat., secs. 326-D:1 ff.
New Jersey	<input type="checkbox"/>	-	-	N.J. Stat., secs. 45:10-1 ff.
New Mexico	<input type="checkbox"/>	-	-	N.M. Stat., secs. 9-7-6 and 24-1-21
New York	<input type="checkbox"/>	-	-	N.Y. Educ. Law, secs. 6951 and 6952
North Carolina	-	-	<input type="checkbox"/> ◊	N.C. Gen. Stat., sec. 90-178.5 and subsec. 90- 178.2(3)
North Dakota	-	<input type="checkbox"/>	-	*
Ohio	-	<input type="checkbox"/>	-	*
Oklahoma	-	<input type="checkbox"/>	-	*
Oregon	<input type="checkbox"/>	-	-	Ore. Rev. Stat., secs. 687.420 and 687.430
Pennsylvania	-	<input type="checkbox"/>	-	*
Rhode Island	<input type="checkbox"/>	-	-	R.I. Gen Laws, sec. 23-13-9



## Appendix A: Status of Midwife Practice in All States (cont'd)

State	Recognizes and regulates	Does not regulate or prohibit	Prohibits	Citation
South Carolina	<input type="checkbox"/>	-	-	S.C. Code, secs. 48-1-10 ff. and 48-14-10 ff.
South Dakota	-	-	<input type="checkbox"/>	S.D. Cod. Laws, secs. 36-9A-1 ff.
Tennessee	<input type="checkbox"/>	-	-	Tenn. Code, sec. 63-29-108
Texas	<input type="checkbox"/>	-	-	Tex. Occ. Code, secs. 203.001 ff.
Utah	<input type="checkbox"/>	-	-	Utah Code, Sec. 58-77-302
Vermont	<input type="checkbox"/>	-	-	Vt. Stat., tit. 26, secs. 4181 to 4191
Virginia	<input type="checkbox"/>	-	-	Va. Code, sec. 54.1-2957
Washington	<input type="checkbox"/>	-	-	Wash. Rev. Code, secs. 18.50 ff.
West Virginia	-	<input type="checkbox"/>	-	*
Wisconsin	<input type="checkbox"/>	-	-	Wis. Stat., secs. 440.980 ff.
Wyoming	-	-	<input type="checkbox"/>	Wyo. Stat., secs. 35-2-901 ff. and 16-3-101 ff.; Wyo. Code R., subsec. 048-152-006(f)

## Notes

- \* In most of the states that neither prohibit nor regulate direct-entry midwives, there is no statutory citation since their laws usually do not mention direct-entry midwives. We relied mainly on a Midwives Alliance of North America chart listing states in that category.
- † In Illinois, the practice of midwifery without a nursing license was held to violate the Nursing and Advanced Practice Nursing Act (now called the Nurse Practice Act) in *People ex rel. Sherman v. Cryns*, 203 Ill. 2d 264, 786 N.E. 2d 139 (2003), cert. den. 540 U.S. 818 and *Morris v. Department of Professional Regulation*, 356 Ill. App. 3d 83, 824 N.E.2d 1151 (2005).
- ‡ Missouri ceased licensing new midwives in 1959.
- # Nebraska law allows the practice of midwifery by a person who is not a certified nurse-midwife only (1) in emergencies, (2) by a legally qualified person from another state who is employed by the federal government and is performing official duties in Nebraska, or (3) by a person who performs midwifery as part of an nurse-midwife preparation program.
- ◇ North Carolina law requires midwives to be certified by the American College of Nurse Midwives, which certifies both nurse-midwives and "certified midwives" (who need not be nurses). But the state's regulations generally refer only to nurse-midwives. The Midwives Alliance of North America considers direct-entry midwifery to be prohibited in North Carolina.

Sources: Legislative Research Unit examination of statutes and regulations cited; Midwives Alliance of North America, "Direct Entry Midwifery State-by-State Legal Status" (mod. April 25, 2007, downloaded from Midwives Alliance of North American Internet site).

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
Alaska	Obtain certification in basic life support, intravenous therapy, and neonatal resuscitation; complete a course of study with 1 year of supervised clinical experience, including 100 prenatal care visits, observation of 10 labors and deliveries, 20 assisted labor managements, primary responsibility for 30 deliveries, 30 newborn exams, and 30 postpartum exams (including care of 15 women throughout pregnancy); and pass NARM exam.	License lasts 2 years. Apprentice permits are issued to applicants accepted to a midwife training program and supervised by a certified direct-entry midwife licensed for 2 years, an obstetric physician, or a certified nurse midwife with an obstetric practice.	Alaska Stat., secs. 08.65.050, 08.65.080, and 08.65.090; Alaska Adm. Code, tit. 12, secs. 14.110, 14.210, and 14.300
Arizona	Obtain CPR certification; submit two recommendations; get a score of at least 80% in each core subject in college courses, or demonstrate such competencies; receive clinical experience including 60 prenatal care visits to 15 different women, attendance at 25 live births, supervised management of labor and delivery at 25 live births, 25 newborn exams, 25 postpartum exams, and observation of 6 prepared childbirth classes; pass state exam.	License lasts 2 years.	Ariz. Rev. Stat., secs. 36-753 and 36-754; Ariz. Adm. Code, R. 9-16-102, 9-16-103, and 9-16-104
Arkansas	Obtain CPR certification; receive clinical experience including participating in 20 births, functioning as primary midwife under direct supervision for another 20 births (including 10 not in a hospital and 3 with women to whom the applicant provides care throughout pregnancy), 75 prenatal exams, 20 newborn exams, and 40 postpartum exams; pass NARM exam and state exam. CPMs need only pass the state exam to get licensed.	License lasts 2 years. Apprentice permits are issued to applicants who are supervised by a physician, certified nurse-midwife, or licensed midwife while getting clinical experience.	Ark. Code Regs., sec. 016.24.006, subds. 301.01 to 301.03 and 302.01
California	Complete a 3-year course of 84 semester units (1 hour of instruction and 3 hours of clinical experience per week equals 1 unit); receive clinical experience including 20 new antepartum visits, 75 return antepartum visits, 20 labor managements, 20 deliveries, 40 postpartum visits, 20 newborn assessments, and 40 postpartum/family planning/gynecology visits; pass state exam.	Must be supervised by an obstetric physician (who need not attend at births). License lasts 2 years.	Cal. Bus. & Prof. Code, secs. 2507, 2512.5, 2513, and 2518; Cal. Code Regs., tit. 16, sec. 1379.15

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives (cont'd)

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
Colorado	Obtain CPR certification; graduate from an accredited midwifery education program approved by the Midwifery Education and Accreditation Council, or complete approved equivalent education; complete training in specified areas; receive clinical experience including 100 prenatal exams on 30 different women and observation of 30 births, and participation as birth attendant at 30 births (including providing care throughout pregnancy); pass NARM exam. CPMs are automatically eligible for licensure.	License lasts 1 year.	Colo. Rev. Stat., sec. 12-37-103; 4 Colo. Code Regs., sec. 739-1, Rule 2
Delaware	Complete an accredited midwifery education program; be certified as a CPM or as a Certified Midwife.	Must have a cooperative agreement with a licensed ob/gyn doctor. License lasts 1 year.	Del. Code Regs., sec. 16-4000-4106
Florida	Complete an approved midwifery program with 3 years of clinical study and supervised care of 50 women throughout pregnancy and 25 more at birth; pass NARM exam.	License lasts 2 years.	Fla. Stat., secs. 467.009, 467.011, and 467.012; Fla. Adm. Code, r. 64B24-2.002
Louisiana	Obtain CPR certification; submit 4 recommendations; demonstrate competency in the basic sciences and take a course in pregnancy and childbirth; receive clinical experience including 100 prenatal visits to 25 different women, attendance at labor and delivery of 15 live births, management of labor and delivery of 15 births, 25 newborn exams, 25 postpartum exams, 5 laceration repairs, 5 observations of in-house high-risk births (may be waived if no opportunities are available for such observation), and observation of 6 prepared childbirth classes; pass a state written and practical exam.	License lasts 2 years. Apprentice permits or senior apprentice permits are issued to applicants who are getting clinical experience; apprentices must practice under the direct supervision of a physician, certified nurse-midwife, or licensed midwife, and senior apprentices may practice under general direction.	La. Rev. Stat., secs. 37:3245, 37:3249, and 37:3255; La. Adm. Code, tit. 46, secs. XLV.2351 and XLV.2357

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives (cont'd)

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
Minnesota	Obtain CPR certification; be certified as a CPM; be certified through an education program approved by the Midwifery Education and Accreditation Council or another national accrediting organization, or complete an apprenticeship; receive clinical experience including 75 prenatal exams, supervised participation in 20 births (10 in the home), supervised participation as primary birth attendant at another 20 births (10 outside a hospital), 20 newborn exams, and 40 postpartum exams.	License lasts 1 year.	Minn. Stat., sec. 147D.17
Montana	Obtain CPR and neonatal resuscitation certification; complete approved courses of study in midwifery; receive clinical experience including 100 prenatal exams, observation of 40 births, and participation as the primary birth attendant at 25 births (including providing care throughout pregnancy for 15 of those births); pass NARM exam.	License lasts 1 year. Apprentice licenses are issued to applicants who are working under the supervision of a physician, a certified nurse-midwife, or a licensed midwife to meet the licensure requirements. There are 3 levels of apprentice licenses, each requiring more clinical experience.	Mont. Code, secs. 37-27-201, 37-27-202, 37-27-203, and 37-27-205; Mont. Adm. R., secs. 24.111.602, 24.111.604, and 24.101.413
New Hampshire	Obtain certification in CPR and neonatal resuscitation; submit 4 recommendations; complete one college course in anatomy and physiology; receive supervised clinical experience including 100 prenatal visits on 15 different women (including 5 prenatal visits and postpartum followup on 10 women), attendance at 25 live out-of-hospital births, attendance as primary birth attendant at another 25 live out-of-hospital births, observation of 5 in-hospital births, 25 newborn exams, 5 laceration repairs, and 30 postpartum visits; present evidence of technical skills as certified to by a supervisor; pass NARM exam and a written and oral exam administered by the state Midwifery Council.	License lasts 2 years.	N.H. Rev. Stat., secs. 326-D:6 and 326-D:7; N.H. Code Adm. R., Mid 302.04, 303.01, 303.03, 303.05, and 304.01

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives (cont'd)

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
New Jersey	Graduate from a program accredited by American College of Nurse Midwives or Midwifery Education Accreditation Council; be certified by American College of Nurse Midwives, American College of Nurse Midwives Certification Council, or NARM; pass state exam.	May practice only in affiliation with an ob/gyn doctor. License lasts 2 years.	N.J. Stat., sec. 45:10-3; N.J. Adm. Code, tit. 13, secs. 35-2A.4, 35-2A.6, and 35-2A.7
New Mexico	Obtain CPR certification; complete 25 well-women health assessments, 100 prenatal visits on 15 different women, 40 labor observations and managements, 1 instance of starting an IV successfully, 25 deliveries of newborns and placenta, 30 newborn exams, 15 uses of prophylactic eye medications, 30 postpartum visits within 36 hours of delivery, 15 blood collections for newborn metabolic screening, 15 6-week postpartum and/or yearly physical exams and pap smears, and 30 family planning visits, consultations, and/or referrals; after at least 6 months of apprenticeship, complete observation of a neonatal intensive care nursery and high-risk obstetric unit, provision of one series of prepared childbirth classes, and observation of one breast feeding information series; pass state exam, or submit proof of CPM certification and take a shortened exam.	License lasts 2 years. Apprentice permits are issued to applicants who are working under supervision to complete the licensing requirements.	N.M. Stat., secs. 9-7-6 and 24-1-21; N.M. Adm. Code, tit. 16, secs. 16.11.3.1 to 16.11.3.14
New York	Complete preparation in specified health care areas; complete clinical experience in preconceptual, antepartum, intrapartum, and postpartum care (the academic program must be equivalent to a baccalaureate degree or higher); pass the American College of Nurse Midwives exam.	Must practice under a written agreement with an ob/gyn doctor or a hospital that provides obstetric services. Limited permits may be issued to applicants who have completed all the requirements for licensure except the exam; they must practice under the supervision of a physician or licensed midwife.	N.Y. Educ. Law, sec. 6951 ff.; N.Y. Comp. Codes R. & Regs., tit. 8, sec. 52.20

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives (cont'd)

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
Oregon	Obtain CPR certification; receive clinical experience including participation in 25 assisted deliveries, 25 deliveries as the primary care provider, 100 prenatal care visits, 25 newborn exams, 40 postnatal exams, and completion of a written plan for emergency transport; pass NARM exam. Persons certified as CPMs or certified by the Midwifery Education Accreditation Council are automatically eligible for licensure if they have met the state's clinical experience requirements.	License is required only for reimbursement under Medicaid. License lasts 1 year.	Ore. Rev. Stat., secs. 687.415, 687.420, 687.425, and 687.430; Ore. Adm. R., secs. 332-015-0010, 332-015-0040, 332-015-0050, and 332-015-0070
Rhode Island	Complete a program accredited by the American College of Nurse-Midwives and receive certification as either a midwife or a nurse-midwife from the American College of Nurse Midwives; pass an exam administered by the American Midwifery Certification Board.	License lasts 2 years.	R.I. Gen. Laws, secs. 23-1-1 and 23-13-9; R.I. Code R., sec. 14-140-014
South Carolina	Receive clinical experience including 60 prenatal visits on 15 different women, 20 labor observations, 15 labor managements, 15 newborn exams, 15 postpartum visits within 36 hours after delivery, and observation of one course of prepared childbirth education; pass a state written and oral exam.	License lasts 2 years.	S.C. Code, sec. 44-89-30; S.C. Code Regs., sec. 61-24
Tennessee	Obtain CPR certification; be certified as a CPM by NARM.	Initial license lasts 2 years.	Tenn. Code, secs. 63-29-108 and 63-29-109
Texas	Obtain certification in CPR and neonatal resuscitation; complete a state-approved midwifery course and pass the NARM exam, be certified as a CPM and pass a continuing education course, or complete a midwifery course approved by the Midwifery Education Accreditation Council and a continuing education course and pass the NARM exam.	License lasts 2 years.	Tex. Occ. Code, sec. 203.001 ff.; 22 Tex. Adm. Code, secs. 831.11 and 831.13
Utah	Obtain CPR certification; be certified as a CPM by NARM.	Licensure is voluntary. License lasts 2 years.	Utah Code, secs. 58-77-302 and 58-77-501; Utah Adm. Code, sec. 156-77 ff.

## Appendix B: Midwife Licensing Requirements in States That Recognize Direct-Entry Midwives (cont'd)

<i>State</i>	<i>Requirements for direct-entry license</i>	<i>Other provisions or comments</i>	<i>Citation</i>
Vermont	Be certified as a CPM by NARM.	License lasts 2 years.	Vt. Stat., tit. 26, sec. 4181 ff.; Vt. Code R., sec. 04-030-360 ff.
Virginia	Be certified as a CPM by NARM.	License lasts 2 years.	Va. Code, sec. 54.1-2957 ff.; Va. Adm. Code, tit. 18, sec. 85-130-50
Washington	Obtain CPR certification; complete 3 years of training; receive clinical experience including caring for 50 women throughout pregnancy, and observation of another 50 women during labor; pass NARM exam and state exam.	License lasts 1 year. Student midwife permits are issued to applicants who have completed all the licensing requirements except observation of 50 women during labor; student midwives may practice under supervision of a physician, a nurse-midwife, or a licensed midwife.	Wash. Rev. Code, secs. 18.50.040, 18.50.060, and 18.50.108; Wash. Adm. Code, secs. 246-834-050, 246-834-140, and 246-834-990
Wisconsin	Be certified as a CPM by NARM, or as a nurse-midwife by the American College of Nurse Midwives.	License lasts 2 years. Temporary permits are issued to applicants who are completing a training program and have observed 5 births; they must be directly supervised by a licensed midwife.	Wis. Stat., subsecs. 440.982(c)(1) and 440.08(2)(d)(46w); Wis. Adm. Code, sec. 181.01

Source: Legislative Research Unit examination of statutes and regulations cited.