

Mock Legislation

SENATE BILL 1

Referred to Health and Human Services Committee

(The underlined text is the proposed additions to existing law)

AN ACT amending the Medical Practice Act of 1985 to expand nurse-midwife practice and establish licensure for certified midwives.

The General Assembly of Pennsylvania hereby enacts as follows:

Section 1. Definitions

The following words and phrases when used in this Act shall have the meanings given to them:

“Midwife.” An individual who is licensed as a nurse-midwife under Section 2 or a certified midwife under Section 3.

“Controlled Substances.”

- A. Schedule II: The substances have a high potential for abuse; have currently accepted medical use in treatment in the U.S.; abuse of the drug, substance or chemical may lead to severe psychological or physical dependence.
- B. Schedule III: The substance has a potential for abuse less than drugs in Schedules I and II, but more than Schedule IV; have currently accepted medical use in treatment in the U.S.; abuse of the drug, substance or chemical may lead to severe psychological or physical dependence.
- C. Schedule IV: The substance has low potential for abuse and low risk of dependence compared to Schedule III; has a currently accepted medical use in treatment in the U.S.
- D. Schedule V: The substance has a low potential for abuse relative to the drugs in Schedule IV; has a currently accepted medical use in treatment in the U.S.

Section 2. Nurse Midwife License

- (A) Requirements.—An applicant for a nurse-midwife license must be a Registered Nurse licensed in this Commonwealth and shall have completed an academic and clinical program of study in midwifery which has been approved by the Board.
- (B) A nurse-midwife is authorized to practice midwifery pursuant to a collaborative agreement with a physician or physician group.
- (C) A nurse-midwife who possesses a master’s degree and national certification may prescribe, dispense, order and administer drugs, including Schedule II through Schedule V controlled substances, in accordance with a collaborative agreement with a physician or physician group, for the following:
 - a. Pain

- b. Opioid use disorder
- c. Primary gynecologic health conditions

(D) A nurse-midwife, when working with a physician or physician group, may perform and sign the initial assessment of methadone treatment evaluations, subject to the requirement that any order for methadone treatment shall only be made by a physician.

Section 3. Certified Midwife License

(A) Requirements.—An applicant for a certified midwife license must hold a bachelor’s degree and shall have completed an academic and clinical program of study in midwifery.

(B) A certified midwife is authorized to practice midwifery pursuant to a collaborative agreement with a physician or physician group.

(C) A certified midwife who has successfully completed 45 hours of coursework specific to advanced pharmacology during midwifery education and possesses a master’s degree and national certification may prescribe, dispense, order and administer drugs, including Schedule II through Schedule V controlled substances, in accordance with a collaborative agreement with a physician or physician group, for the following:

- a. Pain
- b. Opioid use disorder
- c. Primary gynecologic health conditions

(D) A certified midwife, when working with a physician or physician group, may perform and sign the initial assessment of methadone treatment evaluations, subject to the requirement that any order for methadone treatment shall only be made by a physician.

Section 4. Collaborative Agreements

(A) The physician or physician group with whom a midwife has a collaborative agreement shall have hospital clinical privileges in the specialty area of care for which the physician or physician group is providing collaborative services.

Section 5. Lay (Amish) Midwives

(A) Nothing in this Act shall be construed to authorize or prohibit the practice of lay midwives. A lay midwife who does not hold a license under this Act shall not be considered licensed or regulated by the Commonwealth.

Section 6. This Act shall take effect in 60 days.