

ARKANSAS STATE BOARD OF HEALTH

ARKANSAS DEPARTMENT OF HEALTH

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RULES AND REGULATIONS  
FOR  
GOVERNING THE PRACTICE OF LICENSED LAY MIDWIFERY IN  
ARKANSAS

PROMULGATED UNDER THE AUTHORITY OF  
~~ARKANSAS CODE ANN. § 25-15-201 ET SEQ. AND BY AUTHORITY OF~~  
ARKANSAS CODE ANN. §§ 17-85-101 ~~THROUGH 108~~ ET SEQ. AND  
ARKANSAS CODE ANN. §§20-7-109

Effective (~~April, 2007~~ To Be Determined)  
This Revision Effective (~~April, 2008~~ To Be Determined)  
By the Arkansas State Board of Health

Arkansas Department of Health  
Little Rock, Arkansas  
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**RULES AND REGULATIONS GOVERNING THE PRACTICE OF LICENSED LAY  
MIDWIFERY**  
**(Pursuant to ACT 481 of 1987)**

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## **4100. --GENERAL PROVISIONS**

### **—101. --PURPOSE AND AUTHORITY**

~~It was determined by the General Assembly that adequate maternal care is not readily available in some parts of the state resulting in undue hardships to poor expectant mothers. Act 838 of 1983 provided for the lawful practice of Licensed Lay Midwifery in counties having 32.5% or more of their population below the poverty level. Act 481 of 1987 superseded Act 838 of 1983, and expanded the Lay Midwifery licensure statewide. These Rules and Regulations govern the practice of Licensed Lay Midwives (LLMs) in Arkansas.~~

The following Rules and Regulations are promulgated pursuant to the authority conferred by the Licensed Lay Midwife Act A.C.A. § 17-85-101 et seq. and A.C.A. § 20-7-109 et seq.

Specifically, the LLM Act 481 directs the Arkansas State Board of Health to administer the provisions of the Act 481, and authorizes and directs the Board to adopt rules regulations governing the qualifications for licensure of Lay mMidwives and the practice of Licensed Lay Midwifery. The broad authority vested in the Board of Health, pursuant to ACA § 20-7-109, (Act 96 of 1913) to regulate and to ultimately protect the health of the public is the same authority the Board will utilize in enforcing the Rulesregulations, determining sanctions, revoking licenses, etc.

### **—102. --ADMINISTRATION OF PROGRAM**

The State Board of Health (BOH) has delegated the authority to administer the program, including the regulating and licensing of Lay Midwives, to the Arkansas Department of Health (ADH) and Human Services, Division of Health, 4815 W. Markham, Little Rock, Arkansas 72205-3867.

~~The Board of Health shall establish an advisory board to oversee the practice of Licensed Lay Midwives. The composition of the advisory board will be as follows:~~

- ~~1. Four Licensed Lay Midwives.~~
- ~~2. One Certified Nurse Midwife.~~
- ~~3. One Physician who is currently practicing obstetrics.~~
- ~~Three consumers of midwifery service. (A consumer of midwifery service is a woman or her spouse who has had a midwife attended birth or someone who promotes midwifery or home birth in Arkansas).~~

~~The purpose of the Advisory Board shall be to advise the Division of Health and Board of Health on matters pertaining to the regulation of Lay Midwifery practice.~~

~~The terms and conditions of membership are as follows:~~

~~The Board of Health will appoint Midwifery Advisory Board (M.A.B.) members for terms of at least 3 years.~~

~~Members may serve 2 consecutive terms.~~

~~Members will serve their terms on a volunteer basis.~~

~~The activities of the MAB include, but are not limited to, advising the Division of Health and Board of Health by:~~

~~Meeting at least annually and as needed at the discretion of the Midwifery Advisory Board Chairperson.~~

~~Reviewing the rules and regulations and proposing changes to them as needed.~~

~~Reviewing and approving continuing education offerings.~~

~~d. Serving as a community liaison regarding the practice of midwifery.~~

### 103. 200. DEFINITIONS

As used in these regulations Rules, the terms below will be defined as follows, except where the context clearly requires otherwise:

#### 1. ADVERTISEMENT AND ADVERTISING

Any statements, oral or written, disseminated to or before the public, with the intent of selling professional services, or offering to perform professional services. Advertising includes - but is not limited to - promotional literature, websites, and social media sites used for the purpose of selling services.

#### 2. 201. "APPRENTICE LAY MIDWIFE" APPRENTICE

A person who is training to become an LLM in Arkansas working under the direct supervision of a preceptor, granted a permit by the Division of Health to obtain the practical experience required to apply for a regular license.

3. ARKANSAS DEPARTMENT OF HEALTH CLINICIAN

An ADH physician, Certified Nurse Midwife (CNM) or nurse practitioner providing ADH maternity services at a local health unit.

4. ARKANSAS RULES EXAMINATION

The exam that tests knowledge of the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas.

5. BIRTHING/BIRTH CENTER

Any facility licensed by ADH which is organized to provide family-centered maternity care in which births are planned to occur in a home-like atmosphere away from the mother's usual residence following a low-risk pregnancy.

6. 202.CERTIFIED MIDWIFE (CM)

Individuals who have or receive a background in a health-related field other than nursing, and graduate from a midwifery education program accredited by the Accreditation Commission for Midwifery Education (ACME). Graduates of an ACME accredited midwifery education program take the same national certification examination as CNMs but receive the professional designation of certified midwife.

7. ~~"CERTIFIED NURSE MIDWIFE"~~CERTIFIED NURSE MIDWIFE (CNM) (CNM):

A person who is certified by the American College of Nurse Midwives and is also currently licensed by the Arkansas State Board of Nursing or the appropriate licensing authority of a bordering state Board or the appropriate licensing authority of a bordering state to practice nurse midwifery perform nursing skills relevant to the management of women's health care for compensation, focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning, and the gynecological needs of women. The CNM must be currently practicing midwifery obstetrics unless stated otherwise in these Rules.

8. CERTIFIED PROFESSIONAL MIDWIFE (CPM)

A professional midwifery practitioner who has met the standards for certification set by the North American Registry of Midwives (NARM).

9. CLIENT

A pregnant woman, a postpartum woman for a minimum of thirty (30) days, or her healthy newborn for the first fourteen (14) days of life who is the recipient of LLM services.

203. ~~"CLINICIAN": A Physician, Certified Nurse Midwife, or Nurse Practitioner employed or contracted by the Division of Health to work in maternity clinics.~~

10. 204.—CONSULTATION~~"CONSULTATION":~~

~~The process by which an LLM who maintains primary responsibility for the client's care, seeks the advice of a physician, CNM, or ADH clinician. This may be by phone, in person or by written request. A phone consultation by the Licensed Lay Midwife to a Physician or Certified Nurse Midwife to discuss the status and future care of a client. The pPhysician, CNM, or ADH clinician or Certified Nurse Midwife may require the client to come into his/hertheir office for evaluation.~~

11. CONTACT HOUR

~~A unit of measure to describe 50-60 minutes of an approved, organized learning experience that is designed to meet professional educational objectives. It is a measurement for continuing education. One contact hour is equal to 0.1 CEU. Ten contact hours are equal to one (1) CEU.~~

205. ~~"DIVISION": The Arkansas Department of Health and Human Services, Division of Health, Perinatal Health Services, and Women's Health.~~

206. ~~"EMERGENCY PLAN": The emergency plan is developed by the Lay Midwife for each patient, and outlines a plan for transport to the nearest hospital with an active obstetrical service. This hospital must be located within 50 miles of the planned delivery site.~~

207. ~~"IMMEDIATE TRANSPORT": The client should be taken to a medical facility by the most expedient method of transportation available, to obtain treatment/evaluation for an emergency condition.~~

12. LABOR SUPPORT ATTENDANT

~~An individual who is present at the request of the client to provide emotional or physical support for the client and her family.~~

13. LLM ASSISTANT

~~An individual who is present at the request of the LLM at any point during the course of midwifery care of the client to provide services under LLM supervision.~~

14. 208.—LICENSED LAY MIDWIFE (LLM) "LICENSED LAY MIDWIFE":

~~Any person who is licensed by ADH to practice midwifery and who performs for compensation those skills relevant to the management of care of women in the antepartum, intrapartum, and postpartum periods of the maternity cycle. Also manages care of the healthy newborn for the first fourteen (14) days of life. A Lay Midwife who is licensed by the Arkansas Department of Health & Human Services, Division of Health to practice lay midwifery.~~

~~209. "LICENSED LAY MIDWIFE PROTOCOL": Describes those procedures that may be performed by the Licensed Lay Midwife outside the presence of a Physician, but under conditions where the Physician can be reached by the Licensed Lay Midwife by communication facilities.~~

Section 400 of these Regulations comprise the Licensed Lay Midwife Protocol.

~~210. "LAY MIDWIFE": Any person other than a Physician or Certified Nurse Midwife who shall manage care during the pregnancy of any woman or of her newborn during the antepartum, intrapartum, or postpartum periods; or who shall advertise as a midwife by signs, printed cards or otherwise. This definition shall not be construed to include unplanned services provided under emergency, unplanned circumstances.~~

#### 15. LOCAL HEALTH UNIT

A community-based ADH clinic site that provides medical and environmental services.

#### 16. MIDWIFERY BRIDGE CERTIFICATE

A certification administered by NARM awarded to CPMs following the completion of accredited approved continuing education contact hours based upon identified areas to address emergency skills and the International Confederation of Midwives (ICM) competencies.

#### 17. NORTH AMERICAN REGISTRY OF MIDWIVES (NARM)

The international certification agency that established, and continues to administer, certification for the credential "Certified Professional Midwife" (CPM) and the Midwifery Bridge Certificate (MBC).

#### 18. 211. PHYSICIAN "PHYSICIAN":

A person who is currently licensed by the Arkansas State Medical Board - or the appropriate licensing authority of a bordering state - to practice medicine or surgery. Where these For the purposes of any sections of these Rulesregulations governing the care of pregnant and postpartum women, "pPhysician" --refers only to those currently practicing obstetrics. Where For the purposes of any sections of these Rulesregulations governing the care of newborn infants, "pPhysician" refers only to those physicians who currently include hospital care of newborns in their practices.

#### 212. "PRACTICE UNDER THE DIRECTION OF A PHYSICIAN": The Licensed

19. Lay Midwife may perform only those medical acts and procedures that have been specifically authorized in the Lay Midwife protocol. If actions/procedures deviating from the official protocol are desired, an agreement signed by the Referral Physician describing these deviations/exceptions must be approved by the Division. (See Section 600 Emergency Measures.)

#### PRECEPTOR

A legally practicing obstetric or midwifery practitioner who participates in the teaching and training of apprentice midwifery students and meets NARM preceptor standards including credentials, years of experience, and birth attendance requirements. A preceptor assumes responsibility for supervising the practical (clinical obstetric)

experience of an apprentice and for the midwifery services they render during their apprenticeship. In the case of transitional apprentices, the definition of preceptor in Appendix B applies.

~~213. "PRESCRIPTION DRUGS OR DEVICES": A drug or device limited by A.C.A. 20-64-503 to dispensing by or upon a medical practitioner's prescription because the drug is (a) habit-forming, (b) toxic or having a potential for harm, or (c) permitted for use only under the practitioner's supervision. This includes any drug or device whose label contains the statement: "Caution-federal law prohibits dispensing without prescription".~~

~~20. 214. "REFERRALREFERRAL":~~

~~Pertains to tThe process by which the client is directed to a physician, CNM or ADH clinician for management of a particular problem or aspect of the client's care, after informing the client of the risks to the health of the client or newborn.~~  
~~referral of a client to a Physician, Certified Nurse Midwife, or Division clinician for an office visit for evaluation and determination of future care.~~

~~21. 215 "REFERRAL PHYSICIAN/CERTIFIED NURSE MIDWIFE": A~~

~~Physician/Certified Nurse Midwife who has obstetrical privileges in a hospital within 50 miles of the delivery site, and who accepts referrals from the Licensed Lay Midwife and consults in the management of the Lay Midwife's clients.~~

~~SUPERVISION~~  
~~The direct observation and evaluation by the preceptor of the clinical experiences and technical skills of the apprentice while present in the same room.~~

~~22. 216. TRANSFER OF CARE"TRANSFER OF CARE":~~

~~The process by which the LLM relinquishes care of her client for pregnancy, labor, delivery, or postpartum care to a physician, CNM or ADH clinician, after informing the client of the risks to the health or life of the client.~~  
~~Client's care is transferred to a Physician or Certified Nurse Midwife when complications arise beyond the scope of midwifery practice as defined in these regulations~~

#### 104. SCOPE OF PRACTICE

1. The LLM may provide midwifery care according to the protocols in these Rules only to healthy women, determined through a physical assessment and review of the woman's health and obstetric history, who are at low risk for the development of medical or obstetric complications of pregnancy or childbirth and whose expected outcome is the delivery of a healthy newborn and an intact placenta. The LLM shall be responsible for care of the healthy newborn immediately following delivery and for the first fourteen (14) days of life (unless care is transferred to a physician or APRN specializing in the care of infants and children before that). After fourteen (14) days the LLM is no longer responsible and the client should seek further care



from a physician or an APRN specializing in the care of infants and children. If any abnormality is suspected, including - but not limited to - a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours. This does not preclude the LLM from continuing to provide counseling regarding routine newborn care and breastfeeding.

A. 500. Referral Physician

B.-

C. Although the ADH Licensed Lay Midwifery program is supervised by ADH physicians. Each Licensed Lay Midwife LLM is encouraged to develop a close working relationship with one or more specific physicians in obstetrical and pediatric practice, or CNMs in obstetrical practice who agree to serve as a referral/consultation source for the Lay Midwife LLM. This relationship is optional. The duty of a Referral Physician or CNM is to provide support to the Licensed Lay Midwife when potentially serious conditions, as listed in sections 406-409 occur.

D.-

2. The Referral Physician and Lay Midwife LLM relationship, or the CNM and Lay Midwife LLM relationship, can be terminated by either party at any time.

3. Apprentice midwives and LLM assistants may only work under the on-site supervision of their preceptor.

4. At various points during the course of midwifery care, the LLM must inform the client of the requirement for tests, procedures, treatments, medications, or referrals specified in Section 300 (Protocols) of these Rules which are for the optimal health and safety of the mother and baby, and refusal is strongly discouraged. However, continuing care of a client who refuses some of these requirements is permitted if the LLM meets certain requirements as outlined in paragraphs 5 through 8.

5. LLMs that have a current Certified Professional Midwife (CPM) credential but do not have a Midwifery Bridge Certificate (MBC) may continue care of clients that:

a. Refuse the following tests listed in Section 302.02 Prenatal Testing:

i. Pap test/HIV test.

ii. Test for Gonorrhea and Chlamydia.

iii. Test for Syphilis.

iv. Hepatitis B test.

v. HIV counseling and test.

b. Refuse recommended Rh immunoglobulin as outlined in 302.05.

c. Refuse a referral or to follow advice against home birth as a result of the identification of these pre-existing conditions listed in 303.02:



- i. History of seven (7) or more deliveries.
      - ii. Maternal age greater than or equal to forty (40) at estimated date of delivery.
      - iii. Previous infant weighing less than five (5) pounds or more than ten (10) pounds.
      - iv. Pregnancy termination or loss > three (3).
    - d. Refuse the newborn procedures listed in 308.03 and 308.04:
      - i. Administration of eye medication if indicated.
      - ii. Administration of Vitamin K.
6. LLMs that have both a current CPM and the MBC, or LLMs that have a CNM or CM, may continue care of clients that refuse any test, procedure, treatment, referral, or medication, except for:
  - a. The precluded conditions listed in Section 303.01;
  - b. The requirement of having the Risk Assessments listed in Section 302.01; or
  - c. Conditions requiring immediate transport as listed in Sections 305.01, 307.01, and 309.01.
7. LLMs that do not have a current CPM credential are not permitted to continue care for clients who refuse any of the required tests, procedures, treatments, medications or referrals specified in these Rules except for recommended Rh immunoglobulin as outlined in 302.05. Should a client refuse Rh Immunoglobulin the LLM must follow 104.#8,b-f.
8. Should a client of the LLM with a CPM, CM, CNM, or CPM/MBC refuse any of the tests or procedures pursuant to paragraphs 5 and 6:
  - a. The LLM must inform the client that the LLM is only permitted to continue to provide care to the client if the LLM's certification meets the required standard as outlined in 5 and 6.
  - b. The LLM must inform the client of the potential risks to herself or her baby. It is the responsibility of the LLM to provide current evidence and adequate information, both written and verbal, to the client regarding the risks of declining the test, procedure, treatment, medication or referral, including the risks and benefits of no action at all. This must include the review of any available and relevant ADH-approved sources on each test, procedure, treatment, medication or referral being refused.

- c. The LLM must document the client's refusal using the ADH Informed Refusal Form and include:
    - i. The information shared with the client as outlined in 8.b. and the ADH-approved sources used.
    - ii. The client's written assertion refusing the test, procedure, treatment, medication or referral.
    - iii. The client's affirmation of her understanding and acceptance of the risks.
    - iv. A plan of care for the condition, including a plan for transfer of care if indicated.
  - d. The ADH Informed Refusal form must be signed and dated by both the LLM and the client, and a copy kept by the LLM in the client's file. Signing the form shows they have discussed the risks and benefits of continuing under the care of the LLM.
  - e. Each signed refusal form must be documented by completing an Incident Report form and noting the Informed Refusal on the next LLM Caseload and Birth Report Log.
  - f. Documentation of refusal must be included in the client's record in the event a client changes her mind concerning an informed refusal.
9. It is the responsibility of the LLM to engage in a process of continuous evaluation, beginning with the initial consultation and continuing throughout the provision of care. This includes continuously assessing safety considerations and risks to the client and informing her of the same. The LLM is expected to use their judgement in assessing when the client's condition or health needs exceed the LLM's knowledge, experience or comfort level. The LLM has the right and responsibility to terminate care under these circumstances.
10. If any medications that are provided by ADH or prescribed by a physician or CNM in accordance with these Rules are administered at the home birth site, the LLM shall document this in the client health record and include the following:
- a. The name of the medication;
  - b. The lot number and date of expiration;
  - c. The strength and amount or dose of the medication;
  - d. The date and time the medication is administered;
  - e. The name of the prescriber; and

f. Document:

- i. The name and the credentials of the nurse administering the medication, or
- ii. That the client, or LLM as agent to the client, administered medication to the newborn.

11. The LLM is required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).

12. The LLM is required to comply with all provisions of CLIA (Clinical Laboratory Improvement Amendments) when tests are performed for the purpose of providing information for the healthcare of midwife clients.

4.

~~212. "PRACTICE UNDER THE DIRECTION OF A PHYSICIAN": The Licensed Lay Midwife may perform only those medical acts and procedures that have been specifically authorized in the lay Midwife protocol. If actions/procedures deviating from the official protocol are desired, an agreement signed by the Referral Physician describing these deviations/exceptions must be approved by the Division (See Section 600 Emergency Measures.)~~

## **105. TITLE PROTECTION**

1. A person may not practice or offer to act as a lay midwife in Arkansas unless licensed by the State Board of Health. It is unlawful for any person not licensed as a lay midwife by the State Board of Health to receive compensation for attending births as an LLM, or to indicate that they are licensed to practice lay midwifery in Arkansas, excluding licensed CNMs and licensed physicians.
2. Anyone unlawfully practicing lay midwifery without a license shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period of not less than one (1) week nor more than six (6) months, or by fine and imprisonment.
3. The courts of this state having general equity jurisdiction are vested with jurisdiction and power to enjoin the unlawful practice of midwifery in a proceeding by the State Board of Health or any member thereof, or by any citizen of this state in the county in which the alleged unlawful practice occurred or in which the defendant resides, or in Pulaski County.
4. The issuance of an injunction shall not relieve a person from criminal prosecution for violation of the provisions of this chapter, but remedy of the injunction shall be in addition to liability to criminal prosecution.

5. An LLM must use the title "Licensed Lay Midwife" or the initials "LLM" on all materials related to their practice, including all promotional materials.

#### **106. DELEGATION OF LICENSED LAY MIDWIFERY FUNCTIONS**

1. An LLM assistant may be engaged by the LLM to complement their work, but shall not be used as a substitute for the LLM.
  - a. Tasks that may be delegated to the LLM assistant before an assessment of the client's care needs is completed by the LLM include:
    - i. Noninvasive and non-sterile tasks if, in the judgment of the LLM, the LLM assistant has the appropriate knowledge and skills to perform the task.
    - ii. The collecting, reporting, and documentation of temperature, weight, intake, output, and contractions, indicating their frequency and duration.
    - iii. Reporting changes from baseline data established by the LLM.
    - iv. Assisting the client with ambulation, positioning or turning.
    - v. Assisting the client with personal hygiene.
    - vi. Reinforcing health teaching planned or provided by the LLM.
  - b. Tasks that must never be delegated to an LLM assistant include, but are not exclusive to, the following:
    - i. The performance of a physical assessment or evaluation.
    - ii. Physical examination which includes - but is not limited to - fetal heart rate auscultation, cervical exams, and blood pressure measurements.
    - iii. The provision of sterile invasive treatments.
    - iv. The administration of any prescription drugs.
    - v. The use of any medical devices.
2. The LLM shall monitor and document the care and procedures performed by any LLM assistant or labor support attendant in the client's medical record.

3. An LLM who has agreed to provide care to a client is held accountable to act according to the standards of care set out in these Rules, until such a time as that care is terminated by the client or the LLM in accordance with these Rules.
4. An LLM may request a registered nurse to perform selected acts, tasks or procedures that are outside the scope of the LLM's practice but which do not exceed the scope of practice of the nurse's license. It is the nurse's responsibility to be informed and act in accordance with both the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Rules.
5. An LLM who also holds an Arkansas nursing license is required to act in accordance with the following: the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas; the Arkansas Nurse Practice Act - as codified in Ark. Code Ann. § 17-87-101 - and the Arkansas State Board of Nursing Rules as promulgated by the Arkansas State Board of Nursing. An LLM practicing under the scope of her nursing license while acting as an LLM may be referred to the Arkansas State Board of Nursing if any improper conduct is suspected.

## **107. ADVERTISING**

1. ADH permits advertising by LLMs regarding the practice of Licensed Lay Midwifery in accordance with these Rules.
2. No LLM shall disseminate or cause the dissemination of any advertisement or advertising that is in any way false, deceptive, or misleading. Any advertisement or advertising shall be deemed to be false, deceptive or misleading if it:
  - a. Contains a misrepresentation of facts; or
  - b. Makes only a partial disclosure of relevant facts; or
  - c. Contains any representation or claims as to services that the LLM cannot legally perform; or
  - d. Contains any representation, statement, or claim which misleads or deceives; or
  - e. Could lead a reasonably prudent person to believe that the LLM is licensed to practice nursing or medicine when not so licensed in the state of Arkansas.
3. Advertising that crosses into other states must clearly state if any of the services offered are legal only in certain states in which the LLM practices.

## **108. IMMUNIZATIONS**

All LLMs and their apprentices are strongly encouraged to have routine vaccinations to the fullest extent unless contraindicated, and not to rely on the immunization status of others or 'herd immunity' to protect them, their clients, and their families.

## **109. MIDWIFERY ADVISORY BOARD**

The BOH shall establish and appoint the Midwifery Advisory Board (MAB) to advise ADH and the BOH on matters pertaining to the regulation of midwifery.

1. PURPOSE, DUTIES, AND RESPONSIBILITIES:
  - a. Reviewing and advising ADH and the BOH regarding the Rules.
  - b. Reviewing and advising ADH regarding approval of continuing education units (CEUs).
  - c. Reviewing and advising ADH regarding quality improvement data and information.

- d. Serving as community liaisons to educate the public and other providers regarding the practice of midwifery.
- e. Promoting the safe practice of midwifery by addressing issues and concerns regarding the practice of midwifery of ADH, BOH, public consumers of midwifery services, and LLMs.
- f. Reviewing Reports:
  - i. Statistical Reports
    - A. A draft of the annual LLM statistical report will be available to MAB members for comment prior to the presentation to the BOH.
    - B. Up to two (2) MAB members may consult with ADH program staff in determining the plan for the collection of data.
  - ii. Disciplinary Case Reports
    - A. ADH will notify the MAB of all disciplinary hearings taken before the BOH. A copy of the final order will be made available to the MAB.

## 2. COMPOSITION OF THE MAB

The composition of the MAB will be as follows:

- a. Four (4) Arkansas LLMs
- b. One (1) CNM, currently licensed as a CNM in Arkansas, preferably practicing.
- c. One (1) member at large.
- d. Three (3) public consumers who have either had a midwife-attended birth, are the spouse of someone who has had a midwife-attended birth, or are persons who have been involved in promoting midwifery or home birth in the state of Arkansas.

## 3. NOMINATION OF MEMBERS

Members of the MAB are appointed by the BOH. The BOH requests nominations from the MAB through ADH. The process for applying to serve on the MAB is as follows:

- a. Individuals interested in either proposing a nomination or serving on the MAB must obtain an "Application for Midwifery Advisory Board Appointment" from the MAB.
- b. The applicant will complete the application form and submit it to the MAB according to the instructions.

#### 4. TERMS OF MIDWIFERY ADVISORY BOARD MEMBERS

- a. Midwifery Advisory Board (MAB) members shall serve terms of up to four (4) years.
- b. No member may serve more than two (2) consecutive full terms.
- c. Members may be eligible for reappointment two (2) years after the date of the expiration of the second full term.

#### 5. ORGANIZATIONAL STRUCTURE OF THE MIDWIFERY ADVISORY BOARD

- a. MAB members shall establish and annually review the By-Laws of the Midwifery Advisory Board.
- b. Additionally, an organizational chart with delegation of duties of MAB members and officers shall be developed.
- c. MAB members shall elect a chair, vice-chair and secretary at its first meeting each year that will serve until their successors are elected.
- d. The MAB will schedule and conduct meetings at least two (2) times a year and at other times, as necessary.

#### 110. CONTINUING EDUCATION ACTIVITIES OF THE MIDWIFERY ADVISORY BOARD

For the purpose of these Rules, the MAB will process the review of continuing education credits by the following criteria:

1. The application for review must be received by the MAB at least sixty (60) days prior to the scheduled course date, and shall be submitted simultaneously to ADH.
2. The MAB will review and evaluate the application for the continuing education course and make a recommendation to ADH.
3. The documentation will be reviewed for appropriate content applicable to the protocols and clinical practice of the Licensed Lay Midwifery program of Arkansas. Each application shall be evaluated on the following criteria:
4. Completeness of application;
5. Agenda;
6. Intended audience;



7. Method of delivery (lecture, video, correspondence, online, other);
8. Course description and objectives; and
9. Biographical data for each speaker including pertinent education and experience.
10. The recommendation of the MAB shall be submitted in writing for ADH approval, no less than thirty (30) days prior to the scheduled course date. ADH will make the final decision for approval of continuing education courses, after consideration of timely received MAB recommendations. All final decisions by ADH denying approval for continuing education courses may be appealed to the Arkansas State BOH within thirty (30) days of receiving the denial.

## **2300. --LICENSING**

1. An LLMay Midwife license, valid for two-up to three (3) years, is issued upon application and favorable review. Application materials and instructions are available from the Division the ADH website or by contacting the ADH Women's Health Section for assistance.
2. Unless otherwise specified by these Rules, individuals who wish to become licensed as an LLM in Arkansas are required to have either current NARM CPM certification, current certification by the American Midwifery Certification Board as a CNM or CM, or current certification deemed equivalent and approved by ADH.
3. LLMs seeking renewal of their license must have current CPM, CNM or CM certification unless they were licensed continuously prior to these Rules and have never been certified as a CPM. Those LLMs may renew their license by showing documentation of CEUs as required in Section 202 #2d and completing the renewal application process.
4. It is the responsibility of the LLM to ensure their credentials and certifications are current at all times. These include - but are not limited to - CPM, CPR, and neonatal resuscitation. The licensee must provide documentation upon request.
5. LLMs who receive a CPM or MBC must provide verification with initial application and for license renewal, or within thirty (30) days of initial certification. A notarized copy of the certificate or a verification letter sent directly from NARM must be submitted to ADH.
6. In the event of a lapse or revocation of any licensure or certification held the LLM must notify ADH within thirty (30) days of revocation.

7. If the name used on the application is not the same as that on any of the supporting documentation, the applicant must submit proof of name change with application.
- A. Apprentices who hold a valid permit prior to the effective date of these Rules will follow the requirements for licensure found in Appendix B: Transitional Provisions and Forms.
8.
9. If an application for licensure or renewal is denied, the applicant may appeal that denial to the Arkansas State BOH with thirty (30) days of receipt of the denial.

#### ~~2301.1.01~~ ELIGIBILITY REQUIREMENTS FOR INITIAL LICENSURE

Applicants for initial licensure must meet the following requirements, except for those noted in Section 200. #3:

1. An applicant for an initial license to practice midwifery shall submit:
  - a. A completed application, provided by ADH.
  - b. A passport style and size photo of the applicant, head and shoulders, taken within sixty (60) days prior to the submission date of the application and attached to the application.
  - c. A copy of one of the following documents that demonstrates the applicant is twenty-one (21) years of age or older:
    - i. The applicant's birth certificate.
    - ii. The applicant's U.S. passport, U.S. Driver's License, or other state-issued identification document.
    - iii. Any document issued by federal, state or provincial registrar of vital statistics showing age.
  - d. Documentation of a high school diploma or its equivalent, and documentation of the highest degree attained after high school. This documentation should include the name of the issuing school or institution and the date issued.
  - e. Documentation that applicant is certified by NARM as a CPM or by the American Midwifery Certification Board (AMCB) as a CNM or a CM, or holds a certification deemed equivalent and approved by ADH. Documentation may be received in the form of a verification letter directly from the credentialing body or a notarized copy of the applicant's credential. ADH may request additional documentation to support

applicants' qualifications or certifications. It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.

f. If applicable, documentation that applicant holds an MBC issued by NARM. Documentation may be received in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate.

g. A list on the application form of all current professional health-related licensure including those from other jurisdictions. ADH may request verification.

2. Upon satisfactory review of the application by ADH, the applicant:

a. Shall take the Arkansas Rules Examination, which will be administered at ADH, three (3) times each year on dates chosen and publicized by ADH .

b. Shall provide proof of identity upon request in the form of a government-issued photographic identification card at the time of testing.

c. Shall receive a written notice of examination results. If the applicant scores 80% or higher on the Arkansas Rules Examination, a license will be issued.

d. Shall be permitted to re-test if their score is below 80%.

3. All final decisions by ADH denying issuance of license may be appealed to the Arkansas State BOH pursuant to the Arkansas Administrative Procedures Act.

~~The following requirements must be met before the Division will issue a Lay Midwife license.~~

~~1. Basic Education~~

~~A copy of a high school diploma, GED certificate, or highest degree attained is required.~~

~~2. Communicable Disease~~

~~Applicant must provide documentation of a negative TB skin test, a negative chest x-ray or a health card (documentation of a negative TB skin test) issued by the Division of Health at local health units.~~

~~Applicant must provide a date of rubella immunization or documentation of immune status. Such documentation is required only with the first application for any Lay Midwife permit or license.~~

### ~~3. Cardio-pulmonary Resuscitation Training~~

~~Applicant must be certified by the American Heart Association or American Red Cross to perform adult and infant cardiopulmonary resuscitation (CPR). Certification shall be current at the time of application and be valid throughout the licensed period.~~

### ~~4. Practical Experience~~

~~The applicant must submit a notarized statement that the following minimal practical experience requirements have been performed under the supervision of a Physician, Certified Nurse Midwife, or Licensed Lay Midwife. The applicant must also provide the name and a current postal address of the supervisor to allow verification by the Division.~~

~~Applicants for licensure must demonstrate competency in performing clinical skills during the antepartum, intrapartum, postpartum, and the immediate newborn period. Each applicant must successfully complete an evaluation of clinical skills. The "Clinical Evaluation of Apprentices" form must be completed by the preceptor and presented with the application for licensure.~~

~~This form should be submitted only after the applicant has a "pass" on each item except for certain emergencies that may not occur during a preceptorship.~~

~~When practical experience has been obtained outside of Arkansas, the Lay Midwife Advisory Board will review the preceptorship and make a recommendation to the Division concerning its adequacy.~~

- ~~a. The applicant must attend a minimum of 20 births as an active participant.~~
- ~~b. Functioning in the role of primary Lay Midwife under direct on-site supervision, the applicant must attend a minimum of an additional 20 births, of these:~~
  - ~~a. A minimum of 10 must occur in an out-of-hospital setting and~~
  - ~~b. A minimum of 3 must include at least 4 prenatal exams, birth attendance, the newborn exam, and 1 postpartum exam, each conducted personally by the applicant with direct supervision.~~
- ~~c. 75 prenatal exams, including 20 initial exams~~
- ~~d. 20 newborn exams~~
- ~~e. 40 postpartum exams~~

### ~~5. Licensing Examination~~

~~After provisions 1-4, listed in Section 301.01, are satisfactorily completed, the applicant is eligible to sit for the licensing exam.~~

- ~~1. Pass the North American Registry of Midwives (NARM) written examination. The exam may be administered by the Arkansas Department~~

- of Health and Human Services, Division of Health, or at a regularly scheduled test site arranged through NARM.
2. Pass the Arkansas Midwife Regulations exam with a score of 75% or higher. This exam is administered by the Division.
3. If necessary to obtain a passing score, the examinations may be taken up to three times. If the Midwife fails either the NARM exam or the Arkansas Midwife Regulations exam three times, she must repeat an apprenticeship before being allowed to re-test.

## 202.301.02 - RENEWAL

- A. The license must be renewed every 2 years and will be re-issued upon application and favorable review of required activity reports by the Division. This review will assure that:
  - B. review will assure that:
  - C.
  - D. The application is completed.
  - E.
  - F. Infant and adult CPR certification will not expire within the next three months.
  - G.
  - H. The Lay Midwife acts in accordance with the Lay Midwife rules and regulations.
  - I.
  - J. Any deviations from the Lay Midwife protocol must be renewed and signed by a referral Physician prior to license renewal.
  - K.
  - L. The Lay Midwife is not providing care for clients who have risk factors which preclude Lay Midwife care.
  - M.
- Documented negative TB skin test, negative chest x-ray or valid health card

1. Licenses expire on August 31 of the renewal year, and applications and documentation must be submitted by July 2 of the renewal year to be timely. Renewal will only occur upon receipt of application and favorable review of required activity reports by ADH. This review will ensure that the LLM has acted in accordance with these Rules.

N.T.

2. Applications for renewal for LLMs who have been continuously licensed in the State of Arkansas prior to the effective date of these Rules, and who have never received certification as a CPM, must include:
  - a. A completed application for renewal provided by ADH.
  - b. A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR). Approved CPR courses include the American Heart Association and the American Red Cross. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request

- c. A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request
  - d. Documentation of thirty (30) hours of continuing clinical education within the past three (3) years. Continuing Education Units (CEUs) and contact hours will be approved according to the following guidelines:
    - i. A maximum of five (5) hours may be granted for documented peer review.
    - ii. CPR or neonatal resuscitation courses may not be used as part of your CEU totals.
    - iii. Workshops or conferences relevant to the clinical practice of midwifery in Arkansas that are sponsored by the following organizations are pre-approved by the Licensed Lay Midwifery Advisory Board for CEUs:
      - A. American College of Nurse Midwives
      - B. American College of Obstetrics and Gynecology
      - C. Arkansas Department of Health
      - D. International Childbirth Education Association
      - E. La Leche League International
      - F. University of Arkansas for Medical Sciences
      - G. Midwifery Education Accreditation Council (MEAC)
      - H. Any state Nurses Association
3. Applications for renewal for the LLM licensed by ADH and certified as a CPM, CNM or CM or having a certification previously approved by ADH (Section 201.#1.e.) must include:
- a. A completed application for renewal in a format provided by ADH.
  - b. Proof that the relevant credential is current. Documentation may be received in the form of:
    - i. Verification letter sent directly from the certifying agency, or
    - ii. Notarized copy of the certificate.
- A list of all professional health-related licensure in other jurisdictions on the renewal application. ADH may request verification.
- c. \_\_\_\_\_

d. ADH may request additional documentation to support applicants' qualifications or certifications. It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.

~~Q. 7. Documentation of twenty hours of continuing clinical education within the past two years. Continuing Education Units (CEU's) will be approved according to the following guidelines:~~

~~P.-~~

~~Q. a. A maximum of five hours may be granted for documented peer review.~~

~~R.-~~

~~S. b. Educational content that is required for licensure (i.e. CPR) or is generally considered core content of an apprenticeship will not be considered continuing education.~~

~~T.-~~

~~U. c. Any workshops or conferences relevant to the clinical practice of midwifery that are sponsored by the following organizations are pre-approved by the Lay Midwifery Advisory Board for CEU'S:~~

~~V.-~~

~~W. American College of Nurse-Midwives~~

~~X. American College of Obstetrics and Gynecology~~

~~Y. Arkansas Department of Health & Human Services.~~

~~Z. Division of Health~~

~~AA. International Childbirth Education Association~~

~~BB. La Leche League International~~

~~CC. University of Arkansas Medical School~~

~~DD. Midwifery Education Accreditation Council (MEAC)~~

4. Any state Nurses Association The state Arkansas Rules Examination must be taken for each licensing period within one hundred and eighty (180) days prior to the expiration of the midwifery license. A score of eighty percent (80%) or higher must be achieved. The test for renewal of licenses will be available on the ADH website or by contacting the ADH Women's Health section for information. The applicant must submit a copy of the certificate of completion with the application for license renewal.

5. All final decisions by ADH denying renewal of license may be appealed to the Arkansas State BOH pursuant to the Arkansas Administrative Procedures Act.

### 301.03- Practical Experience Equivalency

All applicants for licensure in Arkansas must follow procedures for Regular License. Midwives holding a Certified Professional Midwife certificate through the North American Registry of Midwives may apply for a Lay Midwife license. The CPM credential will be considered equivalent to the practical experience and NARM testing requirement. The Lay Midwife must complete an application, meet all the requirements for education, TB, rubella, and CPR and pass the state regulations test.



2303.1-0 4- GROUNDS FOR DENIAL OF APPLICATION, DISCIPLINE,  
SUSPENSION, OR REVOCATION OF LICENSE

~~The Division~~ADH may refuse to issue, ~~may suspend or may revoke~~ a license for violation of ~~State law or these~~the Licensed Lay Midwife Act or any provision of these Rules Regulations, including - ~~but not limited to~~ - any of the following reasons:

1. Securing a license or permit through deceit, fraud, or intentional misrepresentation.
2. Submitting false or misleading information to ADH, the BOH, or the MAB.
3. Practicing midwifery on expired credentials.
4. Knowingly making or filing a false report or record, intentionally or negligently failing to file a report or record required by these Rules, or willfully impeding or obstructing such filing.
5. Failure to submit requested midwifery records in connection with an investigation.
6. Engaging in unprofessional conduct or dereliction of any duty imposed by law, which includes - but is not limited to - any departure from, or failure to conform to, the standards of the practice of midwifery as established by these Rules.
7. Revocation of CPM certification by NARM.
8. Permitting another person to use the licensee's license or permit.
9. Knowingly or negligently employing, supervising, or permitting (directly or indirectly) any person to perform any work not allowed by these Rules.
10. Obtaining any fee by fraud or misrepresentation.
11. Knowingly or negligently allowing an LLM apprentice to practice midwifery without a supervising preceptor present, except in an emergency.
12. Using, causing, or promoting the use of any advertising material, promotional literature, or any other representation - however disseminated or published - which is misleading or untruthful.
13. Representing that the service or device of a person licensed to practice medicine will be used or made available when that is not true, or using the words "doctor", "registered nurse", "Certified Nurse Midwife" or similar words, abbreviations,



acronyms or symbols including MD (Medical Doctor), RN (Registered Nurse), CNM, CM, APRN (Advanced Practice Registered Nurse), RNP (Registered Nurse Practitioner), EMT (Emergency Medical Technician) or paramedic, falsely implying involvement by such a medical professional.

14. Use of the designation "birth center" or "birthing center" in reference to the LLM's home or office, or charging facility fees for delivery in a "birth center" or "birthing center", unless that center is licensed as such in compliance with the requirements set forth by the Rules and Regulations for Free-Standing Birthing Centers.
  15. Violation of the Arkansas Legend Drugs and Controlled Substances Law, A.C.A. §§ 20-64-501 et seq., or the Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§ 301 et seq.
  16. Displaying the inability to practice midwifery with reasonable skill and safety because of illness, disability, or psychological impairment.
  17. Practicing while knowingly suffering from a contagious or infectious disease that may be transmitted through the practice of midwifery.
  18. Practicing midwifery while under the influence of any intoxicant or illegal drug.
  19. Judgment by a court of competent jurisdiction that the individual is mentally impaired.
  20. Disciplinary action taken by another jurisdiction affecting the applicant's legal authority to practice midwifery in that jurisdiction.
  21. Disciplinary action taken by another licensing or credentialing body due to negligence, willful disregard for patient safety, or other inability to provide safe patient care.
  22. Gross Negligence.
  23. Conviction of a felony.
  24. Failure to comply with an order issued by the Arkansas State BOH or a court of competent jurisdiction.
  25. Practicing outside the scope of practice and protocols as outlined in these Rules.
- 
1. Dereliction of any duty imposed by law.
  2. Falsifying information on the application.

- ~~3. Conviction of a felony.~~
- ~~4. Practicing while knowingly suffering from a contagious or infectious disease of public health importance.~~
- ~~5. Violation of any of the provisions of regulations contained herein.~~
- ~~6. Obtaining any fee by fraud or misrepresentation.~~
- ~~7. Knowingly employing, supervising, or permitting (directly or indirectly) any person who is not an Apprentice or Licensed Lay Midwife to perform any work covered by these regulations.~~
- ~~8. Using, causing, or promoting the use of any advertising matter, promotional literature, testimonial, or any other representation however disseminated or published, which is misleading or untruthful.~~
- ~~9. Representing that the service or device of a person licensed to practice medicine will be used or made available when that is not true, or using the words "doctor", or similar words, abbreviations or symbols implying involvement by the medical profession when such is not the case.~~
- ~~10. Permitting another person to use the license or permit.~~
- ~~11. Violation of the Prescription Drug or Devices Law, A.C.A. 20-64-503.~~
- ~~12. Gross Negligence.~~
- ~~13. Practicing while under the influence of any intoxicant or illegal drug.~~

#### **204. DISCIPLINARY ACTIONS**

Suspected cases involving violation of the Licensed Lay Midwifery Act or these Rules may be referred by ADH to the BOH for a hearing, according to the Arkansas Administrative Procedures Act. If the BOH finds that a person holding a license or permit has violated the Licensed Lay Midwifery Act or these Rules' sanctions, which include - but are not limited to - the following, may be imposed:

1. Revocation of license or permit.
2. Suspension of a license or permit for a determinate period of time.

3. Written or verbal reprimand of a licensee or permit holder.
4. Probation of license or permit.
5. Limitations or conditions on the practice of a person holding a license or permit.
6. Continuing education requirements to address known deficiencies.
7. Fines as imposed by the BOH under their general authority to regulate.

ADH will notify licensee of any actions to be imposed. Any Licensed Lay Midwife who is denied a license or whose license is suspended or revoked will be notified in writing by the Division. The Lay Midwife will be afforded opportunity of a hearing conducted pursuant to the Board's Administrative Procedures to appeal the Division's decision. Decisions may be appealed to the Circuit Court pursuant to the Arkansas Administrative Procedures Act.

Any applicable certification or licensing agencies will be notified of final actions on licenses including - but not limited to - NARM and any states where the midwife holds a license.

## **205. - INACTIVE STATUS**

Inactive status is automatic on the day after the license expires. ~~Licensed Lay Midwives~~ LLMs who do not maintain a current license will be considered inactive. Inactive status may be maintained for ~~four~~ up to three (3) years. ~~An LLMay Midwife with inactive status may not practice midwifery until reactivating the license is reactivated.~~

~~To reactivate an inactive license with inactive status, the applicant~~ Lay Midwife must:

1. Submit a copy of their current CPM, CNM, or CM credential or, if the applicant was licensed prior to the effective date of these Rules, document additional continuing education credits totaling ten (10) hours for each year of inactive status. ~~Other requirements for licensure must be met including~~
2. Submit current CPR certification.
3. Submit current NARM-approved neonatal resuscitation certification ~~certification~~ and proof of absence of TB, and.
4. Take the Arkansas Rules Examination and achieve a score of eighty percent (80%) or higher.
- ~~1. A Lay Midwife with inactive status may not practice midwifery until reactivating the license.~~

### ~~301.06~~ REACTIVATION ~~206.~~ REACTIVATION OF EXPIRED LICENSE

~~After four~~ three (3) years, the inactive a license in inactive status automatically expires.  
To become re-licensed the Lay-Midwife applicant must successfully fulfill all of the  
requirements for initial licensure as outlined in Section 201. retake the licensure exams;  
document 20 hours of continuing education within the last two years; document current  
CPR certification and present proof of the absence of TB.

### ~~23027.~~ APPRENTICE PERMIT APPRENTICESHIPS

Apprentices who hold a valid permit prior to the effective date of these Rules will follow  
the requirements found in Appendix B; Transitional Provisions and Forms.

An LLM will be responsible for notifying ADH of any apprentices accepted under their  
supervision within thirty (30) days of signing, but prior to the apprentice providing any  
services. The ADH Preceptor-Apprentice Agreement form (found in Appendix A or  
available on the ADH website) shall be used for this notification. Preceptors must meet all  
NARM preceptor requirements. Any changes in the apprentice's contact information must  
be provided to ADH by the LLM within thirty (30) days of the status change. If the  
apprentice is still under the LLM's supervision after three (3) years, the LLM must  
complete a new form indicating this status.

### ~~302.01~~ ELIGIBILITY

An Apprentice Permit authorizes the applicant to obtain under supervision, the practical  
experience required for licensure. The supervisor may be a Licensed Lay Midwife, a  
Certified Nurse-Midwife, or a Physician. The applicant must provide verification of  
Apprentice-Supervisor relationship(s). Apprentice Midwives work under direct  
supervision of their supervisor(s). Should the Preceptor-Apprentice Agreement be  
terminated by either party, it is the responsibility of both parties to notify ADH  
immediately. An apprentice must not continue to perform under any preceptor(s) unless a  
new signed Preceptor-Apprentice Agreement is on file with ADH. A signed Preceptor-  
Apprentice Agreement for every preceptor under whom an apprentice trains must be  
signed and sent to ADH.

Apprentices shall follow all applicable Arkansas laws and these Rules.

Apprentices are required to comply with all provisions of HIPAA (Health Insurance  
Portability and Accountability Act).

The initial permit, valid for two years, will be issued to persons who provide  
documentation of:

1. ~~A copy of high school diploma, GED certificate, or highest degree attained.~~
2. ~~Negative TB skin test, negative chest x-ray or valid health card.~~
3. ~~Date of rubella immunization or proof of immune status. This documentation is required only with the first application for the permit.~~
4. ~~Current certification by the American Red Cross or the American Heart Association to provide cardio-pulmonary resuscitation to adults and infants.~~

#### ~~302.02 APPRENTICE PERMIT RENEWAL~~

~~The Apprentice Permit must be renewed every two years. To renew the permit, the Apprentice shall submit evidence of:~~

- ~~Progress made toward licensure that year, i.e. number of AP visits conducted,  
— labor managements and deliveries, newborn evaluations and post partum  
— exams conducted under supervision.~~
2. ~~Verification of Apprentice-Supervisor relationship~~
  3. ~~Current adult and infant CPR~~
  4. ~~Negative TB skin test, negative chest x-ray, or valid health card~~

### **3400. SCOPE OF PRACTICE AND PROTOCOLS**

~~Section 400 of these Regulations comprise the Licensed Lay Midwife Protocol. Protocol—  
The LLMicensed Lay Midwife must adhere to the LLMay Midwife protocols as  
specified outlined in these Rules. conditions of practice as outlined in these regulations.~~

~~The Licensed Lay Midwife may provide complete obstetrical care to women who are  
determined to be at low risk for the development of medical or obstetrical complications of  
pregnancy or childbirth.~~

## ~~301.~~ **401. REQUIREMENTS FOR LICENSED LAY MIDWIFERY PRACTICE**

The following requirements must be met before a lay midwife LLM can legally accept a client.

1. Licensing – The LLM lay midwife must possess a current Arkansas Lay Midwife License, or Apprentice Permit. – See Section 2300.
- ~~2. Protocol – The Licensed Lay Midwife must adhere to the Lay Midwife protocol as specified in the conditions of practice as outlined in these regulations.~~
23. Consent Disclosure Form - – At the time a request is made for care, the Licensed Lay Midwife LLM must discuss certain information concerning LLM lay midwife assisted home deliveries with the client. This discussion must be documented by use of the disclosure form (found in Appendix A or available on the ADH website). ~~by the second visit. Samples of acceptable disclosure forms are available from the Division.~~ It must be signed and dated by the client at the same time the LLM and client enter into an agreement for services and sign a contract. This form must be and filed in herthe client's medical record chart and noted on the next caseload and birth report log sent to ADH by the LLM.

~~The disclosure form will include, but is not limited to the following:~~

- ~~a. The Licensed Lay Midwife has a protocol specified by the Division that she must follow regarding care for potentially serious medical conditions.~~
- ~~b. When a patient client chooses midwifery care, she must accept the requirements laid out in the Regulations or seek another source of care. Clients may be discharged from care.~~
- ~~c. Risks and benefits of home birth.~~
- ~~d. Risks and benefits of hospital delivery.~~
- ~~e. Factors which preclude a home birth.~~
- ~~f. Medical conditions which may occur during labor or birth that would require Physician consultation or transport to a hospital and referral to a Physician or Certified Nurse Midwife.~~
- ~~g. Responsibilities of the Licensed Lay Midwife for prenatal care, attendance at the delivery, and postpartum care, and additional information regarding birth attendance~~

by Apprentices and/or possible birth attendance by another Licensed Midwife if the Midwife is unavailable at the time of labor.

- ~~h. Required medical evaluation, laboratory testing, evaluation by Physician, Certified Nurse-Midwife, or public health maternity clinic, required visits with Midwife, obtaining of birth supplies and infant supplies.~~
- ~~i. Should an emergency transport become necessary there must be arrangements by the client, in cooperation with the Midwife, for transportation to the nearest hospital with an active obstetrical service to provide maternity services or the hospital where the back-up Physician has privileges. The hospital must be located within 50 miles of the planned delivery site.~~
- ~~j. The Licensed Lay Midwife does, or does not have a referral Physician or Certified Nurse-Midwife with whom she consults concerning the client's pregnancy.~~
- ~~k. If the Licensed Lay Midwife relies on the hospital emergency room for backup coverage, the client must be informed that the Physician on duty may not be trained in obstetrics.~~

34. Emergency Plan -- As part of the disclosure form, An individual emergency plan must be established by
- ~~the Licensed Lay Midwife LLM and client for each Midwife client. A copy of this plan, signed by the Midwife, must be placed in the client's chart. The plan must include:~~
- a. The name and contact information of the physicians that will be consulted for the mother and the newborn;
  - b. The arrangements for transport from the delivery site to a hospital, if needed;
  - c. The provisions for transport to the nearest hospital with an obstetrical services, or to the hospital where the Pphysician or CNM has obstetrical privileges, that will be used for transport, which. This hospital must be located within fifty (50) miles of the planned delivery delivery site; and
  - d. The nearest hospital to the delivery site.

### 301.01 TERMINATION OF CARE

An LLM shall terminate care of a client only in accordance with this section unless a transfer of care results from an emergency situation.

1. Once the LLM has accepted a client, the relationship is ongoing and the LLM cannot refuse to continue to provide midwifery care to the client unless:



- a. The client has no need of further care;
- b. The client terminates the relationship; or
- c. The LLM formally terminates the relationship due to a provision of these Rules or for any other reason.

2. The LLM may terminate care for any reason by:

- a. Providing a minimum of thirty (30) days' written notice, during which time the LLM shall continue to provide midwifery care until the client is able to select another health care provider. If continuing care would cause the LLM to violate these Rules, care can be terminated by the LLM without giving thirty (30) days' notice. Justification for this action must be documented in the client's record;
- b. Attempting to tell the client in person and in the presence of a witness of the LLM's wish to terminate care. If the client will not meet with the LLM, the LLM must document that the attempt was made and how it was made;
- c. Providing the client with referrals to other healthcare providers; and
- d. Documenting the termination of care in the client medical record and submission of an ADH incident report.

301.02 TRANSFER OF CARE

If a transfer of care recommendation occurs during labor, delivery, or the immediate postpartum period, and the client refuses transfer the midwife shall call 911 and provide further care as indicated by the situation. If the midwife is unable to transfer to a health care professional, the client will be transferred to the nearest appropriate health care facility. The midwife shall attempt to contact the facility and continue to provide care as indicated by the situation.

**—4302. PROTOCOL FOR REQUIRED ANTEPARTUM CARE**

302.01 RISK ASSESSMENT(S):

Risk assessments shall be performed by a physician, a CNM or an ADH clinician. The purpose of these visits is to assure ensure that the client has no potentially serious medical conditions and has no medical contraindications to home birth.



Each risk assessment must include a maternity risk assessment (see Routine Services below) that will be filed in the client's chart/medical record.

The risk assessments must be comprehensive enough for the LLM to identify potentially dangerous conditions that may preclude midwifery care, or that require physician or CNM consultation.

Each client must be evaluated by a physician, a CNM, or an ADH-Division maternity clinician at the following times:

1. At or near the time care is initiated with the Lay-Midwife LLM, and the evaluation must include the Required Antepartum Services listed in Section 302.02.
2. Again at or near the 36<sup>th</sup> week of gestation and must include:
  - a. Review of the client's complete prenatal record;
  - b. Review of the results of all prenatal testing;
  - c. Interval medical and obstetric history;
  - d. Review of systems;
  - e. Pertinent physical examination, including:
    - i. Measurements of blood pressure, weight
    - ii. Fundal height
    - iii. Estimated gestational age
    - iv. Fetal presentation/position; and
  - f. Group B Strep testing, according to ADH approved guidelines.
3. Between 41 weeks 0/7 days and 42 weeks 0/7 days of gestation, the requirements for the 36<sup>th</sup> week assessment shall be repeated and may include additional tests or procedures. A documented plan for care beyond 42 weeks 0/7 days gestational age must be submitted to ADH as an additional required incident report. If a referral or this risk assessment is not made, or if the clinician advises against home delivery, the client must be transferred.
4. The LLM is responsible for reviewing the risk assessment data and insuring that her client is low risk for home delivery. The LLM must base her decision on all information, results and recommendations received from the clinician

performing the risk assessment, including any statement in the client's record by a physician, CNM or ADH clinician indicating that the client is NOT suitable for home birth.

~~The purpose of these visits is to assure that the client has no potentially serious medical conditions and has no medical contraindications to home birth. The evaluation must include a maternity risk assessment (see Routine Services below) that will be filed in the client's chart.~~

#### ~~402.01 FREQUENCY OF VISITS~~

~~Routine antepartum visits must be made at least every four (4) weeks during the first 28 weeks of gestation, every two (2) weeks from the 28th to 36th weeks, and weekly thereafter until delivery.~~

#### ~~3402.022 ROUTINE SERVICES REQUIRED ANTEPARTUM SERVICES AT OR NEAR THE INITIATION OF CARE~~

~~The Licensed Lay Midwife LLM must ensure each client receives from a Physician, CNM, or Division clinician, the following services at or near the initiation of care from a physician, CNM, or ADH clinician. Exceptions to these required services are at the discretion of the physician, CNM, or ADH clinician who performs the risk assessment and must be documented in the client's medical record.~~

~~a. 1. Medical, obstetrical and nutritional history. The history must be comprehensive enough to identify potentially dangerous conditions that may preclude midwifery care, or that require Pphysician or CNM consultation.~~

~~1.~~

~~1. 2.~~

~~2. A physical examination comprehensive enough to identify potentially dangerous conditions that may preclude mMidwifery care.~~

~~3. Estimation of gestational age.~~

~~3. Measurements of 5. bBlood pressure, height and weight.~~

~~4.~~

~~5. Prenatal Testing:~~

~~a. 6. Papp test/HPV test.~~

~~smear, unless negative result is documented within past six months.~~

~~b. 8. Test for Gonorrhea and Chlamydia.~~

- a. ~~3.~~ Blood sample for blood group and Rh determination and antibody screentiter if found to be Rh negative.
- c.
- d. ~~4.~~ CBC with platelets or Hhematocrit or hemoglobin.
- e. Test for Syphilis.
- ~~7.~~ VDRL
- f. Urine culture.
- ~~9.~~ Urine testing for glucose, protein, and asymptomatic bacteriuria (nitrites).
- g. Blood Sugar: --Follow American Diabetes Association (ADA) Clinical Practice recommendations for gestational diabetes mellitus (GDM) screening and diagnosis; test according to national standards as approved by ADH and available on the ADH website.
- h. Hepatitis B test.
- i. Counsel client concerning maternal serum genetic testing, if before 20 weeks gestation.
- b. ~~14.~~ Rubella test; screen if previous immunity not documented.
- j.
- e-k. ~~15.~~ HIV counseling and test.

- ~~5.~~ Blood pressure, height and weight.
- ~~6.~~ Pap smear, unless negative result is documented within past six months.
- ~~7.~~ VDRL.
- ~~8.~~ Gonorrhea and Chlamydia.
- ~~9.~~ Urine testing for glucose, protein, and asymptomatic bacteriuria (nitrites).
- ~~10.~~ Blood Sugar --Follow American Diabetes Association (ADA) Clinical Practice recommendations for gestational diabetes mellitus (GDM) screening and diagnosis. If performed by the Licensed Lay Midwife, use only a CLIA-waived device approved by the FDA for diagnosis (e.g. HemoCue Blood Glucose Analyzer), and follow the ADA recommendations for screening and diagnosis. ADA standards are available through the Division.

~~11. Estimation of gestational age.~~

~~12.12. Hepatitis B test.~~

~~13.13. Counsel client concerning maternal serum genetic testing, if before 20 weeks gestation.~~

~~14.14. Rubella screen if previous immunity not documented.~~

~~15.~~

~~16.15. HIV counseling and test.~~

~~16. Group B Strep screening at 35-37 weeks.~~

### 302.03 COLLECTION OF LABORATORY SPECIMENS

For Licensed Lay Midwives LLMs who are trained in the collection of laboratory specimens and collect the specimens themselves, may do so. The specimens must be submitted to a standard lab, and the reports and test results must be sent for reviewed and interpretation by the physician, CNM or ADH Division clinician. All reports and test results, including reviews and interpretations, must be recorded in the client record.

If blood sugar testing is performed by the Licensed Lay Midwife LLM, they shall use only an FDA approved device, CLIA for CLIA-waived device approved by the FDA for diagnosis (e.g. HemoCue Blood Glucose Analyzer), and follow the ADA recommendations for screening and diagnosis. ADA ADH approved standards are available through the Division for diabetes testing. The results of all testing must be interpreted by a physician, CNM, or ADH clinician within ten (10) days.

### 4302.043 ROUTINE ANTEPARTUM LLM CARE

#### 402.041. - Frequency of Visits

Routine antepartum visits must be made at least approximately every four (4) weeks during the first 28 weeks of gestation, approximately every two (2) weeks from the 28th to 36th weeks, and weekly thereafter until delivery.

#### 2. Routine Visit Services

At each visit, the Licensed Lay Midwife LLM will perform and

record the following services:

- a. 1. Weight.
- b. 2. Blood pressure.
- c. 3. Fundal height.
- d. 4. Determination of fetal position.
- e. 5. Urine testing for glucose, protein, and nitrites.
- f. 6. Fetal heart ratetones.
- g. 7. Medical and nutritional history since last visit.

a.h. 8. Check for edema of legs, face and/or hands.

~~9. Hematocrit or hemoglobin must be repeated at or near 28 weeks.~~

~~The Lay Midwife will transfer care of the client immediately to a Physician if any conditions precluding lay midwife care are noted.~~

#### 302.05 RH FOLLOW UP PROTOCOL REQUIRED ANTEPARTUM SERVICES AT 24 TO 28 WEEKS GESTATION

~~All women with negative Rh factor must be treated as follows:~~

1. Coombs test as soon as negative Rh is reported if antibody screen was not performed with the initial lab work. Except for women with known gestational diabetes all women must be screened for gestational diabetes between 24-28 weeks according to national standards approved by ADH.

2. -All women with negative Rh factor must be treated as follows:

- a. 2. Repeat antibody screening Coombs test at 28 weeks. If it is negative, advise client that an Rh immunoglobulin injection is recommended. If the client is enrolled in a local health unit maternity clinic, an Rh immunoglobulin can be obtained administered at the clinic, otherwise she must be referred to a physician or CNM to obtain the Rh immunoglobulin.

- b. If Coombs antibody screen is positive, refer her the client or consult to a physician or CNM as soon as possible.

a-c. If client declines Rh immunoglobulin, repeat antibody screening must be performed at 28 weeks and the LLM is responsible for providing the client with written information provided by ADH outlining the risks of isoimmunization and the benefits of Rh immunoglobulin. A copy of the signed refusal form needs to be documented and filed in the client's record immediately.

2.

3. If Coombs is positive, refer her to a Physician immediately.

4. 9. Hematocrit or hemoglobin must be repeated at or near 28 weeks Testing for CBC with platelets.

3.

3. Obtain a cord blood sample at the time of delivery. Send to a standard laboratory for Rh type. If the infant is Rh positive then the client is to receive immunoglobulin again. This should be obtained within 72 hours of delivery from a private Physician, or from the local health unit if the mother was enrolled in a Division of Health maternity clinic. If the infant is Rh negative then nothing further need be done.

#### 302.06 REQUIRED ANTEPARTUM SERVICE AT 35 TO 37 WEEKS GESTATION

16. Screening for Group B Strep screening at 35-37 weeks according to ADH approved guidelines available on the ADH website.

#### 3402.075 ANTEPARTUM PREPARATION FOR HOME BIRTH

##### 1. Pre-Delivery Home Visit

The Licensed Lay Midwife LLM is required to make, prior to delivery, at least one visit to the home where the birth will take place.

The Licensed Lay Midwife LLM should inform the client of the equipment and supplies that must be available at the time of delivery. She should instruct the client and family of requirements for an aseptic delivery site.

##### 2. Obtaining ADH Newborn Care Package

The Newborn Care Package provided by ADH contains the required newborn medications and other necessary items and is available to all LLM clients.

—If the mother chooses to obtain free the newborn medication care package from ADH the local health unit, she must notify the local health unit in sufficient time to allow them local health unit one month to obtain the drug care package. The local health unit will not routinely have the drug on hand.

### 3. Obtaining Medications for Newborn

#### A. CARE OF EYES

B.

- a. The Licensed Lay Midwife LLM must advise the client that the newborn may need either Erythromycin 0.5% Ophthalmic or Tetracycline 1.0% Ophthalmic in individual dose packaging for newborn eye care prophylaxis is available at the time of delivery. The mother must obtain a suitable one of these medications before week 36/7 weeks 0/7 days of the pregnancy either by prescription from a private physician, CNM or other licensed prescriber, or by prior arrangement with a local health unit.

If the mother chooses to obtain medication from the local health unit, she must notify the local health unit in sufficient time to allow them one month to obtain the drug. The local health unit will not routinely have the medication on hand.

#### C. VITAMIN K

D.

- b. The Licensed Lay Midwife LLM must advise the client that the infant newborn should receive Vitamin K as soon as possible after within two (2) hours of birth. The medication should be obtained by prescription before week 36/7 weeks 0/7 days of pregnancy from a private physician, CNM or other licensed prescriber or by prior arrangements with a local health unit.

- c. The LLM must advise the client that:

- i. All medications must be administered to the newborn by a person licensed by the state of Arkansas to administer medications (nurse, physician), and that prior arrangements should be made in order to assure the licensed person will be available to administer the medications soon after birth, or
- ii. The client has the option to administer the medications to her newborn with instructions from the licensed prescriber (physician, CNM, or ADH clinician), or
- iii. The client has the option to allow the LLM to act as her agent to administer to her newborn the following medications:

A. Erythromycin 0.5% Ophthalmic or Tetracycline 1.0% Ophthalmic.

B. Vitamin K, only allowed to be administered orally by the LLM.

### 4. Obtaining Intrapartum and Postpartum Medications for Mothers



The LLM will discuss with her client the protocol for each of the following medications that require the client to make arrangements to obtain the prescriptions and establish a plan for the administration of medications prior to the onset of labor:

- a. Rh immunoglobulin for Rh negative mothers with an Rh positive newborn
- b. GBS prophylaxis according to ADH approved guidelines.
- c. Benzocaine (14%) available in gel form, solution or spray that may be used for the repair of 1st and 2nd degree lacerations by the LLM after birth.

5. Preparing Bottle-feeding Mothers

- a. For the client planning to bottle feed her newborn, commercially prepared, client-selected formula shall be available for an initial feeding within the first two to three hours after birth.
- b. Client-selected formula must be available for newborn feedings.

6. Education of Client for Required Genetic/Metabolic Screening

The Licensed Lay Midwife LLM is responsible for advising the parents client of this law that requires newborn screening (A.C.A. § 20-15-302) and the procedure for conducting newborn screening. Information is available on the ADH website.  
and documenting that a blood sample is obtained after 24 hours and no later than 7 days after birth. The sample is submitted to the Division no later than 72 hours after collection. Required forms are available from local Division of Health offices. If the blood sample is not obtained for any reason, the Midwife must document the incident in the client's chart.

7. Completion of Newborn Hearing Screening

The LLM is responsible for advising the client of the newborn infant hearing screening law (A.C.A. § 20-15-1101 et seq.) and the available resources to obtain the newborn hearing screen. Information is available on the ADH website.

8. Preparation for Well-Baby Care

The LLM is responsible for advising the mother that beyond the first fourteen (14) days of life, the LLM is no longer responsible and the mother should seek further care from a physician or an APRN specializing in the care of infants and children. This does not preclude the LLM from providing counseling regarding routine newborn care and breastfeeding.

9. Preparation for Secondary Prevention of Newborn Early-Onset Group B Strep Disease

The LLM shall advise the mother of the necessity for newborn evaluation by a physician within 24 hours of birth when:

- a. Maternal GBS status is unknown and membranes are ruptured in labor > 18 hours before birth. Refer to Section 309.02 (8).
- b. The mother has indications for GBS prophylaxis in labor, regardless of adequate antibiotic treatment prior to birth and regardless of the presence or absence of symptoms of illness. Refer to Section 303.03 (2).

**43036.. PROTOCOL FOR ANTEPARTUM CONDITIONS REQUIRING PHYSICIAN  
INTERVENTION**

Each client is to have a risk assessment (see Section 302.01-402, p 14) documented by a Pphysician, CNM, or ADHDivision of Health clinician at or near the initiation of care and again around the 36<sup>th</sup> week. The following sections detail the actions to be followed by the Licensed Lay MidwifeLLM if the client exhibits or develops one of the specified conditions. The Lay MidwifeLLM will refer women for medical evaluation as soon as possible after the condition is identified. The Lay MidwifeLLM is expected to use his/hertheir judgment regarding the need for consultation, referral, and/or transfertransport when problems arise that are not specified in these Rules protocol. In addition to the birth log, such care will be documented on an incident report and submitted to ADH.

303.01Initial risk Assessment CONDITIONS PRECLUDING MIDWIFERY CARE

The following conditions preclude midwifery care and the client must be transferred to a physician, CNM, or ADH clinician upon diagnosis. There may be additional high-risk conditions judged by either a physician, CNM, ADH clinician, or LLM that could also preclude midwifery care.

The Lay Midwife will transfer care of the client immediately to a Physician if any conditions precluding lay midwife care are noted.

1. 1.- Previous cesarean delivery

a. —

2. 2.- Multiple gestation

1. —

3. 3.- Documented placenta previa in the third trimester

4. Insulin-dependent diabetes

5. Pregnancy that extends beyond 42 weeks 0/7 days gestational age unless there is a third risk assessment and a documented plan of care submitted to ADH. If the clinician advises against home delivery, the client must be transferred.

2.

4. Position other than vertex at the onset of labor

5. Labor prior to 36 weeks gestation

### 303.02 PRE-EXISTING CONDITIONS REQUIRING ANTEPARTUM CONSULTATION, REFERRAL, OR TRANSFER OF CARE

If any of the following pre-existing conditions are identified the client must be examined by a Pphysician, CNM, or ADH clinician currently practicing obstetrics. Division clinicians may accept the referral per Division of Health protocol.- A plan of care for the condition must be established, including a plan of for transfer of care if indicated, and execution of the plan of care must be documented. Midwives caring for these clients will be required to submit additional required incident reports to ADH. If a referral is not made or if the clinician advises against home birth, the care must be transferred to a Pphysician or CNMCertified Nurse-Midwife.

1. Heart disease

2. Epilepsy

3. Diabetes

4. Neurological disease

5. Sickle cell or other hemoglobinopathies

6. Cancer

7. Psychiatric disorders

8. Active tuberculosis

9. Chronic pulmonary disease

10. Thrombophlebitis

11. Endocrinopathy

12. Collagen vascular diseases or other severe collagen disease

13. Renal disease
14. Hypertension
15. Known ~~d~~Drug or alcohol addiction use during current pregnancy
16. Significant congenital or chromosomal anomalies
17. History of post-partum hemorrhage not caused by placenta previa  
— or abruption
18. Rh negative isoimmunization (positive Coombs)
19. Structural abnormalities of the reproductive tract including fibroids
20. HIV positive or AIDS
21. Previous infant with GBS disease
22. History of unexplained perinatal death
23. History of seven (7) or more deliveries
24. -Maternal age greater than or equal to forty (40) at estimated date of  
delivery
25. Previous infant weighing less than five (5) pounds or more than ten (10)  
pounds
26. Previous surgery involving the uterus or cervix.
27. Pregnancy termination or loss  $\geq$  three (3)

43063.023 -ANTEPARTUM MONITORING-ANTEPARTUM CONDITIONS  
REQUIRING CONSULTATION, REFERRAL OR TRANSFER OF CARE

If any of the following PRENATAL-antepartum conditions are  
identified, identified, a physician/CNM consultation, referral or transfer is  
required and the client must be examined by a Pphysician or CNM currently  
practicing obstetrics. ADHDivision clinicians may accept referrals per  
ADHDivision of Health protocol. A plan of care for the condition must be  
established, and execution of the plan must be documented. Midwives caring for  
these clients willshall submit additional required incident reports to ADH. If a

referral is not made or if the clinician advises against home delivery the client must be transferred immediately to a physician or CNM.

1. ~~4.~~ A sudden ~~D~~decreased in fetal movement or kick count of less than 10 per hour after 27 weeks 6/7 days.
2. ~~Positive~~ Group B Strep Prophylaxis Indications. -CDC approved Group B Strep intrapartum prophylaxis (per ADH approved guidelines) must be obtained for the clients listed below (A-D). Clients who refuse antibiotics will be transferred from midwifery care to a physician for hospital care unless a physician agrees to supervise the LLM care of the client. The plan of care agreed to by the physician and the LLM must be documented and submitted as an incident report to ADH.
  - a. Clients who test positive for Group B Strep in the urinary tract at any time in the current pregnancy (regardless of repeated testing that is negative for Group B Strep). Vaginal/rectal testing for Group B Strep is not indicated when the urine testing is positive for Group B Strep in the current pregnancy.
  - b. Clients who test positive for Group B Strep in the vagina or rectum at any time in the current pregnancy (regardless of repeated testing that is negative for Group B Strep).
  - c. Clients with positive history of birth of an infant with early-onset Group B Strep disease.
  - d. Clients with antepartum Group B Strep culture status that is unknown at the time of labor onset and:
    - i. Temperature in labor ( $> 100.4$  degrees F); or
    - ii. Rupture of membranes  $> 16$  hours (Refer to 305.01 Immediate Transport #12). Prophylactic antibiotics are indicated by 18 hours of ruptured membranes; or
    - iii. Preterm labor ( $< 37$  weeks 0/7 days of gestation)
3. Cervical effacement or dilatation prior to 37 weeks 0/7 days
4. Late~~Post~~ term pregnancy greater than 41 weeks 0/7 days. (document consult as The third risk  
aAssessment is required between 41 weeks 0/7 days and 42 weeks 0/7 days, and transfer of care may be required depending on results. (Section 302.01. #3)

5. Genital herpetic lesions
6. Clients with a previous preterm delivery must be co-managed until 376 weeks 0/7 days
7. Suspected or confirmed fetal death
8. Vaginal bleeding heavier than a normal period
9. Persistent or significant ~~W~~weight loss after the first trimester
10. Abnormal weight gain
11. Symptoms of vaginitis refractory to treatment
12. Symptoms of UTI refractory to treatment
13. Hematocrit of less than  $< 30$  or hemoglobin of less than  $< 10$ , or platelets  $< 100,000$
14. Hyperemesis with weight loss
15. Two blood pressure readings at least one hour apart of 140/90 or more systolic  $\geq 140$  or diastolic  $\geq 90$
16. Size/date discrepancy of three (3) or more weeks on two (2) successive exams
17. Positive Coombs antibody screen
18. Abnormal PAPap smear test
19. Sexually transmitted diseaseinfection
20. Ruptured membranes without onset of labor within 18 hourswithout onset of labor within 24 hours and Group B Strep testing is negative. Refer to Section 303.03 (2) for mothers that are GBS positive or have unknown GBS status.
21. Signs and symptoms of pre-eclampsia
22. Fetal heart rate below 120110 bpm or above 160 bpmor irregular while lying on left side
23. Spontaneous rupture of membranes prior to 367 weeks 0/7 days

24. Gestational Diabetes, as defined by ADH approved guidelines

25. Rh negative mothers with abdominal trauma, with or without antepartum bleeding.

26. Position other than vertex any time after 35 weeks 6/7 days

### **34034. PROTOCOL FOR REQUIRED INTRAPARTUM CARE**

#### **34034.01 INITIAL LABOR ASSESSMENT**

As soon as possible but within one (1) hour following the onset of active labor (5-6 cm with regular and painful contractions) or as soon as possible but within one hour following the pre-labor rupture of membranes, The Licensed Lay Midwife LLM must assess and record:

1. Physical conditions including temperature, pulse, respiration, blood pressure and urinalysis for glucose and protein.
2. Labor status including assessment of contractions, status of membranes, cervical dilatation and effacement.
3. Fetal position, station, size, presenting part and heart rate. Establish a fetal heart rate baseline by checking rate and rhythm every 15 minutes for the first hour of observation.
4. In case of suspected pre-labor rupture of membranes, avoid digital exams unless the client is in active labor or delivery is imminent. A sterile speculum examination is advised to inspect for umbilical cord prolapse and to assess the cervix.  
Condition of cervix, vaginal walls and pelvic floor.

#### **34034.02 MANAGEMENT OF LABOR**

1. First stage. The Licensed Lay Midwife LLM must assess and record:

a. a. Fetal heart rate and rhythm (immediately following a contraction):

i. immediately following a contraction, a At least every hour until five to six (5-6) centimeters, then at least every thirty (30) minutes until cervix is completely dilated, and



ii. after rupture of membranes, Rule out prolapsed cord by checking fetal heart rate and rhythm immediately after rupture of membranes and during and after the next two contractions to rule out prolapsed cord.

iii. After any treatment, procedure or intervention.

iv. When there is a change in contractions or labor pattern, and

When there is any indication that a medical or obstetrical complication is developing.

v.

~~A. b. Rule out prolapsed cord by checking fetal heart rate and rhythm immediately after rupture of membranes and during and after the next two contractions.~~

~~B. c.~~

~~e. Duration, interval and intensity of uterine contractions at least every two (2) hours or more frequently if indicated and maternal blood pressure at least every two hours.~~

b.

c. d. Maternal blood pressure and temperature every two hours. Maternal blood pressure and heart rate in active labor:

i. Every two (2) hours, or more frequently if indicated.

ii. Blood pressure every fifteen (15) minutes when there is a systolic reading of  $\geq 140$  or a diastolic of  $\geq 90$ .

iii. Heart rate every 15 minutes when maternal heart rate is  $< 70$  or  $> 110$ .

d. Temperature:

i. Every two (2) hours in active labor.

ii. Every two (2) hours following rupture of membranes.

~~±~~iii. Every thirty (30) minutes when oral temperature is  $99.5^{\circ}\text{F}$  or higher.

2. Second stage and third stage. The Licensed Lay Midwife LLM's duties include but are not limited to:

- a. ~~Ascertaining~~ Assessing and documenting
  - i. ~~That labor is progressing;~~
  - ii. ~~Assessing and monitoring~~ Maternal and fetal well-being including fetal heart rate at least every 15 minutes and/or more frequently if indicated.

~~A.b.D~~ Delivering the newborn and placenta.

All services should be provided in a supportive manner and in accordance with these Rules ~~regulations~~.

#### **43075. PROTOCOL FOR INTRAPARTUM CONDITIONS REQUIRING PHYSICIAN OR CNM INTERVENTION**

##### **43075.01 IMMEDIATE TRANSPORT**

The following INTRAPARTUM conditions preclude midwifery care, and when identified, the client should must be transported to the planned hospital by the most expedient method of transportation available to obtain treatment/evaluation:

- 1. Position other than vertex;
- 2. Active genital herpes lesions;
- 3. Labor prior to 37 6 weeks 0/7 days gestation;
- 4. Bleeding in labor that exceeds scant amount with each cervical examination;
- 5. Thick meconium if birth is not imminent;
- 6. Prolapsed Cord;
- 7. Non-Reassuring fetal heart rate (FHR) Patterns (Category II or Category III) that are repetitive and do not promptly respond to maternal position changes, unless birth is imminent. (Category I FHR patterns are reassuring and are not an indication to transport.) Characteristics of Category II and III include:
  - a. Variable decelerations: Abrupt decreases in the FHR by 15 bpm or more lasting 15 seconds or more

- b. Late decelerations: Gradual decreases in the FHR occurring in the latter portion of the contraction, returning to baseline after the end of the contraction
- c. Prolonged decelerations: A decrease in the FHR baseline by 15 bpm or more lasting between two (2) minutes and ten (10) minutes
- d. Tachycardia: FHR baseline > 160 bpm
- e. Bradycardia: FHR baseline < 110 bpm;
- 8. Signs of maternal infection - any of the following:
  - a. Temperature of  $\geq 100.4$
  - b. Fetal tachycardia (baseline heart rate > 160)
  - c. Maternal tachycardia (heart rate > 110)
- 9. Signs of fetal infection: baseline FHR > 160 or a baseline FHR that is continually increasing;
- 10. Suspected or confirmed fetal death;
- 11. Two high blood pressure readings, meaning a systolic of ~~greater than~~  $\geq 140$  or a diastolic of  $\geq 90$ , two (2) to four hours apart unless birth is imminent, or a significant rise over baseline, with or without proteinuria.; or
- 12. Unknown GBS status prior to eighteen (18) hours of ruptured membranes, when delivery is not imminent (prophylactic antibiotics are indicated by eighteen (18) hours of ruptured membranes).

### 34075.02 PHYSICIAN CONSULTATION

The following INTRAPARTUM conditions require consultation with a Pphysician or CNM who has obstetric privileges in a hospital within fifty (50) miles of the delivery site. A plan of care must be established and execution documented. Midwives caring for these clients will submit additional required incident reports (found in Appendix A or available on the ADH website). If consultation is not available the client must be transported to the hospital per the emergency plan. If the client's condition is not stable she should be transported to the nearest hospital.

- 1. Prolonged labor in a primagravida defined as:

- a. more than 20 hours from onset of contractions to 45 emscentimeters
- b. more than 17 hours from 45 emcentimeters to deliverycomplete dilation
- c. more than two and a half (2.5) hours pushing
- d. more than one (1) hour from delivery of the infant to delivery of the placenta.

2. Prolonged labor in the multigravida defined as:

- a. more than 14 hours from onset of contractions to 45 emcentimeters
- b. more than 136 hours from 45 emcentimeters to delivery of the infantcomplete dilation
- c. more than one (1) hour pushing
- d. more than one (1) hour from delivery of the infant to delivery of the placenta.

4. Abnormal urine protein associated with signs and symptoms of pre-eclampsia:

5. Persistent Fetal heart rate above 160 or below 120 while mother is on left side:

6. Maternal temperature of greater than 100.4 unresponsive to hydration:

7. Thick meconium stained fluid if birth is not imminent:

8. Abnormal bleeding:

9. Suspected or confirmed fetal death.

**---34046. PROTOCOL FOR REQUIRED POSTPARTUM CARE**

**-----43064.01 IMMEDIATE CARE**

The ~~LLM~~Licensed Lay Midwife must remain in attendance for at least two (2) hours after the delivery and shall assess and record the following:

1. ~~1.~~ Immediately following the delivery of the placenta, the ~~Midwife~~LLM shall determine that the uterus is firmly contracted without excessive bleeding,

ascertain that the placenta has been delivered completely, and determine the number of cord vessels.

1.           

a.           

2. Midwives LLMs may repair 1st and 2nd degree perineatal lacerations. LLMs may apply topical benzocaine (14%) available in gel form, solution or spray) for repair of lacerations. Benzocaine requires a prescription from a physician, CNM or ADH clinician for the client and the prescription must be written in the client's name.
3. During the two (2)-hour postpartum period, the Midwife LLM shall assess, as needed: uterine firmness, vaginal bleeding, vaginal swelling and/or tearing, maternal blood pressure and pulse. The Midwife LLM shall remain in attendance until these signs are well within normal limits or until a pPhysician or CNM is in attendance if they are found to be abnormal.
4. The Midwife LLM shall leave instructions for follow-up care that include signs and symptoms of conditions that require medical evaluation such as: excessive bleeding, increasing pain, severe headaches or dizziness and inability to void. The mother is given an appointment with the Midwife for postpartum evaluation from 2 to 6 weeks following delivery. Postpartum follow-up should include family planning counseling and the need for rubella vaccine if susceptible.

#### 306.02 FOLLOW-UP POSTPARTUM CARE

1. A follow-up home visit is shall be performed at between 12 to 36 24 hours postpartum to evaluate for excessive bleeding, infection, or other complications.
2. For all mothers with Rh negative blood and a newborn that is Rh positive, the LLM must counsel the mother to obtain postpartum Rh immunoglobulin within 72 hours of delivery.
1. The LLM is required to follow the mother for a minimum of thirty (30) days from delivery
3. The mother is given an appointment with the Midwife for postpartum evaluation from 2 to 6 weeks following delivery. Postpartum follow-up Care shall should include family planning counseling and education on the need for updated immunizations, including the rubella vaccine if susceptible. The final postpartum evaluation shall be performed between 4 to 6 weeks after delivery.

### 307. PROTOCOL FOR POSTPARTUM CONDITIONS REQUIRING PHYSICIAN OR CNM INTERVENTION

#### 307.01 IMMEDIATE TRANSPORT

The following POSTPARTUM conditions preclude midwifery care and when identified, the client ~~should~~ must be transported to the hospital indicated in the emergency plan by the fastest method of transportation available to obtain treatment/evaluation:

1. ~~1.~~ Hemorrhage: estimated blood loss of 500 milliliters or more
2. Exhibiting signs of shock:
  - a. Systolic BP < 90
  - b. Diastolic BP < 60
  - c. Heart rate < 50 or > 120
  - d. Respiratory rate < 10 or > 30
  - a.e. Maternal agitation, confusion or unresponsiveness
3. ~~2.~~ Elevated BP:
  - a. Systolic > 160
  - b. Diastolic > 100
4. Third and fourth degree lacerations
5. Maternal temperature > 100.4 on two (2) occasions one hour or more apart
6. Inability to urinate by six (6) hours after delivery

#### 307.02 ~~3.~~ Signs and symptoms of shock

#### Physician CONSULTATION OR REFERRAL

The following IMMEDIATE-POSTPARTUM conditions require consultation with a physician or a CNM who has obstetrical privileges in a hospital within 50 mile of the delivery site. A plan of care must be established and execution documented. Midwives caring for these clients will submit additional required incident reports to ADH (found in Appendix A or available on the ADH website).

If

consultation is not available or if the client's condition is not stable, the client must be transported to a hospital:

1. Uterine size 16 to 20 weeks after delivery of placenta
2. Two maternal temperatures of 100.4 or greater checked one hour apart
3. Signs of uterine infection

1. Signs and symptoms of postpartum infection:

- a. Endometritis
- b. Mastitis
- c. Urinary tract infection

2. Signs and symptoms of sub-involution

3. Signs and symptoms of postpartum pre-eclampsia

4. Signs and symptoms of postpartum depression

#### **43085. PROTOCOL FOR REQUIRED NEWBORN CARE**

The Licensed Lay Midwife LLM shall be responsible for newborn care immediately following the delivery, only and care of the healthy newborn for the first fourteen (14) days of life unless care is transferred to a physician or APRN specializing in the care of infants and children before that. After fourteen (14) days the LLM is no longer responsible and the mother should seek further care from a physician or an APRN specializing in the care of infants and children. Subsequent infant care should be managed by a Physician, or a Physician/Registered Nurse team. This does not preclude the Lay Midwife from providing counseling regarding routine newborn care and breastfeeding. If any abnormality is suspected, including - but not limited to - a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours. This does not preclude the LLM from providing counseling regarding routine newborn care and breastfeeding.

##### **43058.01 IMMEDIATE CARE**

The following services must be provided by the LLM as part of immediate newborn care:

1. 4. Suction nose and mouth prior to delivery of shoulders if needed.

- 1-2. Assess presence of meconium.



3. Assess baby's status at birth as vigorous or non-vigorous.
4. 2.—Immediately after delivering entire body, suction mouth, then, nose again, if needed.
- ~~5.~~
3. Clamp and cut the cord, then cut.
4. Dry infant in a warm towel, with special attention to the head.
5. Wrap infant in a warm blanket and place on side or next to mother.
6. Directly place baby skin-to-skin with mother, covering baby with a blanket. The baby should ideally remain in direct skin-to-skin contact with their mother immediately after birth until the first feeding is accomplished.
- 6.7.6. Determine Apgar scores at one (1) and five (5) minutes after delivery while baby is with mother.
8. 7.—Routine care can be done with the baby and mother in skin-to-skin contact to insure warmth. Observe and record:
  1. —
  2. a.—Skin color and tone.
    - a. —
  3. —
  - a. b.—Heart rate (120-180/minute).
    - b. —
  4. —
  - a.c. c.—Respiration rate and character (40-60/minute by one hour of age).
  5. —
  6. d.—Estimated gestational age. Indicate average, small or large for gestational age.
    - a.d. —
    - b. e.—T<sub>axillary</sub> temperature; note if rectal or axillary.

e.           

e.           

d.            f.            Weight, length, head circumference.

e.            f.           

7.9.            8.            Obtain cord blood for Rh and antibody screen if mother is Rh negative.

### 308.02 FEEDING

Newborn ~~Infant~~ should be placed at the breast as soon as stable after delivery. The bottle fed ~~infant~~ newborn should be offered ~~commercially prepared oral pediatric electrolyte solution formula of choice~~ within the first two to three hours after birth. ~~If there are no problems with these feedings then progress to the chosen formula, every three to four hours.~~ Instruct the mother in normal and abnormal feeding patterns.

### 308.03 CARE OF EYES

~~The Licensed Lay Midwife must see that either Erythromycin 0.5% Ophthalmic or Tetracycline 1.0% Ophthalmic in individual dose packaging for eye prophylaxis is available at the time of delivery. The mother must obtain a suitable medication before week 36 of the pregnancy either by prescription from a private Physician or by prior arrangement with a local health unit. If the mother chooses to obtain medication from the local health unit, she must notify the local health unit in sufficient time to allow them one month to obtain the drug. The local health unit will not routinely have the medication on hand.~~

If indicated, the Lay Midwife LLM must advise parents that the newborn infant must receive the drug either Erythromycin 0.5% Ophthalmic or Tetracycline 1.0% Ophthalmic within one (1) hour of birth. If the infant does not receive the drug for any reason, the Midwife LLM must document the incident in the client's chart/medical record whether or not medication was administered to the newborn and by whom.

### 308.04 VITAMIN K

~~The Licensed Lay Midwife must advise parents that the infant should receive Vitamin K as soon as possible after birth. The medication should be obtained by prescription before week 36 of pregnancy from a private Physician or by prior arrangements with a local health unit. If the mother chooses to obtain free~~

~~medication from the local health unit, she must notify the unit in sufficient time to allow them one month to obtain the drug. The local health unit will not routinely have the drug on hand. The Lay Midwife LLM must advise parents that the newborn must receive Vitamin K assure that the infant receives Vitamin K within two (2) hours of birth. If Vitamin K is not administered, tThe Lay Midwife LLM must document the incident in the client's chart medical record whether or not medication was administered to the newborn and by whom.~~

### 308.05 NEWBORN SCREENING

#### 1. Genetic/Metabolic Screening:

All infants newborns must have a capillary blood sample within the required time frame (from heel prick) for the newborn screening as mandated by law and as specified on the Division ADH collection form. Information can be obtained by contacting the ADH Newborn Screening program.

#### 2. Infant Hearing Screening:

The LLM must instruct the mother in available resources to obtain the infant hearing screen. Assistance in completing and submitting the required form can be obtained by contacting the ADH Infant Hearing Program.

~~The Licensed Lay Midwife is responsible for advising the parents of this law and the procedure for conducting newborn screening and documenting that a blood sample is obtained after 24 hours and no later than 7 days after birth. The sample is submitted to the Division no later than 72 hours after collection. Required forms are available from local Division of Health offices. If the blood sample is not obtained for any reason, the Midwife must document the incident in the client's chart.~~

### 308.06

#### CORD CARE

The LLMidwife must instruct the mother in routine cord care.

## 309. PROTOCOLS FOR NEWBORN CONDITIONS REQUIRING PHYSICIAN INTERVENTION

### INTERVENTION

#### 309.01 IMMEDIATE TRANSPORT

The following NEWBORN conditions, when identified, require immediate transport of the infant newborn to the hospital by the most expedient method of transportation available to obtain treatment/evaluation. LLMs that participate in the care of these newborns are required to submit additional incident reports (found in Appendix A or available on the ADH website).

1. Respiratory distress
2. Central cyanosis
3. Seizures
4. ~~Temperature of 101 or more~~ Infant If a temperature outside the normal range of greater than 100 or less than 97.7 97.7F (36.5C) – 99.3F (37.4C) per axilla is note, appropriate corrective measures must be taken, and temperature taken hourly for the next two (2) hours. Three (3) persistently out of range temperatures warrant transfer.
5. Jaundice at 0 to 24 hours
6. Apgar of score of less than < five (5) at one minute or < seven (7) at five minutes
- 6.7.14. Apnea -lasting longer than > ten (10) seconds
8. Heart rate greater than > 1680 bpm or less than 9<100 bpm at rest
9. Pallor and poor capillary refill
10. Lethargy or weak Poor suck reflex or refusal to feed
7. High-pitched cry
11.
12. Any Ssignificant congenital abnormalitiesanomaly including ambiguous genitalia
13. Skin with petechiae or significant bruisesSigns of bleeding (petechiae, bruises)
14. Poor response to sound or touch
15. Poor tone (floppy)

### 309.02. PHYSICIAN CONSULTATION

The newborn must be weighed weekly. During the first two (2) weeks of life the newborn must be immediately referred to a pediatric or family medicine provider for any illness or abnormal physical finding. The newborn must also be referred if there are any concerns about weight gain, feeding, elimination, development, or abnormal screening results.

The following NEWBORN conditions require immediate (unless otherwise indicated) consultation with a physician whose practice includes pediatrics. A plan of care must be established and execution documented. Midwives caring for these infants/newborns will be required to submit additional required incident reports to ADH (found in Appendix A or available on the ADH website). If consultation is not available the newborn infant should must be transported to the hospital listed in the plan of care.

The LLM is responsible for the coordination of the physician consultation with the child's parents, and must follow-up on this consultation and document the outcome in the client's record.

- ~~1. Apgar of score of less than 5 at one minute or 7 at five minutes~~
- ~~2. Significant abnormalities~~
  - ~~1. 3. Jaundice at 24 to 48 hour of life~~
- ~~4. Meconium staining on the skin~~
- ~~2. 5. No urination at 12 hours of life~~
- ~~3. 6. Lethargy or weak suck reflex~~
- ~~7. Heart rate greater than 180 or less than 90 at rest~~
- ~~8. Birth weight of less than 5 ½ pounds or more than 10 pounds~~
- ~~9. Infant temperature of greater than 100 or less than 97.7~~
- ~~4. 10. Gestational age of less than 36 weeks~~
- ~~11. Abnormal cry~~
- ~~5. 12. No stool after 48 hours~~

6. 13. Vomiting after feedings

14. Apnea lasting longer than 10 seconds

17. 5. Signs of bleeding (petechiae, bruises)

16. Tachypnea of greater than 60 breaths per minute after 4 hours of life

8. 17. Mother's membranes ruptured for more than 24 hours 18 hours and unknown GBS status.

9. Infant born to mother with indications for GBS prophylaxis in labor that did not receive antibiotics > 4 hours prior to birth (per ADH approved guidelines found on ADH website).

10. Jittery

11. Floppy

12. Eye rolling

#### 500. REFERRAL PHYSICIAN

~~Each Licensed Lay Midwife is encouraged to develop a close working relationship with one or more specific Physician in obstetrical practice or CNM in obstetrical practice who agree to serve as a Referral source for the Lay Midwife. This relationship is optional. The duty of a Referral Physician or CNM is to provide support to the Licensed Lay Midwife when potentially serious conditions, as listed in sections 406--409 occur.~~

~~The Referral Physician and Lay Midwife relationship, or the CNM and Lay Midwife relationship, can be terminated by either party at any time.~~

#### 4600. EMERGENCY MEASURES

~~A. The Licensed Lay Midwife LLM must consult a licensed pPhysician or CNM whenever there are~~

~~B. significant deviations from normal in either the mother or the infantnewborn, and must act in~~

- C. ~~—~~ accordance with the instructions of the ~~p~~Physician or CNM. In those situations requiring
- D. ~~—~~ transport to a hospital, the ~~Lay Midwife~~LLM must notify the emergency room or labor and delivery unit of the designated hospital of an imminent transport and provide a copy of the complete medical record to the receiving Physician appropriate staff at the receiving facility.

- E. ~~—~~ The ~~Lay Midwife~~LLM is expected to use ~~his/her~~their judgment regarding the need for referral ~~and/or~~
1. ~~—~~ emergency transport when problems arise that are not specified in the protocol.

F. ~~—~~ Such

G. ~~—~~ care must be documented in additional required reports.

H. ~~—~~

I. ~~—~~ No Licensed Lay Midwife may assist labor by any forcible or mechanical means; attempt to

J. ~~—~~ remove adherent placenta; administer, prescribe, advise or employ any prescription drug

K. ~~—~~ or device; or attempt the treatment of a precluded condition, except in an emergency

L. ~~2. —~~ when the attendance of a Physician or CNM cannot be speedily secured.

~~—~~ Any authorized or unauthorized emergency measures must be reported to the Division ADH in an incident report (found in Appendix A or available on the ADH website).

~~—~~ on the Birth Log. In the case of actions/procedures authorized by a ~~p~~Physician or

~~—~~ CNM in the case of a specific emergency, the ~~Lay Midwife~~LLM will document these orders with

~~—~~ an order signed by the ~~p~~Physician or CNM and submitted it to to the Division of Health ADH on the 10<sup>th</sup>

3. ~~—~~ of the following month.

## **5700. RECORD KEEPING AND REPORTING REQUIREMENTS**

### **501. MONTHLY REPORTS**

1. A monthly reporting log, referred to as the Caseload and Birth Log (found in Appendix A or available on the ADH website), will be maintained and sent to the



~~Division ADH~~ postmarked no later than the 10<sup>th</sup> of each month regardless of any changes or additions to the Log.

~~Log forms will be provided by the Division. The log will include births that month as well as report clients who were referred, transported, lost to follow-up, or for other reasons not attended by the Licensed Lay Midwife at birth~~

~~A. -~~

- ~~2. The Licensed Lay Midwife will use the Birth Log to document care of a woman receiving prenatal care from the Lay Midwife for more than one month of the gestational period regardless of whether or not the Lay Midwife attended the birth. Each woman receiving care for two (2) or more visits shall be listed on the Caseload and Birth Log in the following month of care, regardless of whether or not the LLM attended the birth.~~

## **502. INCIDENT REPORTS**

- ~~1. When any consultation for a complication occurs (whether or not the complication resulted in a referral or transport and whether or not the Licensed Lay Midwife LLM remained in attendance) the care must be documented in greater detail using ADH forms (found in Appendix A or available on the ADH website) provided by the Division. The LLM shall send these forms will be sent to the Division ADH on by the 10<sup>th</sup> of the month following the event.~~

- ~~A. 2. When an LLM's client delivers outside the hospital without attendance by an LLM, the LLM must submit an incident report (form found in Appendix A or available on the ADH website) describing the circumstances and outcome of the unattended birth. The LLM shall send these reports to ADH by the 10<sup>th</sup> of the month following the event.~~

## **503. RECORD AUDITS**

~~All client records must be maintained for 24 years.~~

~~The Division ADH will audit selected records from each Licensed Lay Midwife LLM's practice each year. The purpose of the audit will be to confirm compliance with these Rules regulations. The LLM will be required to submit the records for each client selected by ADH for auditing.~~

~~The Licensed Lay Midwife will use the Birth Log to document care of a woman receiving prenatal care from the Lay Midwife for more than one month of the gestational period regardless of whether or not the Lay Midwife attended the birth.~~

#### 504. DOCUMENTATION BY LLM APPRENTICES

1. MidwivesLLMs supervising an Apprentice midwife should record the name of the Apprentice on the Birth Log when the Apprentice provided care during the intrapartum and immediate postpartum period. Because the Lay MidwifeLLM is responsible for the clinical work of hertheir Apprentices, all reports will be filed filed inby the attending MidwifeLLM's name.
2. Clinical services provided by apprentice midwives shall be documented by the apprentice in the client record and co-signed by the LLM. Initials may be used providing the initials clearly identify the person providing care.

#### 505. REPORTING MATERNAL, FETAL, OR NEWBORN EVENTS

The LLM is required to track maternal and newborn events for thirty (30) days unless care is terminated by the client. Maternal events, pregnancy loss at any gestational age, or newborn events must be reported according to the following schedule. In each of these instances, LLMs will complete the required incident report (found in Appendix A or available on the ADH website) and submit it, with a complete copy of the client record, to ADH.

1. Complications resulting in intrauterine fetal death, in the death of a mother, infantmother or newborn or fetus, within 2448 hours of delivery, must be reported to the DivisionADH within two (2) businessworking days;
2. Maternal or newborn deaths that occur between two (2) through thirty (30) days of birth must be reported to ADH within five (5) business days;
3. Maternal or newborn hospitalizations that occur within thirty (30) days of delivery must be reported to ADH within five (5) business days.

b.

#### 506. CLIENT HEALTH RECORD

The Licensed Lay MidwifeLLM is responsible for ensuring that all required services are documented on client records maintained by the MidwifeLLM. Each page of the

client record must contain the client ID number. The records will remain confidential. They are subject to periodic review by Division ADH staff. All client records must be maintained for at least 2425 years.

## **507. VITAL RECORDS**

The Licensed Lay Midwife LLM shall follow all applicable laws pertaining to vital records, is responsible for completing and submitting birth certificates according to instructions of the Division's Office of Vital Statistics.

A.—

## **8600. DIVISION ADH RESPONSIBILITIES**

### **—6801. GRANTING PERMITS AND LICENSES**

— ADH Staff of the Women's Health Section shall review applications for licensure and issue licenses or permits.

### **—6802. REGISTRATION LISTING**

— The Division ADH shall maintain a list of all Licensed Lay Midwives LLMs and Apprentice Midwives holding permits in the State of Arkansas, and make this list available to the public.

### **—8603. MONITORING OUTCOMES**

— The Division ADH shall monitor perinatal outcomes of home births with attended by Lay Midwife LLMs attendance and will publish these statistics annually.

— The Division ADH shall also review birth reports from Licensed Lay Midwives LLMs records to assure that such LLMs Midwives are practicing within regulatory guidelines and standards of care.

#### **604. INVESTIGATION**

~~The Division~~ADH will conduct investigations regarding complaints or deviations from the ~~RR~~Rule regulations.

ADH will consider all available information that is relevant and material to the investigations.

Where, in the opinion of the Director of ADH, the public's health, safety or welfare imperatively requires emergency action, ADH may temporarily suspend the license of an LLM pending proceedings for revocation or other action. All proceedings initiated under this provision shall be promptly instituted and determined. The licensee may request a hearing on a temporary suspension with five (5) days of receiving notice.

#### **68054. ADMINISTRATION OF TESTS**

~~The Division~~ADH shall administer the Arkansas Rules Examination at least three (3) times per year. ~~a licensing examination.~~

#### **700. SEVERABILITY.**

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions or applications; and to this end the provisions hereto are declared to be severable.

#### **800. REPEAL.**

~~A~~All Regulations and parts of Regulations in conflict herewith are hereby repealed.

## **91400. CERTIFICATION**

This will certify that the Rules and Regulations Governing the Practice of Licensed Lay Midwifery Practice in Arkansas ~~was~~ere prepared pursuant to A.C.A. 20-7-109 ~~et. seq.~~ and A.C.A. 17-85-101 ~~st. et seq.~~ A public hearing was held on the 10th day of September, 2007, 20  .

This will also certify that the foregoing Rules and Regulations Governing the Practice of Licensed Lay Midwifery Practice in Arkansas were adopted by the Arkansas Board of Health at a regular session of same held in Little Rock, Arkansas on the 24th day of January, 2008.

Dated at Little Rock, Arkansas this 21st day of February, 2008.

Signed) Paul Halverson

Nathaniel Smith, MD, MPH  
Director, Arkansas Department of Health  
Secretary of Arkansas State Board of Health

The foregoing Regulations Governing Lay Midwife Practice, a copy of which has been  
filed in my office, is hereby in compliance with the Administrative Act, on the  
17th day of March, 2008.

(Signed) Mike Beebe

Governor  
State of Arkansas

## **APPENDIX A: FORMS**

1. LLM Disclosure Form
2. LLM Informed Refusal Form
3. LLM Initial License and Reactivation of License Application
4. LLM License Renewal Application
5. Instructions for Completing LLM Reports
6. LLM Caseload and Birth Log
7. LLM Monthly Worksheet
8. LLM Incident Report
9. Preceptor-Apprentice Agreement for NARM PEP Apprentices



Client's Printed Name: \_\_\_\_\_

Client's Address: \_\_\_\_\_

Street  
\_\_\_\_\_

City

State

Zip Code

Phone Number: \_\_\_\_\_

In compliance with the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas, at the time of acceptance into care, a Licensed Lay Midwife (LLM) must provide the following disclosures in oral and written form:

- A. Licensed Lay Midwife Scope of Practice
- B. Informed Consent for Licensed Lay Midwifery Care
- C. Requirements for Licensed Lay Midwifery Care
- D. Risks and Benefits of Home and Hospital Births
- E. Emergency Arrangements
- F. Plan for Well-Baby Care

**A. Licensed Lay Midwife Scope of Practice**

The Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas require each LLM to provide information on the scope of licensed midwifery practice under these regulations to clients seeking midwifery care. The LLM may provide approved midwifery care only to healthy women, determined to be at low risk for the development of complications of pregnancy or childbirth; and whose outcome of pregnancy is most likely to be the delivery of a healthy newborn and intact placenta. Apprentice midwives and LLM Assistants work under the on-site supervision of the LLM. A person may not practice or offer to act as an LLM in Arkansas unless he/she is licensed by the Arkansas State Board of Health.

The responsibilities of the LLM are specified by the Regulations in regards to:

1. Required prenatal care.
2. Attendance during labor and delivery.
3. Care of the healthy newborn for the first fourteen (14) days of life unless care is transferred to a physician or APRN whose practice includes pediatrics. After fourteen (14) days, the LLM is no longer responsible to provide care except for routine counseling on newborn care and breastfeeding as indicated. The client should seek further care from a physician or an APRN whose practice includes pediatrics. If any abnormality is identified or suspected, including but not limited to a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours.
4. Postpartum care for a minimum of 30 days after delivery.



These would also apply to any arrangements the LLM has in regard to apprentices she is supervising, or arrangements made with other LLMs to attend the birth, if she/he is unavailable.

The LLM is responsible to ensure the client is informed of and understands the need to receive clinical assessments, including laboratory testing; evaluations by a physician, certified nurse midwife (CNM) or public health maternity clinician; and required visits with the midwife that are mandated by the regulations. The LLM is also responsible for informing the client of the necessary supplies the client will need to acquire for the birth and the newborn (including eye prophylaxis and vitamin K).

LLM providing care \_\_\_\_\_

Licensed in Arkansas since \_\_\_\_\_

Arkansas LLM License Number \_\_\_\_\_

Expiration Date \_\_\_\_\_

Certified Professional Midwife (CPM) \_\_\_\_\_ Yes or No (Circle correct response)

Midwifery Bridge Certificate (MBC) \_\_\_\_\_ Yes or No (Circle correct response)

If CPM, Certification Number \_\_\_\_\_

Expiration Date \_\_\_\_\_

**Each statement below is to be read and initialed by the client.**

**B. Informed Consent**

I understand that I am retaining the services of \_\_\_\_\_ who is an LLM, not a CNM or a physician.

I understand the LLM *does or does not* (circle correct response) have liability coverage for services provided to someone having a planned home birth.

I understand that the LLM practices in home settings and does not have hospital privileges.

I understand the LLM *does or does not* (circle correct response) have a working relationship with a physician or CNM. If she/he does, they are:

Physician's Name: \_\_\_\_\_

CNM's Name: \_\_\_\_\_

I understand that if my LLM relies on a hospital emergency room for backup coverage, the physician on duty may not be trained in obstetrics.

I understand the LLM is trained and certified in Cardiopulmonary Resuscitation (CPR) and neonatal resuscitation.

I understand there are conditions that are outside the scope of practice of an LLM that will prevent me from beginning midwifery care. These conditions include, but are not limited to: previous cesarean delivery, multiple gestation, and insulin-dependent diabetes.

I understand that there are conditions that are outside the scope of practice of an LLM that will require physician consultation, referral or transfer of care to a physician, CNM or health department clinician, or transport to a hospital. If during the course of my care my LLM informs me that I have a condition indicating the need for a mandatory transfer, I am no longer eligible for a home birth by an LLM. These conditions include but are not limited to: placenta previa in the third trimester, baby's position not vertex at onset of labor, labor prior to thirty-seven (37) weeks gestation, or active herpes lesions at onset of labor.

The LLM is responsible to inform and educate me (the client) on these and other potential conditions that preclude care by an LLM.

I understand emergency medical services for myself and my baby may be necessary and a plan for emergency care must be in place for the prenatal, labor, birth and immediate postpartum and immediate newborn periods, as outlined in Section E of this form.

I understand my laboratory test results must be reviewed and interpreted by a physician, CNM or ADH clinician.

I understand that the LLM must work in accordance with all applicable laws. The Rules and Regulations Governing the Practice of Midwifery in Arkansas are available online at the Arkansas Department of Health website or by contacting the Arkansas Department of Health.

### **C. Requirements for Licensed Lay Midwifery Care**

I understand the LLM has protocols as specified in the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas that must be followed concerning care for normal pregnancy, labor, home birth and the postpartum period, and for specific potentially serious medical conditions. The following requirements are my responsibility, as a midwife client, to fulfill:

I must have an initial, and 36 week visit with a private physician or CNM or go to an Arkansas Department of Health Local Health Unit which provides maternity services for a risk assessment, which includes a physical exam and lab work.

If my pregnancy continues beyond 41 weeks, I must have a visit before 42 weeks with a private physician or CNM or go to an Arkansas Department of Health Local Health Unit which provides maternity services for a risk assessment.

I must ensure that all my healthcare providers have access to all my medical records at the time of each visit and at the time of delivery. It is unsafe for any of these practitioners to evaluate or deliver a client without knowledge of all lab results and current risk status.

I must have Vitamin K on hand for the birth. This may be ordered in advance of delivery from the Local Health Unit or may be obtained at a pharmacy by prescription.

I must have ophthalmic erythromycin on hand for the birth, if indicated. This may be ordered in advance of delivery from the Local Health Unit or may be obtained at a pharmacy by prescription.

#### D. Risks and Benefits of Home and Hospital Births

Before becoming a client with the intent of delivery at home, I understand I need to be familiar with some of the advantages and disadvantages of having either a home birth or a hospital birth.

<b>RISKS AND BENEFITS OF HOME AND HOSPITAL BIRTHS</b>	
<b>BENEFITS</b>	
<b>Home</b>	<b>Hospital</b>
<ul style="list-style-type: none"> <li>Planned home birth with skilled, trained, midwifery care</li> <li>Natural progression of labor</li> <li>Non-invasive monitoring of labor progression and fetal well-being</li> <li>Privacy and familiar home surroundings</li> <li>Decreased obstetric interventions – midwives are trained to handle some unexpected emergencies on site for low risk women</li> <li>Preserves family togetherness; provides personalized care; honors client's choices for birthing position, movement, and food and fluids during labor; labor takes place in familiar surroundings</li> <li>Use of natural, non-invasive pain relief techniques</li> <li>The absolute risk of a planned home birth may be low</li> </ul>	<ul style="list-style-type: none"> <li>Skilled, specialized obstetric staff</li> <li>Medications to induce or maintain labor, if needed</li> <li>Early detection of fetal distress through advanced monitoring techniques</li> <li>Equipment available for high risk situations: intensive care, resuscitative equipment, surgical suites</li> <li>Immediate medical intervention including medications and blood products if needed, by OB/GYN, pediatrician, and medical personnel trained to deal with life threatening emergencies on site</li> <li>Some hospitals provide family-centered birthing and some provide birthing suites that create a home-like atmosphere and incorporate client's choices into their birth plan</li> <li>Availability of pain medications upon request</li> <li>The American College of Obstetrics and Gynecology and the American Academy of Pediatrics state that hospitals and birthing centers are the safest settings for birth in the United States</li> </ul>
<b>RISKS</b>	
<b>Home</b>	<b>Hospital</b>
<ul style="list-style-type: none"> <li>A planned home birth is associated with a twofold increased risk of newborn death compared to a hospital birth for low risk mother/infant pairs, and greater increases for those at higher risk.</li> <li>Certain emergency conditions may occur without warning, which cannot be handled in a timely manner at home; and the home may lack needed emergency equipment for advanced resuscitation. In emergency situations greater risk of adverse outcomes exists, including death, for both mother and child.</li> </ul>	<ul style="list-style-type: none"> <li>Hospital births are associated with increased maternal interventions including the possibilities of: epidural analgesia, electronic contraction and fetal heart rate monitoring, IVs, vacuum extraction, episiotomy, and cesarean delivery.</li> <li>Not all hospitals have immediate availability of specialty consultation and care in cases of certain medical emergencies and in these situations there is the risk for adverse outcomes including death for the mother and child.</li> </ul>

<ul style="list-style-type: none"> <li>Transport time to a hospital in case of an emergency can seriously impact the outcome on health of mother and newborn. Travel time of more than 20 minutes has been associated with increased adverse newborn outcomes, including mortality.</li> </ul>	<ul style="list-style-type: none"> <li>Hospitals that provide delivery services may not be available in some geographic areas requiring the mother to travel longer distances for urgent care of sudden risks.</li> </ul>
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I have reviewed the above table and have discussed with my midwife the risks and benefits of both home and hospital births.

### E. Emergency Arrangements

An emergency plan must be developed between the client and the LLM detailing the arrangements for transport of the client to the nearest hospital licensed to provide maternity services or to the hospital where the back-up physician has privileges. The hospital must be within fifty (50) miles of the home birth site.

- The licensed physician or CNM that will be consulted when there are deviations from normal in either the mother or infant is:

- Name of Clinic/Physician/ADH Clinician/CNM for the mother:

Phone Number \_\_\_\_\_

City/State \_\_\_\_\_

- Name of Physician/ADH Clinician/CNM for the infant if known:

Phone Number \_\_\_\_\_

City/State \_\_\_\_\_

- Transport Arrangements: In an emergency, transport to a hospital will be by:

Ambulance: Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site: \_\_\_\_\_

Estimated time to home birth site \_\_\_\_\_

Has the option of using a private vehicle for backup been discussed? ☐ Yes ☐ No

- In the event of maternal emergency in a home birth, transport will be to the following:

Hospital: \_\_\_\_\_

City/State: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site \_\_\_\_\_ Estimated Time from home birth site \_\_\_\_\_

I understand that the physician on duty in this hospital emergency room may not be trained in obstetrics.

4. In the event of a neonatal emergency requiring immediate transport, transport will be to the nearest hospital:

Hospital: \_\_\_\_\_

City/State: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site \_\_\_\_\_

Estimated Time from home birth site \_\_\_\_\_

I understand that the physician on duty in this hospital emergency room may not be trained in obstetrics or pediatrics.

I agree to these arrangements should an emergency or medical complication arise.

#### **F. Plan for Routine Well-baby Care**

A plan of care should be developed between the client and a physician or an APRN whose practice includes pediatrics to follow up with routine well-baby visits after birth. The LLM is responsible for newborn care immediately following delivery and for the first fourteen (14) days of life, unless care is transferred before that time. After fourteen (14) days, the LLM is no longer responsible to provide care except for routine counseling on newborn care and breastfeeding as indicated. The client should seek further care from a physician or an APRN whose practice includes pediatrics. If any abnormality is identified or suspected, including but not limited to a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours.

Name of Physician/APRN for the infant:

Unknown: ☐

Phone Number \_\_\_\_\_

City/State \_\_\_\_\_

#### **G. Consent Signatures**

The consent signatures page will be kept in the client's chart as proof that all above Disclosure Form items have been initialed.

I have discussed and provided in writing the information included in this disclosure form with my client. I have discussed with her how this impacts her pregnancy and its outcome.

LLM Signature: \_\_\_\_\_

Date Signed \_\_\_\_\_

The above information has been discussed with me and also provided in writing. I understand its implications to my pregnancy and its outcome.

Client printed name \_\_\_\_\_

Client signature \_\_\_\_\_

Date signed \_\_\_\_\_



The Arkansas Lay Midwife Act gives authority to the Board of Health (BOH) to oversee Licensed Lay Midwives (LLMs) in Arkansas. As part of this authority, the BOH sets the rules and regulations for LLMs. These rules require that LLMs follow specific protocols for risk assessment, consultation, referral, and transfer of care to ensure the safety of the mother and baby. The BOH has delegated the authority to enforce these Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas to the Arkansas Department of Health (ADH).

LLMs are trained experts in the care of **low-risk** pregnancy for women who want to give birth outside of a hospital. Low-risk means that a woman is healthy and should have a normal birth of a healthy baby with no problems. Some women have health issues that give them a greater chance of problems for the mother or baby. The LLM's training may not prepare her/him to handle these health issues. **The health issue may call for testing or treatment that the LLM cannot give.** Careful thought and discussion about the safety of an out-of-hospital birth may be needed. A team of health care providers may be better able to handle some health issues. This team may involve LLMs, obstetricians, pediatricians, Certified Nurse Midwives (CNMs), specialists, family doctors, and others.

The mother and her health practitioners should talk about her health issues. Together they can decide on the best plan for her care and for the birth of a healthy baby. Talking about the risks is important and required by the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas, and, as stated by NARM (North American Registry of Midwives) requires that:

**If a midwife supports a client's choices that are outside her Plan of Care, she must be prepared to give evidence of informed consent. The midwife must also be able to document the process that led to the decision and show that the client was fully informed of the potential risk and benefits of proceeding with the new care plan. It is the responsibility of the midwife to provide evidence-based information, clinical expertise, and when appropriate, consultation or referral to other providers to aid the client in the decision making process.**

Both the mother and the LLM must sign this form. Signing the form shows that the LLM and the mother have discussed the risks to both mother and baby of refusing the required test, procedure, treatment, medication, or referral. That discussion must include reviewing material from an ADH-approved source for each requirement being refused by the client. The LLM and the mother must decide on a plan of care for the health issue and that plan must be written on the form.

<b>LLM INFORMATION</b>	
Name:	Arkansas License Number:
CPM #	CPM Expiration Date:
MBC #	
Telephone Number:	Email Address:
<b>CLIENT INFORMATION</b>	
Name:	Date of Birth:
Address:	
Telephone Number:	CLIENT FILE #

***The client must initial each of the following statements:***

I have been told by my LLM that my baby or I should have the following test, procedure, treatment, medication, or referral required by the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas:

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I have been told of the following risks and benefits of the test, procedure, treatment, medication, or referral:

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I understand that my condition may require treatment that my LLM cannot provide.

My LLM and I have developed a plan of care as follows:

Blank lined paper with a large, faint watermark reading "STUDY" diagonally across the page.

Having considered all of my options and understanding the risks of refusing the test, procedure,

Client Signature: \_\_\_\_\_ Date: \_\_\_\_\_

UIM Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Signature: \_\_\_\_\_ Date: \_\_\_\_\_

10-15-15 Monday 2/8/2017 Page 3 of 3



# ARKANSAS DEPARTMENT OF HEALTH

Women's Health

## Application for Lay Midwifery License

Last Name		First	Middle	Social Security Number	
				Date	
				Date	
Street		City		State	Zip
Mailing Address, if different					
Home Phone ( )		Business Phone ( )		Other Phone (cellular, pager, etc.) ( )	
				Email( )	
Date of Birth		Have you attended school, been licensed, or certified under a different name? <input type="checkbox"/> Yes			
<input type="checkbox"/> Male		If yes, what name(s) <input type="checkbox"/> No			
<input type="checkbox"/> Female					
Did you graduate High School? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If No, do you have a GED or High School Equivalency? <input type="checkbox"/> Yes <input type="checkbox"/> No					
From Where? Date Obtained:?					
Highest Grade Completed	Date Completed	Name of High School		Address	State Zip
CPM Certificate #		Expiration Date		MBC Certificate #	
CM (AMCB) Certificate #		Expiration Date			
CNM (AMCB) Certificate #		Expiration Date		CNM License #	Expiration Date
College or Vocational Training Name and Address of School		Dates Attended		Total Credit/ Clock Hours	Date of Diploma Or Certificate
		From To			
		From To			
		From To			

# ARKANSAS DEPARTMENT OF HEALTH

Women's Health

## Application for Lay Midwifery License

Current Health-Related Other-Licenses Name of Trade or Profession	State	License Number	Expiration Date

Have you ever had a license revoked in any health-related field? ☐ Yes ☐ No

If yes, specify:

☐ Yes ☐ No

If yes, specify:

Have you ever been convicted of a felony? ☐ Yes ☐ No

If yes, a detailed statement, a summary of the charges, the final order, any probation or parole documentation, and any other relevant information must be attached and received before your application will be processed.

Please list any other states or territories where you have held a Midwife license and indicate whether or not the license is current:

(Verification of licensure sent from the state where the license is held may be requested.)

Has your application for any professional license, certificate, registration been denied by any state licensing board or federal authority? ☐ Yes ☐ No

If yes, specify:

Practical Experience	As Active Participant	As Primary Midwife	Out of Hospital Births	Hospital Births	Supervisor
Management of Labor and Births					
Initial Prenatal Exams					
Prenatal Exams					
Newborn Evaluation					
Postpartum Evaluations 0 to 5 Hours Postpartum					
Postpartum Evaluations 24 to 72 Hours Postpartum					
Births with ≥4 prenatal exams, birth attendance,					

ARKANSAS DEPARTMENT OF HEALTH

Women's Health

Application for Lay Midwifery License

newborn exam, and postpartum exam					
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The above practical experiences were performed under the supervision of the following individuals:

Full Name and Title of Supervisor	Complete Mailing Address

**ATTACH RECENT  
PHOTOGRAPH HERE**

Passport style taken  
within 60 days prior  
to submission  
of application

I certify that all information given on this application is true and accurate. That in consideration of the issuance to me of a license to practice in Arkansas, I swear that I shall observe, abide by and uphold the laws of the State of Arkansas governing my practice and that I shall abstain from unethical, deceptive and fraudulent methods of practice and from immoral, unprofessional and unethical conduct, and that I shall not associate professionally with nor become a partner or employee of any person who resorts to such practices. I hereby agree that the violation of this oath shall constitute cause sufficient for the revocation of said license and surrender of the rights and privileges accorded me there under.

Signature of Applicant

Date

\*Notarize here if you are an Apprentice applying for the Lay Midwife License

# ARKANSAS DEPARTMENT OF HEALTH

Women's Health

## Application for Lay Midwifery License

### PROCEDURES FOR APPLYING FOR LAY MIDWIFERY LICENSE

Type or print the application and check thoroughly before submitting. An incomplete application will delay processing. All items must be on file before your application will be considered. If any of your application documentation requires additional information the review process may take longer. Apply far enough in advance to allow for processing time.

#### All applicants must submit the following items:

- ☐ 1. Complete application form, including passport style and size photograph, head and shoulders, taken within 60 days of application date.
- ☐ \*2. Notarized copy of the applicant's high school diploma, GED Certificate or documentation of highest degree attained after high school. Must include the name of the issuing school or institution and the issue date.
- ☐ \*3. Notarized copy of one of the following documents that demonstrates the applicant is 21 years of age or older:
  - ☐ A. Birth Certificate
  - ☐ B. U.S. Passport, current or expired
  - ☐ C. U.S. Driver's License or other state-issued identification document
  - ☐ D. Document issued by federal, state or provincial registrar of vital statistics
- ☐ 4. Documentation, if applicable, in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate that applicant is currently certified:
  - ☐ i. By NARM as a Certified Professional Midwife (CPM).
  - ☐ ii. By the American Midwifery Certification Board (AMCB) as a certified nurse midwife (CNM).
  - ☐ iii. By the American Midwifery Certification Board (AMCB) as a certified midwife (CM).
  - ☐ iv. By certification deemed equivalent and approved by ADH.

ADH may request additional documentation to support applicants' qualifications or certifications. It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.
- ☐ 5. Documentation, if applicable, that applicant holds an MBC issued by NARM. Documentation may be received in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate.

#### Applicants with a current Apprentice permit issued prior to the effective date of these Rules must additionally submit the following notarized forms:

- ☐ 1. Clinical Experience Documentation for Births as a Primary Midwife form
- ☐ 2. Preceptor Verification Form
- ☐ 3. Documentation of Acquisition of Clinical Knowledge and Skills (completed by each Preceptor)
- ☐ 4. Copy of both sides of current certification in adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.
- ☐ 5. Copy of both sides of current certification in neonatal resuscitation through a course recognized by NARM. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.

#### NOTE:

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- ADH has the option to request of verification of current required certifications and of other licensure held.
- \*Arkansas Apprentices that have provided this information to the Health Department with apprentice application will not be required to resubmit these items.

Mail all forms and attachments to:  
ARKANSAS DEPARTMENT OF HEALTH  
WOMEN'S HEALTH SECTION, SLOT 16

ARKANSAS DEPARTMENT OF HEALTH

Application for Lay Midwifery License

4815 W. MARKHAM ST.  
LITTLE ROCK, AR 72205

Type or print the application and check thoroughly before submitting. An incomplete application will delay processing.

**The following documentation must be included with the application:**

- \*Copy of High School Diploma, GED Certificate or highest degree obtained.
- Current documentation of a negative TB skin test, negative chest X-ray, or a valid health card.
- \*Date of Rubella Immunization or documentation of rubella immune status.
- Current certification by American Red Cross or American Heart Association to provide cardiopulmonary resuscitation to adults and infants.
- Documents of completion of the clinical requirements by either:
  - Clinical Experience Documentation for Births as Primary Midwife Form, Preceptor Verification Form for Licensed Lay Midwife Application and Documentation of Acquisition of Clinical Knowledge and Skills (completed by each supervising Midwife) documenting the minimal practice experience requirements. (Notary Required) or
  - Verification of attainment of the Certified Professional Midwife credential in the form of a letter from the North American Registry of Midwives or a notarized copy of your CPM certificate.

\*Arkansas Apprentices that have provided this information to the Health Department with apprentice application will not be required to resubmit these items.

**Mail all forms and attachments to:**

FREEWAY MEDICAL BUILDING  
AR DEPT OF HEALTH, WOMEN'S HEALTH  
5800 WEST 10<sup>TH</sup>, SUITE 401  
LITTLE ROCK, AR 72204

# ARKANSAS DEPARTMENT OF HEALTH ~~OF HEALTH~~

## Women's Health

### Lay Midwifery License Renewal

Last Name		First		Middle		Date of Birth Gender		Date	
It is your responsibility to notify us of any change in name or address				Midwife License Number		Social Security Number			
Address (include Street, City, State, Zip)						Home Phone (   )			
						Business Phone (   )			
						Other Phone (pager, etc.) (   )			
Mailing Address, if different from above						Email Address:			
CPM License #				Expiration Date		Midwifery Bridge Certificate #			
CM Certificate #				Expiration Date					
CNM Certificate #				Expiration Date		CNM License #		Expiration Date	
College/Vocational Training Continuing Education <b>since last application</b> (attach copy of diploma/certificate)		Name and Address (City/State) of School or Provider of Continuing Education			Dates Attended		Total Credits/ Clock Hours/ Contact Hours		Date of Diploma Or Certificate
					From _____ To _____				
					From _____ To _____				
					From _____ To _____				
					From _____ To _____				
					From _____ To _____				
					From _____ To _____				
Current Midwifery Licenses other than Arkansas (Verification of licensure may be requested)				State		License Number		Expiration Date	
Other Licenses Now Current Health Related Licenses				State		License Number		Expiration	

Have you ever had a license revoked in any health-related field since last application? ☐ Yes ☐ No

☐ Yes ☐ No

If yes, specify \_\_\_\_\_

Have you ever been convicted of a felony since last application?

☐ Yes ☐ No

If yes, specify \_\_\_\_\_

Has your application for any professional license, certificate, registration been denied by any state licensing board or federal authority?

☐ Yes ☐ No If yes, specify \_\_\_\_\_

That in consideration of the issuance to me of a license to practice in Arkansas, I swear that I shall observe, abide by and uphold the laws of the State of Arkansas governing my practice and that I shall abstain from unethical, deceptive and fraudulent methods of practice and from immoral, unprofessional and unethical conduct, and that I shall not associate professionally with nor become a partner or employee of any person who resorts to such practices. I hereby agree that the violation of this oath shall constitute cause sufficient for the revocation of said license and surrender of the rights and privileges accorded me there under.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

#### INSTRUCTIONS

Type or print the application and review thoroughly before submitting. An incomplete application will delay processing. The following documentation must be included with the application:

1. Copy of certificate in Cardio-Pulmonary Resuscitation (infant and adult) showing expiration dates.
2. Current documentation of a negative TB skin test, negative chest x-ray or a valid health card.
3. Documentation of hours of continuing education obtained (LMW-Reg-304.02)

Mail all forms and attachments to:

FREEWAY MEDICAL BUILDING  
AR DEPT OF HEALTH, WOMEN'S HEALTH  
5800 WEST 10<sup>TH</sup>, SUITE 401  
LITTLE ROCK, AR 72204

### PROCEDURES FOR APPLYING FOR RENEWAL OF LAY MIDWIFERY

#### LICENSE

Lay midwifery licenses are valid for up to three (3) years and are renewed on August 31 of the third year of licensure. Applications are due 60 days prior to that date.

In order to be reviewed an application for renewal must be complete and accompanied by all supporting documentation. **Type or print the application and review thoroughly before submitting. An incomplete application will delay processing.**

**All applicants must submit the following items before your application will be considered:**

1. Complete application form.
2. Copy of certificate documenting completion of ADH exam on the Arkansas Rules with a score of 80% or higher. Instructions for taking the exam are available from ADH.
3. Documentation, if applicable, in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate that applicant is currently certified.



- ☐ a. By NARM as a certified professional midwife (CPM).
- ☐ b. By the American Midwifery Certification Board (AMCP) as a certified nurse-midwife (CNM).
- ☐ c. By the AMCP as a certified midwife (CM).
- ☐ d. By certification deemed equivalent and approved by ADH.

ADH may request additional documentation to support applicant's qualifications or certifications. 4. Verification of Midwifery Bridge Certificate (MBC), if held and not previously submitted. Documentation may be received in the form of a verification letter directly from NARM or a notarized copy of the applicant's certificate.

**For applicants who are LLMs who have been continuously licensed in the state of Arkansas prior to the effective date of these Rules, and who have never received certification from NARM as a CPM, the following requirements must be met:**

- ☐ 1. Documentation of hours of continuing education obtained (LLM Rules, Section 202.#2.d.) Documentation must include a copy of the diploma or certificate and the following:
  - a. Type of training: College, Vocational Training, Continuing Education
  - b. Name of institution
  - c. Name of course
  - d. Dates attended (from-to)
  - e. Total number of credits/clock hours/contact hours
  - f. Date of diploma or certificate
- ☐ 2. Notarized copy of both sides of current certification adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross.
- ☐ 3. Notarized copy of both sides of current certification in neonatal resuscitation through a course recognized by NARM.

**NOTE:**

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.
- ADH has the option to request verification of current required certifications and of other licensure held.

**Mail all forms and attachments to:**  
**ARKANSAS DEPARTMENT OF HEALTH**  
**WOMEN'S HEALTH SECTION, SLOT 16**  
**4815 W. MARKHAM ST.**  
**LITTLE ROCK, AR 72205**



**Arkansas Department of Health**  
**Instructions for Completing**  
**LLM Required Reports**

**Caseload and Birth Log**

The Licensed Lay Midwife Caseload and Birth Report Log is required under Section ~~Refer to Section~~ 7500 of the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas (date)2007. ~~The Midwife Caseload and Birth Log, and Complications Report forms are~~ is provided ~~by~~ available from the Arkansas Department of Health (ADH).

The Licensed Lay Midwife Caseload and Birth Report Log is designed to be a perpetual report, so that the same form may be copied and re-submitted on a monthly basis until the pages ~~is~~ are full and a new ~~pages~~ page is started (each page allows for listing 17 clients). ~~Accurate spelling of the client's name is required.~~ A new Caseload and Birth Report Log is opened each January 1. The current undelivered caseload will be carried over to a new birth log for the January 1 report. The report must be dated, completed and submitted monthly even if there is no new activity that month and must be ~~Mail a copy of the Log to the Department postmarked no later than the 10<sup>th</sup> of each the month. It is not necessary to mail a copy of the Log for a month that has none of the reportable events listed below.~~

The report consists of 2 pages:

- **Coversheet:** A continuous record of the year's activity. Each column represents one month. A new coversheet is initiated each January.
- **Caseload List:** Each page provides room for listing clients. Please copy and add additional sheets as needed. Each January, a caseload list of undelivered clients is submitted as the initial caseload for the calendar year.

~~Use~~ The Caseload and Birth Report Log is used to report the following:

1. Women who receive prenatal care from the ~~lay midwife~~ LLM for more than one month of the gestation period regardless of whether or not the ~~lay midwife~~ LLM attended the birth.
  - a. ~~You may e~~ Enter the name and estimated due date on the Log at the time any point a the client enters into receives more than one month of care of the LLM.
  - b. Enter the date the Disclosure Form is signed by client and LLM.
  - b.c. ~~ADH~~ The Division requires requests that all clients receiving care be listed on the Log by 36 weeks gestation in order to establish statistically reliable data for annual reports.
2. Clients who are referred for care, transferred to another provider, transported, lost to follow-up (or leave LLM midwife care), or for other reasons are not attended by the LLM midwife at birth.
3. Consultations between the ~~lay midwife~~ LLM and a physician, ~~or~~ CNM or an ADH clinician to discuss the status and future care of the client.
4. Labors/births attended by the ~~midwife~~ LLM.
5. Apprentice name when apprentice participates in the client's birth care.

On the Caseload List, the boxes for reporting Consults/Referrals and Transport or Hospitalization of Mother and/or Newborn shall be completed as follows:

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**Instructions for Completing**  
**LLM Required Reports**

- In the box write in the appropriate letter to indicate if it is a consult (C), referral (R) or transport for the mother (M), newborn (N) or both (B) and the date of the event.

Example: For a Consult :                      For a Maternal Transport:

C 2/17/2017

M 2/17/2017

### **Incident Report**

~~Use the Complications~~ The Incident Report form is used to document incidents or complications and must be submitted to ADH, postmarked the Division by the 10th of the month for the following. Please note that there is a different reporting time-frame for some complications. Refer to section 8 below or Rules section 400 for details. When a second page is needed to provide a comprehensive report, attach and number the second page. Do not write or record anything on the back of any pages.

The following events must be documented:

- ~~1. 1.~~ **Consultations (consults) and Referrals.** Refer to Rules and Regs (definitions 103.10 and 103.22204); Consultation is ~~occurs between the licensed lay midwife and a physician or CNM discussing the status and future care of the client and may result in a Referral (definition 214) in which the client receives an office visit for evaluation and determination of future care. the process by which an LLM who maintains primary management responsibility for the client's care, seeks the advice of a physician, CNM, or ADH clinician. This may be by phone, in person or by written request. The physician, CNM, or ADH clinician may require the client to come into their office for evaluation. Referral is the process by which the client is directed to a physician, CNM or ADH clinician for management of a particular problem or aspect of the client's care, after informing the client of the risks to the health of the client or newborn.~~

A consultation or referral for a complication must be documented in the client record and Incident Report whether or not a Referral, Transfer or Transport becomes necessary (Item 700). Consultation and/or Referral is required for:

- a. Pre-existing conditions listed in the Rules and Regs Item section 406.01303.02
- b. Prenatal conditions listed in 406.02303.03
- c. Intrapartum conditions listed in 407.02305.02
- d. Postpartum conditions listed in 408.02307.02
- e. Newborn conditions listed in 4309.02
- f. Other problems not specified in the protocol in which there are significant deviations from normal (noted in 406 and 600)

~~2.~~

~~3.~~

~~4.~~

- ~~5. 2.~~ **Transfers.** Refer to Rules and Regs (definition 216)103.22: ~~occurs when complications arise beyond the scope of midwife practice defined in the regulations. The process by which the LLM relinquishes care of her client for pregnancy, labor, delivery, or postpartum care to a physician,~~

Arkansas Department of Health  
Instructions for Completing  
LLM Required Reports

CNM or ADH clinician, after informing the client of the risks to the health or life of the client. A transfer may result from a consultation and/or referral for a complication, or may occur for social reasons (relocation, preference for another provider, preference for a hospital birth, financial reasons, et al). The delivery date for transfers is recorded when known by the midwifeLLM. Transfers resulting from complications include:

2.           

a. ~~a)~~ Conditions that preclude midwifeLLM care listed in 303.01 (406.01, 407.01, 408.01, 409.01)

a.           

b. ~~b)~~ Recommendation of the consultant (physician, CNM, ~~Department~~ADH clinician) following a risk assessment, consultation or referral

b. ~~1~~

e. Other conditions as determined by the midwifeLLM

c.           

**6. Immediate**

~~7. 3. Transports. Refer to Rules and Regs (definitions 206 and 207):~~ Occurs when the client must be taken to a medical facility by the most expedient method of transportation available, to obtain treatment or evaluation is necessary for an emergency condition or complication for mother or babe, and includes:

3.           

a. ~~Antepartum Conditions (406.01, 406.02)~~

~~8. Intrapartum conditions, Rules section- 305.01 (407.01, 407.02)~~

a.           

~~9. Postpartum conditions, Rules section- 307.01 (408.01, 408.02)~~

b.           

~~10. Newborn conditions, Rules section 309.01 (409.01, 409.02)~~

c.           

b. Other conditions as determined by the midwifeLLM

d.           

4. **LLM Terminated Care.** Refer to Rules section 301.01.

5. **Informed Refusals.** LLMs who have a current CPM or MBC credential must utilize the ADH Informed Refusal Form in specific situations outlined in the Rules section 104, #4-8. The Informed Refusal Form must be completed according to Rules section 104, #8.c - #8.f, which includes the requirement for the LLM to document the Informed Refusal by completing an

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LLM Required Reports

Incident Report form and noting the Informed Refusal on the next Caseload and Birth Report Log to be submitted to ADH. The form is maintained in the client record and a copy does not have to be submitted with the required monthly reports.

6. **Third Risk Assessment (Post Dates).** Refer to Rules section 302.01 (3) and 303.01 (5).  
Between 41 weeks and 0/7 days and 42 weeks and 0/7 days of gestation, a third risk assessment is required. A documented plan for care beyond 42 weeks 0/7 days gestational age must be submitted to the ADH as a required incident report.
7. **Emergency Measures.** Refer to Rules section 400. Refers to emergency measures taken by the LLM when the attendance of a physician or CNM cannot be speedily secured. Unauthorized emergency measures must be reported by the LLM. Physician- or CNM-authorized emergency measures must be reported with documentation of the physician or CNM signed orders.
8. **4. Perinatal Hospitalization or Death.** Refer to Rules and Regs section 400.
  - a. Complications resulting in intrauterine fetal death, or maternal or newborn death the death of a mother, infant, or fetus within 4824 hours of delivery must be reported to the Department ADH within two (2) working business days.
  - b. The client information should appear on the Caseload for the month but the Perinatal Death Report does not need to be re-submitted. Maternal or newborn deaths that occur between two (2) through thirty (30) days of birth will be reported to ADH within 5 business days.
  - c. Maternal or newborn hospitalizations that occur within thirty (30) days of delivery must be reported to ADH within five (5) business days.

The above reports must be mailed monthly to ADH and postmarked no later than the 10<sup>th</sup> of each month to the following address:

Arkansas Department of Health  
Women's Health Section, Slot 16  
4815 W. Markham

a. \_\_\_\_\_ Little Rock, R 72205





# ARKANSAS DEPARTMENT OF HEALTH

## LLM Monthly Worksheet

FOR ADH USE ONLY  
DATE RECEIVED \_\_\_\_\_  
BY FAX \_\_\_\_\_ BY MAIL \_\_\_\_\_  
NO. CASELOAD PAGES \_\_\_\_\_  
NO. INCIDENT REPORTS \_\_\_\_\_

LLM Name \_\_\_\_\_

Monthly Totals for Year \_\_\_\_\_

Enter the total number of events for each category for each month of the year. Enter 0 (zero) when there are no events in the month reporting. Attach this report form as a cover sheet to the Caseload and Birth Log and all related Incident Reports for the reporting month.

MONTH	NEW CLIENTS	LEFT CARE Non-Medical Reason	LOST CONTACT	TRANSFER CARE for Medical Reason	NUMBER Of CONSULTS	NUMBER Of REFERRALS	TRANSPORTS Mother(M) Newborn(N) Both(B)	Hospitalized within 30 days of Delivery Mother(M) Newborn(N)	Number of Home Births	Number of Hospital Delivery	Number of Incident Reports
JANUARY											
FEBRUARY											
MARCH											
APRIL											
MAY											
JUNE											
JULY											
AUGUST											
SEPTEMBER											
OCTOBER											
NOVEMBER											
DECEMBER											

A copy of the Caseload and Birth Log is submitted monthly listing all clients by 4 weeks of care and postmarked by the 10<sup>th</sup> of the following month. All required incidents that must be reported to the ADH shall be documented on the Incident Report Form in the month they occur and submitted with the Caseload and Birth Log. When necessary to change a name or date on the Caseload and Birth Log, draw a single line through the incorrect entry and write the correct entry beside it. Hospitalization of the mother/newborn within 30 days of delivery must be reported within 5 business days. Complications within 48 hours of delivery that result in death of mother, infant or fetus must be reported to the department within 2 business days. Maternal and/or newborn deaths that occur between 2-30 days of delivery must be reported to the ADH within 5 business days. Submit the Caseload and Birth Log and attachments by the 10<sup>th</sup> of the following month to: Arkansas Department of Health, Women's Health Section, Slot 16, 4815 W. Markham, Little Rock AR 72205.

LLM Monthly Worksheet

Page 1 of 1



# ARKANSAS DEPARTMENT OF HEALTH

## Complications Incident Report

FOR ADH USE ONLY		
Date Received		
By Mail		By Fax
# of Report Pages		

~~Arkansas Department of Health~~  
~~Licensed Lay Midwife~~

<b>LLM Midwife Name:</b> _____ <b>Name:</b> _____	<b>Apprentice</b>
<b>Date of Incident Report:</b> _____ <b>Date of Report:</b> _____	
<b>Client Name:</b> _____ <b>EDD:</b> _____ <b>Delivery/Birth Date:</b> _____	
<b>Midwife-LLM Action:</b> _____ Consultation _____ Referral _____ Transfer _____ Transport _____	
<b>Third Risk Assessment (Post Dates)</b> _____ <b>Authorized Emergency Measures</b> _____ <b>Un-Authorized Emergency Measures</b> _____	
<b>Other Incident:</b> Hospitalization of Mother/Newborn within 30 Days of Delivery _____ Unattended Home Birth _____ <small>(Must report within 5 business days)</small>	
Maternal/Newborn Death within 48 hours Delivery _____ OR Within 2-30 days of Birth _____ <small>(Must report within 2 business days)</small> <span style="float: right;"><small>(Must report within 5 business days)</small></span>	
<b>Describe the Condition identified by the LLM and the Related History that led to the LLM's Action:</b>    	
<b>CPM/MBC Informed Refusal Form</b> _____ <b>Date Signed:</b> _____ <b>List the Refused Requirement(s):</b> _____	

Consultants Name (Physician, CNM, or ADH Clinician): \_\_\_\_\_

Hospital \_\_\_\_\_ Address \_\_\_\_\_ Phone Number \_\_\_\_\_

Telephone Number \_\_\_\_\_

Date of Consultation, Appointment, Transfer or Transport: \_\_\_\_\_

Findings of Consultant: \_\_\_\_\_

Recommendations and Actions of Consultant of the Consultant (for authorized emergency measures attach signed MD/CNM orders): \_\_\_\_\_



Midwife LLM Plan of Care:

Outcome of Care. With delivery of the newborn, include the Method of Birth, Birth Weight, Apgars, any Complications:

In accordance with regulation 700 of the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas 2007 (year) the Complications Reincident Report must be mailed to the Department ADH by the 10<sup>th</sup> of the month following the event; earlier reporting is required for certain events as noted in this form. Enclose the report with the corresponding Caseload and Birth Log for the month. Documentation of medical consults ~~should~~ must be maintained in the client health record and made available upon request.

**ARKANSAS DEPARTMENT OF HEALTH**  
**Preceptor-Apprentice Agreement**  
**For NARM PEP Apprentices**

**Apprentice's name** \_\_\_\_\_

To receive an Apprentice Permit, ~~the apprentice~~ the preceptor must file an Application for Apprentice Permit and submit a signed Preceptor-Apprentice Agreement for each apprentice. The preceptor is responsible for the training of the apprentice and for supervision of the apprentice's performance as an assistant or primary midwife in the attainment of the required clinical experiences and demonstration of skills. The ~~primary~~ preceptor ~~shall~~ should provide instruction prior to the performance of clinical skills, and ~~shall~~ should sign off on the majority of the required clinical experiences and skills. ~~Other qualified preceptors may sign for some of the required clinical experiences and skills.~~

Should ~~the any~~ Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify the ~~ADH~~ Department of Health immediately. An apprentice ~~must~~ may not continue to perform under any other qualified preceptors ~~unless~~ until a signed Preceptor-Apprentice Agreement is on file with ~~ADH~~ the Department.

Apprentices shall follow all applicable Arkansas laws and these Rules.

Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).

Preceptors must meet all preceptor requirements of the North American Registry of Midwives (NARM).

~~Preceptors must be an Arkansas-licensed midwife or certified nurse-midwife, or if outside of Arkansas, preceptors must be licensed by the state of residency as a direct-entry midwife or certified nurse-midwife, or have a Certified Professional Midwife credential from the North American Registry of Midwives.~~

**Apprentice Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_ email: \_\_\_\_\_

**Preceptor Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phones: (h) \_\_\_\_\_  
(c) \_\_\_\_\_ email: \_\_\_\_\_

Licensed by (state) \_\_\_\_\_ date of expiration \_\_\_\_\_

Or CPM number \_\_\_\_\_ - date of expiration \_\_\_\_\_ MBC: Yes ☐ No ☐

In practice as a primary midwife since \_\_\_\_\_ total number of births \_\_\_\_\_

~~If not licensed in Arkansas, provide notarized copy of state license or CPM certificate, or have a verification letter sent by NARM.~~

I agree to provide training in all of the required clinical knowledge and skills, and to supervise by direct, on-site, supervision, all clinical experiences that will have my signature on the clinical documentation experience forms for:

Apprentice's signature \_\_\_\_\_ date \_\_\_\_\_

Signature of Preceptor \_\_\_\_\_ date \_\_\_\_\_

## **APPENDIX B: TRANSITIONAL PROVISIONS AND FORMS**

1. Transitional Apprentices
2. Preceptor-Apprentice Agreement for Transitional Apprentices
3. Apprentice Acquisition of Clinical Skills Form

## TRANSITIONAL APPRENTICES

Apprentices with active permits issued prior to the effective date of these Rules, henceforth referred to as "Transitional Apprentices", will have three (3) years from the date these Rules take effect to successfully complete their apprenticeship and submit an application for lay midwifery licensure to ADH, and request approval to sit for the NARM written examination under the requirements listed in this Appendix. If they have not done so by that date, it will be necessary for the applicant to fulfill the requirements listed in Section 201 (Initial Licensure).

1. The apprentice must submit a signed Preceptor-Apprentice Agreement to ADH within thirty (30) days of signing for each preceptor under which the apprentice trains during the course of their apprenticeship. The ADH Preceptor-Apprentice Agreement form (found in this Appendix) or available on the ADH website) shall be used for this notification.
2. Should the Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify ADH immediately. An apprentice must not continue to perform under any preceptor(s) unless a new signed Preceptor-Apprentice Agreement is on file with ADH.
3. Preceptors must be an Arkansas-licensed midwife or certified nurse-midwife, or if outside of Arkansas, preceptors must be licensed by the state of residency as a direct-entry midwife or certified nurse midwife, or have a Certified Professional Midwife credential from the North American Registry of Midwives.
4. Any changes in the apprentice's contact information must be provided to ADH by the apprentice within thirty (30) days of the status change.
5. Apprentices shall follow all applicable Arkansas laws and these Rules.
6. Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).
7. Permit Renewal

For those apprentices holding valid Apprentice Permits, on or before the effective date of these Rules, the permit must be renewed by the permit's expiration date if necessary. Renewal will only occur upon application and favorable review by ADH. This review

will assure that the lay midwife apprentice is acting under the supervision of the preceptor and in accordance with these Rules. The permit will be valid until three (3) years from the effective date of these Rules. If an apprentice has not obtained Arkansas licensure by that date, the applicant will no longer be considered a transitional apprentice and must follow the guidelines for licensure found in Section 201 (Initial Licensure).

To renew the permit, the Apprentice shall submit the following evidence at least sixty (60) days before the expiration date of the permit:

- a. A completed application (Appendix A).
- b. A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR). Approved CPR courses include the American Heart Association and the American Red Cross. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- c. A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- d. Documentation of clinical experience for the time period covered for the current permit period. This includes progress made toward licensure for those years, i.e. number of antepartum (AP) visits conducted, labor managements and deliveries, newborn evaluations and postpartum examinations conducted under supervision.
- e. Verification of all current Preceptor-Apprentice relationships documented by a Preceptor-Apprentice Agreement form for each preceptor signed within 90 days of application submission.

## 8. Initial Licensure

Transitional apprentices who are approved by ADH to sit for, and who pass, the NARM written examination will be issued a license upon completion of all other requirements.

A transitional apprentice who receives licensure must go through NARM and become certified as a CPM in order to be eligible to renew their license at the end of their initial licensure period. License renewal will follow the procedures outlined in Section 202.

Once the CPM certification is received, a notarized copy of the certificate or a verification letter sent directly from NARM must be submitted to ADH within thirty (30) days of certification.

Eligibility requirements for approval for transitional apprentices to sit for the NARM written examination:

- a. A completed application.
- b. Additional documentation as follows:
  - i. A passport style and size photo of the applicant, head and shoulders, taken within sixty (60) days of the submission date of the application and attached to the application.
  - ii. A copy of one of the following documents that demonstrates the applicant is 21 years of age or older:
    - A. The applicant's birth certificate.
    - B. The applicant's U.S. passport, U.S. Driver's License or other state-issued identification document.
    - C. Any document issued by federal, state or provincial registrar of vital statistics showing age.
- c. A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR). Approved CPR courses include the American Heart Association and the American Red Cross. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.
- d. A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.



- e. Documentation of a high school diploma, or its equivalent, and documentation of the highest degree attained after high school. This documentation should include the name of the issuing school or institution and the date issued. Applicant's name must be the same as on the copy of the diploma or degree. If applicant's name is not the same, applicant must submit proof of name change with application.
- f. Verification of professional health-related licensure in other jurisdictions may be requested by ADH.

## 9. Documentation of Practical Experience

Applicants for licensure must demonstrate competency in performing clinical skills during the antepartum, intrapartum, postpartum, and the immediate newborn periods. Each applicant must successfully complete an evaluation of clinical skills. The applicant must submit a statement that the following minimal practical experience requirements have been performed under the supervision of a physician, CNM, or LLM.

These forms should be submitted only after the applicant has a "pass" on each item, except for certain emergencies that may not occur during a preceptorship. The following required forms must be submitted:

- a. Clinical Experience Documentation for Births as a Primary Midwife form
- b. Preceptor Verification Form for LLM Application
- c. Documentation of Acquisition of Clinical Knowledge and Skills (completed by each Preceptor Midwife)
  - i. The applicant must attend a minimum of 20 births as an active participant.
  - ii. Functioning in the role of primary LLM under direct on-site supervision, the applicant must attend a minimum of an additional 20 births, of these:
    - A. A minimum of 10 must occur in an out-of-hospital setting and
    - B. A minimum of 3 must include at least 4 prenatal exams, birth attendance, the newborn exam, and 1 postpartum exam, each conducted personally by the applicant with direct supervision.
    - C. 75 prenatal exams, including 20 initial exams

D. 20 newborn exams

E. 40 postpartum exams

10. Licensing Examination

- a. After the provisions listed above are satisfactorily completed, the applicant is eligible to take the NARM licensing exam.
- b. Upon receipt of documentation that the applicant has passed the NARM examination the applicant is eligible to take the Arkansas Rules Examination, administered at ADH at least three (3) times each year.
- c. The applicant shall provide proof of identity by a government-issued photographic identification card upon the request of the individual administering the test.
- d. If an applicant scores eighty percent (80%) or higher correct answers on the Arkansas Rules Examination, ADH shall provide to an applicant a written notice of examination results and a license will be issued.

**ARKANSAS DEPARTMENT OF HEALTH**  
**Preceptor-Apprentice Agreement**  
**For Transitional Apprentices**

**Apprentice's name** \_\_\_\_\_

To receive an Apprentice Permit, ~~the apprentice must file an Application for Apprentice Permit and submit a signed Preceptor-Apprentice Agreement for each preceptor under whom they train.~~ The preceptor is responsible for the training of the apprentice and for supervision of the apprentice's performance as an assistant or primary midwife in the attainment of the required clinical experiences and demonstration of skills. The primary preceptor ~~shall~~ should provide instruction prior to the performance of clinical skills, and ~~shall~~ should sign off on the majority of the required clinical experiences and skills. ~~Other qualified preceptors may sign for some of the required clinical experiences and skills.~~

Should ~~the any~~ Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify the ~~ADH~~ Department of Health immediately. An apprentice ~~must~~ may not continue to perform under any ~~other qualified preceptors unless~~ until a signed Preceptor-Apprentice Agreement is on file with ~~ADH~~ the Department.

Apprentices shall follow all applicable Arkansas laws and these Rules.

Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).

~~Preceptors must be an Arkansas licensed midwife or certified nurse midwife, or if outside of Arkansas, preceptors must be licensed by the state of residency as a direct entry midwife or certified nurse midwife, or have a Certified Professional Midwife credential from the North American Registry of Midwives.~~

**Apprentice Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_ email: \_\_\_\_\_

**Preceptor Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_  
(c) \_\_\_\_\_ email: \_\_\_\_\_

Licensed by (state) \_\_\_\_\_ date of expiration \_\_\_\_\_

Or CPM number \_\_\_\_\_ - date of expiration \_\_\_\_\_ MBC: ☐ Yes ☐ No

In practice as a primary midwife since \_\_\_\_\_ total number of births \_\_\_\_\_

If preceptor is not licensed in Arkansas, ~~provide a~~ notarized copy of state license or CPM certificate must be submitted, or ~~have a~~ verification letter sent by NARM directly to ADH.

I agree to provide training in all of the required clinical knowledge and skills, and to supervise by direct, on-site, supervision, all clinical experiences that will have my signature on the clinical documentation experience forms for:

Apprentice's signature \_\_\_\_\_ date \_\_\_\_\_

Signature of Preceptor \_\_\_\_\_ date \_\_\_\_\_

ARKANSAS DEPARTMENT OF HEALTH  
Women's Health

**Apprentice Permit Renewal**

**Renewed permits will be valid until three (3) years from the effective date of the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas.**

Last Name	First	Middle	Date of Birth	Gender	Date
			<input type="checkbox"/> Male <input type="checkbox"/> Female		
<i>It is your responsibility to notify us of any change in name or address</i>			Social Security Number		
Address (include Street, City, State, Zip)				Home Phone (   )	
				Business Phone (   )	
Mailing Address, if different from above				Other Phone (pager, etc.) (   )	
				Email Address	
<del>Other</del> <u>Current Health Related Licenses Now Current</u> Name of Trade or Profession		State	License Number	Expiration Date	
Have you ever had a license revoked in any health-related field <u>since last application</u> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify			Have you ever been convicted of a felony <u>since last application</u> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify		

## INSTRUCTIONS

Type or print the application and review thoroughly before submitting. An incomplete application will delay processing. The following documentation must be included with the application:

1. ~~Copy of certificate in Cardio-Pulmonary Resuscitation (infant and adult) showing expiration date.~~
2. ~~Current documentation of a negative TB skin test, negative chest x-ray, or a valid health card.~~
3. ~~Current Preceptor-Apprentice Agreement.~~
4. ~~Current Clinical Evaluation for Apprenticeship:~~
  - a. ~~Clinical Experience Documentation for Births as an Active Participant~~
  - b. ~~Clinical Experience Documentation for Births as a Primary Midwife~~
  - c. ~~Documentation of Acquisition of Clinical Knowledge and Skills~~

**Mail all forms and attachments to:**

FREEWAY MEDICAL BUILDING  
AR DEPT OF HEALTH, WOMEN'S HEALTH  
5800 WEST 10<sup>TH</sup>, SUITE 404  
LITTLE ROCK, AR 72204

Signature of Applicant

Date

## PROCEDURES FOR APPLYING FOR RENEWAL OF LAY MIDWIFERY APPRENTICE PERMIT For Transitional Apprentices

Transitional Apprentices will have three (3) years from the effective date of the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas to successfully complete their apprenticeship and submit an application for lay midwifery licensure to ADH. If necessary, the apprentice permit may be renewed during this period and will be valid until three (3) years from the effective date of the Rules. The permit must be renewed by the permit's expiration date. All renewal requirements must be received by ADH at least 60 days before the permit's expiration date.

In order to be reviewed an application for renewal must be complete and accompanied by all supporting documentation. Type or print the application and review thoroughly before submitting. An incomplete application will delay processing.

All applicants must submit the following items before your application will be considered:

- ☐ 1. Complete application form.
- ☐ 2. Copy of both sides of current certification in adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- ☐ 3. Copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- ☐ 5. Verification of all current Preceptor-Apprentice relationships documented by Preceptor-Apprentice Agreement forms for each preceptor signed within 90 days of application submission.
- ☐ 6. Notarized documentation of clinical experience for the time period covered for this licensing period. This includes progress made toward licensure that year, i.e. number of AP visits conducted, labor managements and deliveries, newborn evaluations and post-partum examinations conducted under supervision.

**NOTE:**

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- A Preceptor-Apprentice Agreement form must be signed by each preceptor under which the apprentice trains during the course of the apprenticeship and sent to ADH by the apprentice within 30 days of signing. An apprentice shall submit written notice to ADH within 30 days after any change to the relationship with a preceptor.

**Mail all forms and attachments to:**

ARKANSAS DEPARTMENT OF HEALTH  
WOMEN'S HEALTH SECTION, SLOT 16  
4815 W. MARKHAM ST.  
LITTLE ROCK, AR 72205



# Documentation of Acquisition of Clinical Knowledge and Skills

## For Transitional Apprentices Only:

### Instructions for the Documentation of Clinical Experiences:

All apprentices must have a Preceptor-Apprentice agreement on file with ~~ADH~~the Department of Health for each preceptor under whom the apprentice trains. ~~These~~is preceptors ~~is~~are responsible for the training of the apprentice and for the majority of the required clinical experiences. Other midwives licensed in the state of Arkansas may sign for some of the clinical experiences.

~~If any preceptor not licensed in the state of Arkansas is also a signer of any clinical experiences, that preceptor must have a Preceptor-Apprentice agreement on file with the Department. Any preceptor who signs on any portion of the Application must also be identified on the Preceptor Form included with the application.~~

The dates from the first assist to the final primary birth should encompass at least one year.

Preceptors are expected to sign the documentation forms at the time the skill is performed competently. Determination of "adequate performance" of the skill is at the discretion of the preceptor, and multiple demonstrations of each skill may be necessary. Documentation of attendance and performance at births, prenatals, postpartums, etc., should be signed only if mutually agreed that expectations have been met. Any misunderstanding regarding expectations for satisfactory completion of experience or skills should be discussed and resolved as soon as possible.

The preceptor is expected to provide adequate opportunities for the apprentice to observe clinical skills, to discuss clinical situations away from the clients, to practice clinical skills, and to perform the clinical skills in the capacity of a primary midwife, all while under the direct supervision of the preceptor. This means that the preceptor should be physically present when the apprentice performs the primary midwife skills. The preceptor holds final responsibility for the safety of the client or baby, and should become involved, whenever warranted, in the spirit of positive education and role modeling.

Twenty (20) of the 75 prenatal exams are required to be initial exams and include the ~~M~~midwife's prenatal exam, initial interview and history (Appendix B, #9.c.)~~Regulation 402.3).~~

Births as an Active Participant are births where the apprentice is being taught to perform the skills of a midwife. Charting, other skills, providing labor support, and participating in management discussions may all be done in Active Participant births in increasing degrees of responsibility. Catching the baby should be a skill that is taught towards the end of the active participant period, but not counted as a supervised primary. The apprentice does not have to perform all skills at every birth in this category, but should be present throughout labor and birth and should perform at least some skills at every birth. The apprentice should complete most of the active participant births before functioning as Primary Midwife under supervision.

Births as Primary Midwife under supervision means that the apprentice demonstrates the ability to perform all aspects of midwifery care to the satisfaction of the preceptor, who is physically present and supervising the apprentice's performance of skills and decision making. Some skills at these births may be performed by the preceptor or other midwives/apprentices, but the catching of the baby, most skills, and labor management should be performed by the apprentice who is claiming the birth as a primary birth under supervision.

# Documentation of Acquisition of Clinical Knowledge and Skills

\*\*It is recommended that the apprentice make blank copies of all forms in the Application in the event that more space is needed for documentation of clinical experience, or when more preceptors are involved.

## Clinical Experience Documentation for Births as an Active Participant

\*see Preceptor-Apprentice Documentation Information prior to signing this form

Name of Apprentice \_\_\_\_\_

Client Initials	Assist at Initial Midwife Exam	Number of Additional Prenatals	Assist at Birth	Date of birth	Place of birth	Assist Newborn Exam	Number of Postpartum Exams	Supervising Midwife's Signature
Example	Yes	4	Yes	1/3/06	home	Yes	2	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
Minimum required			20					
Your numbers								

## Documentation of Acquisition of Clinical Knowledge and Skills

There are no minimum numbers for any clinicals except assisting at birth, however, it is expected that the supervising midwife will provide training both outside of and during the performance of these other clinicals. The apprentice should provide the number of clinical experiences at which she assisted for each client listed. More than twenty spaces are provided in case some clinicals are performed on clients for which the apprentice does not attend the birth. Put a "yes" or "no" in columns unless a number, date, or other information is required. Do not leave spaces blank. Place of birth: indicate home, birth center, or hospital. Transports may count as an assist if the apprentice assisted during labor at home or birth center prior to transport.

There may be a period of training where the apprentice observes but does not perform assistant activities at clinical experiences. Observations should not be documented as assists.

### Clinical Experience Documentation for Births as Primary Midwife

\*see Preceptor-Apprentice Documentation Information prior to signing this form

Name of Apprentice \_\_\_\_\_

Client Initials	Perform Initial Midwife Exam	Number of Additional Prenatals	Manage Labor and Birth	Date of birth	Place of birth	Perform Newborn Exam	Number of Postpartum Exams	Supervising Midwife's Signature
Example	Yes	8	Yes	1/3/06	home	Yes	2	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
Minimum required	20	55	20			20	40	

# Documentation of Acquisition of Clinical Knowledge and Skills

Your numbers								
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The apprentice should provide the number of clinical experiences at which she assisted for each client listed. More than twenty spaces are provided in case some clinicals are performed on clients for which the apprentice does not attend the birth. Put a "yes" or "no" in columns unless a number, date, or other information is required. Do not leave spaces blank. For at least three clients, the apprentice should have provided a minimum of 4 prenatals, birth, newborn, and 2 postpartum exams.

Place of birth code: please indicate home, birth center, or hospital. **Transports to the hospital may not count toward the 20 required primary births, but may be documented for prenatal exams, etc.**

**Apprentice's name** \_\_\_\_\_

The following skills must be documented by a qualified preceptor as being competently performed by the apprentice. **Performance of the skills includes a demonstration and/or verbal discussion of the knowledge implied by the performance of the skill. Please indicate "by discussion" if skill is not performed.**

The preceptor should **date and initial** each line of any skill she is verifying. More than one preceptor may sign in order to complete the form. All preceptors who sign should also be listed on the Preceptor Verification Form.

## General Skills

Demonstrates use of universal health precautions relevant to midwifery care \_\_\_\_\_  
 Demonstrates appropriate application of aseptic and sterile technique \_\_\_\_\_  
 Demonstrates thorough and accurate documentation of care \_\_\_\_\_

## Pharmacology

Demonstrates knowledge of the benefits and risks of the following and refers for prescription and administration when indicated:  
 Rh Immune Globulin (RhoGam) for an Rh negative mother \_\_\_\_\_  
 Vitamin K & erythromycin for the newborn \_\_\_\_\_  
 Pitocin \_\_\_\_\_  
 Safe use, care, and transport of oxygen \_\_\_\_\_  
 Prophylaxis for Group B Strep \_\_\_\_\_  
 Postpartum Rubella immunization when non-immune \_\_\_\_\_

## Antepartum

### **Assessment Skills:**

Basic health history/OB and gynecological history/family history \_\_\_\_\_  
 Obtains diet history and provides nutritional education \_\_\_\_\_  
 Obtains interval updates of medical history \_\_\_\_\_  
 Evaluates general appearance \_\_\_\_\_  
 Obtains weight and height \_\_\_\_\_  
 Assesses maternal weight gain \_\_\_\_\_  
 Vital signs: temp, pulse, respirations, blood pressure \_\_\_\_\_  
 Urine testing for glucose, protein and nitrites \_\_\_\_\_  
 Examination of the skin for color and appearance \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Examination of the pupils, whites and conjunctiva of the eyes \_\_\_\_\_  
Examination of the thyroid gland for enlargement \_\_\_\_\_  
Examination of lymph glands of the neck and underarm for enlargement \_\_\_\_\_  
Auscultates heart for rate and rhythm \_\_\_\_\_  
Auscultates lungs for abnormal breath sounds \_\_\_\_\_  
Percusses the costovertebral angle for pain \_\_\_\_\_  
Speculum examination of the vagina for color, discharge, leakage of fluid \_\_\_\_\_  
Identifies position, presentation, lie of fetus (Leopold's maneuvers) \_\_\_\_\_  
Assessment of Fetal Heart Rate auscultated by fetascope or doppler \_\_\_\_\_  
Identifies pelvic landmarks, assesses pelvis \_\_\_\_\_  
Measurement of fundal height \_\_\_\_\_  
Estimates fetal size \_\_\_\_\_  
Lower extremities for varicosities \_\_\_\_\_  
Edema of face legs and hands \_\_\_\_\_  
Determines estimated due date \_\_\_\_\_  
Assesses well-being \_\_\_\_\_

### Intervention Skills:

Evaluates knowledge of self- breast exam techniques \_\_\_\_\_  
Instruction of clean catch urine specimen \_\_\_\_\_  
Recognizes the indications for genetic counseling and refers as appropriate \_\_\_\_\_  
Understands and applies knowledge of good eating practices \_\_\_\_\_  
Evaluates and makes recommendations for discomforts of pregnancy \_\_\_\_\_  
Demonstrates knowledge and application of ADA Clinical Practice Recommendations for gestational diabetic screening and diagnosis \_\_\_\_\_  
Demonstrates knowledge of normal and abnormal of required prenatal screening tests \_\_\_\_\_  
Completes pre-delivery home visit \_\_\_\_\_  
Educates regarding home birth supplies \_\_\_\_\_

### Identifies and takes appropriate action including consultation, referral, or immediate transport when indicated and according to LMW Protocols in the following Prenatal situations:

Suspected abnormality on physical examination \_\_\_\_\_  
Size/Date discrepancy \_\_\_\_\_  
Elevated Blood Pressure Readings \_\_\_\_\_  
Abnormal Kick Count \_\_\_\_\_  
Abnormal weight gain or loss \_\_\_\_\_  
Abnormal Prenatal screening tests \_\_\_\_\_  
Symptoms of urinary tract infections \_\_\_\_\_  
Hyperemesis \_\_\_\_\_  
Abnormal Fetal Heart Rate Patterns \_\_\_\_\_  
Absence of Fetal Heart Rate \_\_\_\_\_  
Position other than vertex presentation \_\_\_\_\_  
Preterm labor \_\_\_\_\_  
Symptoms of Ectopic (Tubal )pregnancy \_\_\_\_\_  
Abnormal vaginal bleeding \_\_\_\_\_  
Prolonged or Premature rupture of membranes \_\_\_\_\_

# Documentation of Acquisition of Clinical Knowledge and Skills

Post term pregnancy \_\_\_\_\_

## **Labor and Birth**

### **Assessment Skills:**

Takes history relevant to labor \_\_\_\_\_  
Assesses effacement and dilation of cervix \_\_\_\_\_  
Assesses station of presenting part \_\_\_\_\_  
Assesses fetal lie, position, and descent \_\_\_\_\_  
Assesses uterine contractions for frequency, duration, and intensity \_\_\_\_\_  
At required intervals, monitors and assesses fetal heart rate during and between contractions \_\_\_\_\_

Assesses food and fluid intake and output \_\_\_\_\_  
Assesses maternal well-being and responds appropriately:  
    Vital signs \_\_\_\_\_  
    Emotional well being \_\_\_\_\_  
Assesses labor progress \_\_\_\_\_

### **Intervention Skills:**

Demonstrates basic labor support skills and comfort measures \_\_\_\_\_  
Uses maternal position changes to facilitate labor \_\_\_\_\_  
Demonstrates perineal support and hand techniques for delivery \_\_\_\_\_  
Demonstrates proficiency in assisting normal, spontaneous vaginal birth \_\_\_\_\_  
Supports father and other family members \_\_\_\_\_  
Organizes birth equipment \_\_\_\_\_  
Follows sterile technique \_\_\_\_\_

**Identifies and takes appropriate action including consultation, referral or immediate transport when indicated and according to LMW Protocols in the following Intrapartum situations:**

Abnormal fetal heart rates/patterns \_\_\_\_\_  
Prolapsed cord \_\_\_\_\_  
Breech presentation and birth \_\_\_\_\_  
Face presentation and birth \_\_\_\_\_  
Multiple birth \_\_\_\_\_  
Shoulder dystocia \_\_\_\_\_  
Abnormal bleeding \_\_\_\_\_  
Nuchal hand, arm, or cord \_\_\_\_\_  
Edematous cervical lip \_\_\_\_\_  
Rupture of membranes \_\_\_\_\_  
Meconium stained fluids \_\_\_\_\_  
Abnormal changes in vital signs (maternal) \_\_\_\_\_  
Maternal dehydration and/or exhaustion \_\_\_\_\_  
Prolonged labor in:  
    Primigravida \_\_\_\_\_  
    Multigravida \_\_\_\_\_  
Abnormal progress of labor \_\_\_\_\_  
Symptoms of Pre-eclampsia \_\_\_\_\_  
Suspected fetal death \_\_\_\_\_

# Documentation of Acquisition of Clinical Knowledge and Skills

## Postpartum Period

### **Assessment Skills**

Determines signs of placental separation \_\_\_\_\_  
Assesses placenta for size, structure, completeness, cord insertion, and number of vessels, and color \_\_\_\_\_  
Assesses uterus from birth throughout the immediate postpartum period for height, size, consistency, and retained clots \_\_\_\_\_  
Identifies bladder distention and consults or refers if indicated \_\_\_\_\_  
Assesses and estimates blood loss \_\_\_\_\_  
Assesses lochia: amount, odor, consistency, color \_\_\_\_\_  
Recognizes postpartum hemorrhage \_\_\_\_\_  
Recognizes symptoms of shock \_\_\_\_\_  
Assesses perineum and cervix for lacerations \_\_\_\_\_  
Identifies potential perineal infection or suture breakdown \_\_\_\_\_  
Identifies abnormal uterine size after delivery of placenta \_\_\_\_\_  
Identifies signs of uterine infection \_\_\_\_\_  
Identifies need for Family Planning counseling and refers as indicated \_\_\_\_\_

### **Intervention Skills:**

Appropriately assists with placental delivery \_\_\_\_\_  
Demonstrates competency in repair of 1<sup>st</sup> and 2<sup>nd</sup> degree perineal lacerations \_\_\_\_\_  
Demonstrates plan for referral for extensive lacerations \_\_\_\_\_  
Takes appropriate action for postpartum hemorrhage (fundal massage, bimanual compression, expression of clots, activating emergency transport plan) \_\_\_\_\_  
  
Demonstrates correct maternal positioning for treatment of shock and activates emergency transport plan \_\_\_\_\_  
Instructs the mother on postpartum conditions requiring medical evaluation (i.e. excessive bleeding, increasing pain, severe headaches or dizziness or inability to void) \_\_\_\_\_  
  
Develops guidelines for emergency transport of mother or baby \_\_\_\_\_  
Performs maternal exam at 12-24 hours \_\_\_\_\_  
Performs Postpartum evaluation at 2-6 weeks \_\_\_\_\_

**Identifies and takes appropriate action including consultation, referral or immediate transport when indicated and according to LMW Protocols in the following Postpartum situations:**

Abnormal uterine involution \_\_\_\_\_  
Maternal fever \_\_\_\_\_  
Signs of uterine infection \_\_\_\_\_  
Signs of breast infection \_\_\_\_\_  
Hemorrhage \_\_\_\_\_  
Third and fourth degree lacerations \_\_\_\_\_  
Signs and symptoms of shock \_\_\_\_\_  
Activates emergency transport plan \_\_\_\_\_

## Newborn Care

### **Assessment Skills:**



## Documentation of Acquisition of Clinical Knowledge and Skills

Recognizes signs and symptoms of respiratory distress, possible infection, seizures or jaundice in newborns \_\_\_\_\_

Determines APGAR scores at one and five minutes \_\_\_\_\_

### Performs newborn assessment and evaluation to minimally include:

General appearance \_\_\_\_\_

Alertness \_\_\_\_\_

Flexion of extremities and muscle tone \_\_\_\_\_

Sucking \_\_\_\_\_

Palate: visualization and palpation \_\_\_\_\_

Skin color, lesions, birthmarks, vernix, lanugo, and peeling \_\_\_\_\_

Measurements of length, head and chest circumference \_\_\_\_\_

Weight \_\_\_\_\_

Head: molding, fontanelles, hematoma, caput, sutures \_\_\_\_\_

Eyes: jaundice of whites, pupils, tracking, spacing \_\_\_\_\_

Ears: positioning, responds to sound, appear patent \_\_\_\_\_

Observe chest for symmetry \_\_\_\_\_

Listen to and count heart rate and respirations \_\_\_\_\_

Fingers and toes, normal structure and appearance, creases, prints \_\_\_\_\_

Genitalia: normal appearance, testicle descent in males \_\_\_\_\_

Takes and records temperature \_\_\_\_\_

Takes and records femoral pulse \_\_\_\_\_

Assesses baby for jaundice \_\_\_\_\_

Gestational age assessment and refers for less than 36 weeks gestation \_\_\_\_\_

Performs newborn exam at 24-48 hours \_\_\_\_\_

### Intervention Skills:

Assures that the baby's airway is clear, uses suction when indicated \_\_\_\_\_

Promotes temperature regulation of newborn \_\_\_\_\_

Supports the establishment of emotional bonds among the baby, mother, and family \_\_\_\_\_

Cuts, clamps, and cares for cord \_\_\_\_\_

Collects cord blood when indicated \_\_\_\_\_

Documents administration of eye prophylaxis \_\_\_\_\_

Performs or refers for the state required Newborn Screening test \_\_\_\_\_

Completes Infant Hearing Loss Screening Form \_\_\_\_\_

Educates mother/parents regarding cord care \_\_\_\_\_

Assists mother in establishing breastfeeding \_\_\_\_\_

Provides breastfeeding instruction information \_\_\_\_\_

Instructs mother in normal and abnormal feeding patterns \_\_\_\_\_

Assists with breastfeeding positioning and milk expression \_\_\_\_\_

### Identifies and takes appropriate action including consultation ,referral or immediate transport when indicated and according to LMW Protocols in the following Newborn situations:

Apgar score of less than 5 at one minute or 7 at 5 minutes \_\_\_\_\_

Jaundice at 0-24 hours \_\_\_\_\_

Meconium staining on the skin \_\_\_\_\_

Abnormal heart rate \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Birth weight less than 5 lbs or greater than 10 lbs \_\_\_\_\_  
Abnormal voiding or stool pattern \_\_\_\_\_  
Temperature over 100 or less than 97.7 \_\_\_\_\_  
Abnormal cry \_\_\_\_\_  
Abnormal feeding patterns (vomiting, poor suck, lethargy) \_\_\_\_\_  
Jaundice at 24-48 hours \_\_\_\_\_  
Abnormal respiratory pattern (tachypnea or apnea) \_\_\_\_\_  
Signs of bleeding (i.e. petechia, bruises) \_\_\_\_\_  
Rupture of membranes more than 24 hours before birth \_\_\_\_\_

### Education and Counseling Skills

#### **Interaction, Support and Counseling Skills:**

Understands and applies principles of informed choice \_\_\_\_\_  
Exhibits communication skills with women, peers, other health care providers \_\_\_\_\_  
Functions as women's advocate during pregnancy, birth, and postpartum period \_\_\_\_\_  
Assesses maternal support system \_\_\_\_\_  
Consults with other health care professionals regarding problems \_\_\_\_\_

#### **Basic Prenatal Education**

Understands and can demonstrate knowledge of:  
Emotional and physical changes during pregnancy and postpartum \_\_\_\_\_  
Signs of labor \_\_\_\_\_  
Fetal development \_\_\_\_\_  
Preparing home and family members for birth, as is culturally relevant \_\_\_\_\_  
Preparation for breastfeeding \_\_\_\_\_  
Effects of smoking, drugs, and alcohol consumption \_\_\_\_\_  
Signs and symptoms that necessitate an immediate call to the midwife \_\_\_\_\_  
Preparation for the postpartum period \_\_\_\_\_  
Exploration of fears, concerns, and psycho-social status with family, as appropriate \_\_\_\_\_  
Benefits of exercise \_\_\_\_\_  
Sexuality education appropriate to pregnancy and postpartum \_\_\_\_\_  
Information about required prenatal tests and lab work \_\_\_\_\_  
Circumcision information, as culturally appropriate \_\_\_\_\_  
Information regarding eye prophylaxis \_\_\_\_\_  
Information regarding vitamin K \_\_\_\_\_  
Information regarding the LLM Lay Midwife Newborn Care Kit provided by ADH the Division \_\_\_\_\_  
Information regarding the state required PKU for newborn screening \_\_\_\_\_  
Information regarding the Newborn Screening test \_\_\_\_\_  
Information regarding Screening for Infant Hearing Loss \_\_\_\_\_

### Record Keeping and Forms

## Documentation of Acquisition of Clinical Knowledge and Skills

Demonstrates knowledge on completion of the Birth Certificate \_\_\_\_\_

Demonstrate knowledge on completion of the Acknowledgement of Paternity \_\_\_\_\_

Affidavit \_\_\_\_\_

Demonstrate knowledge of ~~LLM~~Licensed Midwife Caseload and Birth Log and ~~ADH~~Division submission requirements \_\_\_\_\_

Demonstrate knowledge of ~~Complication Incident~~ Report and ~~ADH~~Division submission requirements \_\_\_\_\_

Understand components of Emergency Back-up Plans \_\_\_\_\_

Understand components of ~~LLM~~Lay Midwife Disclosure Form \_\_\_\_\_

Understand the ~~LLM~~Lay Midwife record keeping requirements \_\_\_\_\_

Understand the ~~ADH~~Division record audit requirements \_\_\_\_\_

Understand requirements for CLIA certification to perform laboratory tests \_\_\_\_\_

By signing this form for the Documentation of Acquisition of Clinical Knowledge and Skills, I recognize that I have completed the orientation process for each of the skills listed. I have demonstrated knowledge, understanding and competency in the skills and procedures as verified thru demonstration or discussion by my supervising preceptor(s). I have demonstrated knowledge of and adherence to the Rules and Regulations Governing the Practice of Licensed Lay Midwifery in Arkansas.

\_\_\_\_\_  
Signature of Preceptor

\_\_\_\_\_  
date

\_\_\_\_\_  
Signature of Apprentice

\_\_\_\_\_  
date

**\*Notarize here if you are an Apprentice applying for the Lay Midwife License**

Notary seal for verification of preceptor's signatures:

## Documentation of Acquisition of Clinical Knowledge and Skills

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
date signed

\_\_\_\_\_  
date of expiration

# Documentation of Acquisition of Clinical Knowledge and Skills

## Preceptor Verification Form for Licensed Midwife Application

All apprentices must have a Preceptor-Apprentice agreement on file with the Department of Health for each preceptor under whom they train. This preceptor is responsible for the training of the apprentice and for the majority of the required clinical experiences. Other midwives licensed in the state of Arkansas may sign for some of the clinical experiences and skills. If any preceptor not licensed in the state of Arkansas is also a signer of any clinical experiences or skills, that preceptor must have a Preceptor-Apprentice Agreement on file with the Department. The following information must be filled out for any preceptor who signs any portion of the Application as documentation of clinical experiences or skills. Preceptors must be licensed in a state as an LM licensed midwife or CNM, or must have the credential Certified Professional Midwife (CPM). Number of births listed below means the number supervised for THIS APPRENTICE, not the total experience of the supervising midwife. Fill out all lines for documentation of clinical experiences, indicating zero if none supervised, before signing.

### Primary Preceptor:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM: ☐ Yes? ☐ No CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

### Additional Preceptors whose signatures are on any of the application forms:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

~~Additional Preceptors whose signatures are on any of the application forms:~~

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

## **APPENDIX C: CEU CALCULATIONS**

3/27/17 DRAFT



## CEU CALCULATIONS

CALCULATIONS FOR NUMBER OF CEUS REQUIRED FOR LLM RENEWAL OF  
LICENSE BASED ON ALL BEING RENEWED IN AUGUST EVERY 3 YEARS.

<u>Months since license was issued</u>	<u>Number of CEUs required</u>
<u>36</u>	<u>30 hours</u>
<u>35</u>	<u>29 hours</u>
<u>34</u>	<u>28 hours</u>
<u>33</u>	<u>27 hours</u>
<u>32</u>	<u>27 hours</u>
<u>31</u>	<u>26 hours</u>
<u>30</u>	<u>25 hours</u>
<u>29</u>	<u>24 hours</u>
<u>28</u>	<u>23 hours</u>
<u>27</u>	<u>23 hours</u>
<u>26</u>	<u>22 hours</u>
<u>25</u>	<u>21 hours</u>
<u>24</u>	<u>20 hours</u>
<u>23</u>	<u>19 hours</u>
<u>22</u>	<u>18 hours</u>
<u>21</u>	<u>17 hours</u>
<u>20</u>	<u>17 hours</u>
<u>19</u>	<u>16 hours</u>
<u>18</u>	<u>15 hours</u>
<u>17</u>	<u>14 hours</u>
<u>16</u>	<u>13 hours</u>
<u>15</u>	<u>12 hours</u>
<u>14</u>	<u>11 hours</u>
<u>13</u>	<u>10 hours</u>
<u>12</u>	<u>10 hours</u>
<u>11</u>	<u>9 hours</u>
<u>10</u>	<u>8 hours</u>
<u>9</u>	<u>7 hours</u>
<u>8</u>	<u>6 hours</u>
<u>7</u>	<u>5 hours</u>
<u>6</u>	<u>4 hours</u>
<u>5</u>	<u>3 hours</u>
<u>4</u>	<u>3 hours</u>
<u>3</u>	<u>2 hours</u>
<u>2</u>	<u>1 hours</u>
<u>1</u>	<u>0 hours</u>

