

## DEPARTMENT OF HEALTH

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**SUBJECT:** Licensed Lay Midwifery

**DESCRIPTION:** The following revisions are being made in compliance with Act 135 of 2021:

- Table of Contents – Revised title of Section 208
- Section 103. Definitions – Added “Automatic Licensure,” “Uniformed Service Member,” and “Uniformed Service Veteran.”
- Section 208:
  - Updated title to reflect new wording used in Act 135
  - Added sections supplied by ADH legal:
    - Applicability
    - Automatic Licensure
    - Credit Toward Initial Licensure
    - Expiration Dates and Continuing Education
  - Deleted language that was covered in the revised wording or definitions

**PUBLIC COMMENT:** No public hearing was held on this proposed rule. The public comment period expired on January 6, 2022. The agency indicated that it received no public comments.

The proposed effective date is pending legislative review and approval.

**FINANCIAL IMPACT:** The agency indicated that this rule has no financial impact.

**LEGAL AUTHORIZATION:** The State Board of Health has the power to license lay midwives in Arkansas. Ark. Code Ann. § 17-85-107(a). The Board also has the power to promulgate rules related to licensure. Ark. Code Ann. § 17-85-107(a)(1). These rules implement Act 135 of 2021, sponsored by Senator Ricky Hill. The Act established the Arkansas Occupational Licensing of Uniformed Service Members, Veterans, and Spouses Act of 2021. Under the Act, “[a]n occupational licensing entity shall grant automatic occupational licensure to” certain specified individuals. *See* Ark. Code Ann. § 17-4-105, *as created by* Act 135.