

1 HB315
2 182388-2
3 By Representatives Johnson (K) and Pettus
4 RFD: Judiciary
5 First Read: 23-FEB-17

SYNOPSIS: Under existing law, it is a misdemeanor offense to practice midwifery without a license issued by the State Board of Nursing and the Board of Medical Examiners.

This bill would exempt a midwife holding a current midwifery certification from an organization accredited by the Institute for Credentialing Excellence from the crime of practicing midwifery without a license.

This bill would also make the practice of lay midwifery a criminal offense.

A BILL
TO BE ENTITLED
AN ACT

Relating to midwives; to amend Section 34-19-3, Code of Alabama 1975; to exempt a midwife holding a current midwifery certification from an organization accredited by the Institute for Credentialing Excellence from the crime of

1 practicing midwifery without a license; and to make the
2 practice of lay midwifery a criminal offense.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 34-19-3, Code of Alabama 1975, is
5 amended to read as follows:

6 "§34-19-3.

7 "~~(a)~~ It shall be unlawful for any ~~person~~ individual
8 other than a licensed professional nurse who has received a
9 license from the State Board of Nursing and the Board of
10 Medical Examiners or a midwife who holds a current midwifery
11 certification from an organization accredited by the Institute
12 for Credentialing Excellence to practice ~~nurse~~ midwifery in
13 this state. Any person violating this ~~subsection~~ section shall
14 be guilty of a misdemeanor.

15 "~~(b) Nothing in subsection (a) of this section shall~~
16 ~~be construed as to prevent lay midwives holding valid health~~
17 ~~department permits from engaging in the practice of lay~~
18 ~~midwifery as heretofore provided until such time as the permit~~
19 ~~may be revoked by the county board of health."~~

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.