California Code of Regulations
Title 16 Medical Board of California

Chapter 4. Licensed Midwives

Article 1. General Provisions

§ 1379.1. Location of Office.

The Midwifery Licensing Program is located at 1426 Howe Avenue, Sacramento, CA 95825.
(note: updated address is 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815)

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2505 through 2521, Business and Professions Code.

HISTORY
1. New chapter 4, article 1 and section filed 4-26-95; operative 5-26-95 (Register 95, No. 17).

§ 1379.2. Definitions.

For the purposes of the regulations contained in this chapter and for purposes of Article 24 of Chapter 5 of Division 2 (commencing with section 25(5) of the code:

(a) "Accrediting organization approved by the board," as used in section2515 of the code, means either an accrediting organization that is recognized by the United States Department of Education, Division of Accreditation or an accrediting organization that is equivalent thereto.

(b) "Board" means the Division of Licensing of the Medical Board of California.

(c) "Code" means the Business and Professions Code.

(d) "Midwifery education program" includes but is not limited to nurse midwifery education programs.

NOTE: Authority cited: Section 2514.5, Business and Professions Code. Reference:
Sections 2505 through 2521, Business and Professions Code.

HISTORY
1. New section filed 4-26-95: operative 5-26-95 (Register 95, No. 17).
2. Amendment of first paragraph, new subsection (a), subsection relettering, and amendment of NOTE filed 7-23-98: operative 8-22-98 (Register 98, No. 30).

§ 1379.3. Delegation of Functions.

Except for those powers reserved exclusively to the "agency itself' under the Administrative Procedure Act (Section 11500 et seq. of the Government Code), the board delegates and confers upon the executive director of the board, or his/her designee, all functions necessary to the dispatch of business of the board in connection with investigative and administrative proceedings under the jurisdiction of the board.

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2505 through 2521, Business and Professions Code.

HISTORY
1. New section filed 4-26-95: operative 5-26-95 (Register 95. No. 17).

Article 2. Fees

§ 1379.5. Midwifery Fees.

The licensed midwifery fees are fixed as follows:

(a) The license application fee shall be $300.00.
(b) The biennial renewal fee shall be $200.00.
(c) The delinquency fee shall be $50.00.

NOTE: Authority cited: Section 2018. Business and Professions Code. Reference: Sections 2520 through 2521. Business and Professions Code.

HISTORY
1. New article 2 and section filed 4-25-95; operative 5-25-95 (Register 95, No. 17).
2. Change without regulatory effect amending section number filed 9-14-95 pursuant to section 100, title I, California Code of Regulations (Register 95, No. 37).

Article 3. *Application*

§ 1379.10. Application for Licensure as a Midwife.

An application for licensure as a midwife shall be filed with the board at its principal office on the prescribed application form (Application for Midwife License - 62A-l (Revised 5-2000) which is incorporated by reference. The application shall be accompanied by such evidence, statements or documents as therein required and filed with the fee required by section 1379.5.

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2512. 2517 and 2520, Business and Professions Code.

HISTORY
1. New article 3 and section filed 6-30-95; operative 7-30-95 (Register 95, No. 26).
2. Amendment filed 11-6-2000; operative 12-6-2000 (Register 2000, No. 45).

§ 1379.11. Review of Applications; Processing Time.

(1) The board shall inform an applicant for licensure as a midwife in writing within 30 days of receipt of an application as to whether the application is complete and accepted for filing or is deficient and what specific information is required.
(2) The board shall inform an applicant for licensure as a midwife in writing within 30 days after notification that an application has been accepted for filing as to whether the applicant meets the requirements for licensure.

NOTE: Authority cited: Section 20 18. Business and Professions Code: and Section
15376. Government Code. Reference: Section 2512. Business and Professions Code: and Section 15376 et seq.. Government Code.

HISTORY
1. New section filed 10-5-95; operative 11--4-95 (Register 95, No. 40).

§ 1379.15. Verification of Minimum Clinical Experiences Required.

(a) A person may obtain educational credit by examination for previous midwifery education and clinical experience. An applicant for licensure on or before December 31, 1997, who would rely upon such education and experience as his/her sole qualifications for taking the comprehensive licensing exam pursuant to sections 2512.5 and 2513 of the code shall have obtained all of the experiences described in subsection(c) within ten years immediately preceding the date of application.

(b) A person who applies for licensure as a midwife on or after January 1, 1998, who would rely upon credit by examination for previous education and experience as his/her sole qualifications for taking the comprehensive licensing exam pursuant to sections 2512.5 and 2513 of the code shall have obtained at least 50 percent of the experiences described in subsection (c) within five years immediately preceding the date of application.

(c) For purposes of satisfying section 2513(b) of the code, an approved midwifery education program shall verify the following minimum number of clinical experiences:

(1) 20 new antepartum visits clinical experiences
(2) 75 return antepartum visits
(3) 20 labor management experiences
(4) 20 deliveries
(5) 40 postpartum visits, within the first five days after birth
(6) 20 newborn assessments
(7) 40 postpartum/family planning/gynecology visits

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Section 2513, Business and Professions Code.

HISTORY
1. New section filed 5-22-96; operative 6-21-96 (Register 96, No. 21).

California Code of Regulations
Title 16 Medical Board of California

Chapter 4. Licensed Midwives

Article 3.5. Midwifery Practice

§ 1379.19. Standards of Care for Midwives.

(a) For purposes of Section 2507(f) of the code, the appropriate standard of care for licensed midwives is that contained in the "Standard of Care for California Licensed Midwives" (September 15, 2005 edition) ("SCCLM"), which is hereby incorporated by reference.

(b) With respect to the care of a client who has previously had a caesarean section ("C-section") but who meets the criteria set forth in the SCCLM, the licensed midwife shall provide the client with written informed consent (and document that written consent in the client's midwifery record) that includes but is not limited to all of the following:

(1) The current statement by the American College of Obstetricians and Gynecologists regarding its recommendations for vaginal birth after caesarean section ("VBAC").

(2) A description of the licensed midwife's level of clinical experience and history with VBACs and any advanced training or education in the clinical management of VBACs.

(3) A list of educational materials provided to the client.

(4) The client's agreement *to:* provide a copy of the dictated operative report regarding the prior C-section; permit increased monitoring; and, upon request of the midwife, transfer to a hospital at any time or if labor does not unfold in a normal manner.

(5) A detailed description of the material risks and benefits of VBAC and elective repeat C-section.

NOTE: Authority cited: Sections 2018 and 2507, Business and Professions Code. Reference: Section 2507, Business and Professions Code.

HISTORY
1. New article 3.5 heading and new section filed 2-7-2006; operative 3-9-2006 (Register 2006, No.6).

§ 1379.20. Liability Insurance Disclosure.

A midwife who does not have liability insurance coverage for the practice of midwifery shall disclose that fact to the client on the first visit or examination, whichever comes first.

NOTE: Authority cited: Section 2018. Business and Professions Code. Reference: Section 2508. Business and Professions Code.

HISTORY
1. New section filed 5-17-96; operative 6-16-% (Register 96. No. 20).
2. Change without regulatory effect amending section filed 1-24-2005 pursuant to section 100. title I, California Code of Regulations (Register 2005, No.4).

§ 1379.22. Physician Requirements.

A physician described in Section 2508 of the code shall have hospital privileges in obstetrics and shall be located in reasonable geographic and! or temporal proximity to the patient whose care the physician will assume should complications arise.

NOTE: Authority cited: Section 2018. Business and Professions Code. Reference: Section 2508. Business and Professions Code.

HISTORY
I. New section filed 11-28-95; operative 12-28-95 (Register 95. No. 48).

Article 4. Continuing Education

§ 1379.25. Definitions.

For purposes of this article:

(a) "Continuing education" means the variety of forms of learning experience undertaken by licensed midwives for relicensure which are meant to directly enhance the licentiate's knowledge, skill or competence in the provision of midwifery services.

(b) "Continuing education hour" means at least fifty (50) minutes of participation in an organized learning experience. One academic quarter unit is equal to ten (1 0) continuing education hours. One academic semester unit is equal to fifteen (15) continuing education hours.

(c) "Course" means a systematic learning experience, at least one hour in length. which deals with and is designed for the acquisition of knowledge, skills, and information related to the practice of midwifery.

NOTE: Authority cited: Section 2018. Business and Professions Code. Reference: Section 2518. Business and Professions Code.

HISTORY
1. New article 4 (sections 1379.25-1379.28) and section filed 7-8-97; operative 8-7-97 (Register 97. No. 28).

§ 1379.26. Approved Continuing Education Programs.

(a) The following programs are approved by the division for continuing education credit:

(1) Programs offered by the American College of Nurse Midwives;

(2) Programs offered by the Midwives Alliance of North America;

(3) Programs offered by a midwifery school approved by the division;

(4) Programs offered by a state college or university or by a private postsecondary institution accredited by the Western Association of Schools and Colleges;

(5) Programs offered by a midwifery school accredited by the Midwives Education Accreditation Council;

(6) Programs which qualify for Category I credit from the California Medical Association or the American Medical Association;

(7) Programs offered by the Public Health Service;

(8) Programs offered by the California Association of Midwives;

(9) Programs offered by the American College of Obstetricians and Gynecologists; and

(10) Courses offered by a provider approved by the California Board of Registered Nursing or the board of registered nursing of another state in the United States.

(b) Only those courses and other education activities that meet the requirements of Section 1379.27 which are offered by these organizations shall be acceptable for credit under this section.

(c) A maximum of one third of the required hours of continuing education may be satisfied by teaching or otherwise presenting a course or program approved under this section.

(d) Tape-recorded courses and correspondence courses offered by an approved provider shall he accepted for no more than half of the total required hours.

NOTE: Authority cited: Section 2018. Business and Professions Code. Reference: Section 2518. Business and Professions Code.

HISTORY
I. New section filed 7-8-97; operative 8-7-97 (Register 97, No. 28).
2. Amendment of subsection (a)(9) and new subsection (a)(I0) filed 10--25-2004: operative 11-24-2004 (Register 2004. No. 44).

§ 1379.27. Criteria for Acceptability of Courses.

(a) Those courses and programs referred to in section 1379.26 above shall meet the following criteria in order to be acceptable to the division:

(1) Faculty-the course or program instructor shall: (A) be currently licensed or certified in his/her area of expertise, if appropriate, and (B) show evidence of specialized training which may include. but is not limited to, a certificate of training or an advanced degree in a given subject area. The curriculum vitae of all faculty members shall be kept on file.

(2) Rationale-The need for the course and how the need was determined shall be clearly stated and maintained on file.

(3) Course content-The content of the course or program shall he directly related to midwifery, patient care, community health or public health, preventive medicine, professional ethics, the Medical Practice Act, the Licensed Midwifery Practice Act, or improvement of the midwife-client relationship.

(4) Educational objectives-Each course or program shall clearly state educational objectives that can be realistically accomplished within the framework of the course.

(5) Method of instruction-Teaching methods for each course or program shall be described, e.g. lecture, seminar, audio-visual, simulation.

(6) Evaluation-Each course or program shall include an evaluation method which documents that the educational objectives have been met-for example, written examination or written evaluation by each participant.

(7) Attendance-A course provider shall maintain a record of attendance of each participant.

(b) The division will not give prior approval to individual courses or programs; however, the division will randomly audit courses or programs submitted for credit in addition to any course or program for which a complaint is received. If an audit is made, course providers will be asked to submit to the division documentation concerning each of the items described in subsection (a) above.

(c) Credit toward the required hours of continuing education will not be accepted for any course deemed unacceptable by the division after an audit has been made pursuant to this section.

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Section 2518. Business and Professions Code.

HISTORY
1. New section filed 7-8-97; operative 8-7-97 (Register 97, No. 28).

§ 1379.28. Audit and Sanctions for Noncompliance.

(a) The division shall audit once every two years a random sample of midwives who have reported compliance with the continuing education requirement. No midwife shall be subject to random audit more than once every four (4) years. Those midwives selected for audit shall be required to document their compliance with the continuing education requirements of Section 2518 of the code and this article.

(b) Any midwife who is found not to have completed the required number of hours of approved continuing education will be required to make up any deficiency during the next biennial renewal period. Such midwife shall document to the division the completion of any deficient hours identified by audit. Any midwife who fails to make up the deficient hours during the following renewal period shall be ineligible for renewal of his/her license to practice midwifery until such time as the deficient hours of continuing education are documented to the division.

(c) It shall constitute unprofessional conduct for any midwife to misrepresent his/her compliance with the provisions of this article.

(d) The division requires that each midwife retain for a minimum of four years records of all continuing education programs attended, including the title of the course or program attended, the length of the course or program, the number of continuing education hours, the sponsoring organization and the accrediting organization, if any, which may be needed in the event of an audit by the division.

NOTE: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2518 and 2519, Business and Professions Code.

HISTORY
1. New section filed 7-8-97; operative 8-7-97 (Register 97, No. 28).

Article 5. Educational Requirements

§ 1379.30. Midwifery Education Program.

The midwifery education program shall prepare the midwife to practice as follows:

(a) Management of the normal pregnancy.

(b) Management of normal labor and deli very in all birth settings, including the following, when indicated:

(1) Administration of intravenous fluids, analgesics, postpartum oxytocics, and RhoGAM.

(2) Amniotomy during labor.

(3) Application of external or internal monitoring devices.

(4) Administration of local anesthesia, paracervical blocks, pudendal blocks, and local infiltration.

(5) Episiotomy.

(6) Repair of episiotomies and lacerations.

(7) Resuscitation of the newborn.

(c) Management of the normal postpartum period.

(d) Management of the normal newborn care, including administration of vitamin K and eye prophylaxis.

(e) Management of family planning and routine gynecological care including barrier methods of contraception such as diaphragms and cervical caps.

NOTE: Authority cited: Section 2514.5, Business and Professions Code. Reference:
Sections 2512.5 and 2514.5. Business and Professions Code.

HISTORY
1. New article 5 (sections 1379.30-1379.31) and section filed 7-23-98; operative 8-22-98 (Register 98, No. 30).

§ 1379.31. Evidence of Completion of Educational Requirements.

For purposes of Section 2515.5 of the code, either of the following shall be deemed satisfactory evidence that an applicant has met the educational standards required for licensure as a midwife:

(a) A diploma issued by a midwifery program approved by the division; or

(b) A notice of successful completion of the challenge program (credit by examination) issued by a program approved by the division.

NOTE: Authority cited: Section 2514.5, Business and Professions Code. Reference:
Section 2515.5, Business and Professions Code.

HISTORY
1. New section filed 7-23-98; operative 8-22-98 (Register 98, No. 30).