

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: April 21, 2010
DEPARTMENT: Licensing Operations
SUBJECT: Consideration of Midwifery Advisory Council (MAC) Recommendations
STAFF CONTACT: Abbie French

REQUESTED ACTION:

Address barriers to care experienced by Licensed Midwives.

STAFF RECOMMENDATION:

The MAC has voted to request the Board's permission to begin to address barriers to care experienced by Licensed Midwives, including the following:

- Form a task force to work with liability insurance carriers. The goal of this task force would be to work with the liability carriers to resolve issues in California for physicians and surgeons who wish to work with midwives. For example, if a physician or surgeon wants to hire a midwife for their practice it currently would cost them \$18,000 a year for liability coverage vs. \$1800 a year to hire a nurse practitioner.
- Form a task force to change the process to register live births. SB 1479 states, in part: "This bill would require a professionally licensed midwife in attendance at a live birth outside the hospital, where no physician is present, to prepare and register a birth certificate." The Bureau of Vital Records in most counties does not allow a midwife to fulfill the requirements they have by law. For example, in the past, Santa Cruz County allowed the midwives to fill out a birth certificate and send it in to register the birth of a baby. Santa Cruz County now requires the midwife, parents, and baby to physically come into the vital records office to show proof of residence. In addition, the registrar must be present to witness the signing of the birth certificate, by the midwife, prior to filing the birth certificate.
- Form a task force to identify key legislative and regulatory areas that need to be addressed to ensure the Licensed Midwife Practice Act (LMPA) is implemented the way the legislature envisioned it to be implemented. For example, the practice of midwifery authorizes the licensee, under the supervision of a licensed physician and surgeon, in active practice, to attend cases of normal childbirth, in a home, birthing clinic, or hospital environment. All clinics in the state run a comprehensive perinatal service program, but Licensed Midwives are not on the list of providers. Therefore, Licensed Midwives are unable to be hired by the clinics because clinic is unable to bill for the Licensed Midwife services.

EXECUTIVE SUMMARY:

Section 2509 of the Business and Professions Code authorizes, in part “that the Board create and appoint a Midwifery Advisory Council consisting of licensees of the Board in good standing, who need not be members of the Board, and members of the public who have an interest in midwifery practice. The council shall make recommendations on matters specified by the Board.

We have not determined priorities for these three initiatives as we feel each one of these is a priority. We understand some will take much longer to achieve than the others. We anticipate these could be accomplished over the next two years as some may require legislative action.

We bring these issues to you today and ask for permission from the Board to move forward.

FISCAL CONSIDERATIONS:

To be determined.

PREVIOUS MBC AND/OR COMMITTEE ACTION:

N/A