

A BILL

FOR AN ACT DEFINING THE ART OF MIDWIFERY, DECLARING THE QUALIFICATIONS OF MIDWIVES, AND REGULATING THE PRACTICE THEREOF IN THE STATE OF IOWA, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF, AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT WITH THE PROVISIONS OF THIS ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. It shall be unlawful for any person who is not, at the time of the passage
2 of this act, engaged in the practice of the art of midwifery in this state, to commence such
3 practice without having first obtained and registered the certificate provided by this act;
4 and no person shall be entitled to the certificate herein provided for unless she shall be a
5 graduate of a reputable school of midwifery or institution duly incorporated or established
6 under the laws of Iowa, or someone of the United States or foreign country in good stand-
7 ing, except as hereinafter provided.

Sec. 2. The term school or college of midwifery in good standing shall be defined
2 as follows:

3 A school or college of midwifery incorporated under the laws of the state wherein it
4 is located, and which requires a preliminary examination for admission to its course of
5 study and which requires as a prerequisite for the granting of a diploma authorizing the
6 recipient to engage in the practice of midwifery, an actual attendance at such school or
7 college of not less than six months or two terms of three months each; its course of study
8 to include anatomy, physiology, hygiene, and the entire theory and practice of midwifery
9 as provided in section 13 of this act, and having a full faculty of professors to teach the
0 studies of its course.

Sec. 3. All graduates who shall be engaged in practice of the art of midwifery at the
2 time of the passage of this act, shall within six months thereafter present to the state
3 board of medical examiners their diplomas for verifications as to its genuineness. If the
4 diploma is found genuine and from a reputable school of midwifery, or institution duly
5 incorporated or established under the laws of Iowa, or some one of the United States or for-
3 eign country, in good standing, and if the person named therein be the person claiming and
7 presenting the same, the state board of medical examiners shall issue a certificate to the

8 effect, signed by all the members thereof, and such certificate shall be conclusive as to the
9 right of the lawful holder of the same to practice midwifery in this state.

Sec. 4. Every person not a graduate and practicing midwifery in this state for the last
2 ten years, five years of which time shall have been in one locality, shall furnish the state
3 board of medical examiners satisfactory evidence of such practice, and shall within six
4 months from the passage of this act present herself before said board and submit herself
5 to such examination as the board may require, and if the examination be satisfactory to the
6 board, the said board shall issue its certificate in accordance with the facts, and the lawful
7 holder of such certificate shall be entitled to all rights and privileges herein mentioned.

Sec. 5. Certificates shall be signed by all the members of the board, and the secretary
2 of the board shall receive from the applicant a fee of three dollars (\$3) for each certificate.
3 All such fees for certificates shall be paid by the secretary into the treasury of the board.

Sec. 6. Verifications of diplomas—Affidavit.—The verification of the diploma shall
2 consist of the affidavit of the holder and the applicant, that she is the lawful possessor of
3 the same and that she is the person therein named. Such affidavit may be taken before any
4 person authorized to administer oaths, the same shall be attested under the hands and seal
5 of such officer, if he have a seal; and any person swearing falsely in such affidavit shall be
6 deemed guilty of perjury and punished accordingly.

Sec. 7. Graduates may present their diplomas and affidavit, as provided in this act, by
2 letter or proxy, and the state board of medical examiners shall issue its certificate the same
3 as though the owner was present.

Sec. 8. Examination by board.—All examinations of persons not graduates or licen-
2 tiates shall be made directly by the board at such time and place as they shall deem best,
3 and due notice of time and place of the meetings for examination shall be given to every
4 applicant, and the certificate given by the board shall authorize the possessor to practice
5 the art of midwifery in the state of Iowa. It shall be the duties of the board of medical
6 examiners to keep a full record of all the acts and proceedings, and of all certificates granted
7 thereby, and it shall be the duty of the said board to see that all the provisions of this act
8 are strictly enforced.

Sec. 9. Certificates to be recorded.—Every person holding a certificate from the
2 state board of medical examiners shall have it recorded in the office of the clerk of the
3 county in which she resides before engaging in practice, and the date of recording shall be
4 endorsed thereon.

Sec. 10. Any person removing to another county for practice shall record the certificate
2 in like manner in the county to which she removes, and the holder of the certificate shall
3 pay to the county clerk the usual fee for making the records.

Sec. 11. Book to be kept.—The county clerk shall keep in a book provided for the purpose a complete list of certificates recorded by him, with the date of the issue of the same. The register of the county clerk shall be open to the public inspection during business hours.

Sec. 12. Fee for examination.—The fees for examination of non-graduates shall be twenty dollars (\$20), and such fees shall be paid by the applicant into the treasury of the board to be applied by said board toward defraying the expenses thereof. If any applicant fails to pass examination her fee shall not be returned, but she shall be entitled to another chance within twelve months. Upon successfully passing the examination the certificate of the board shall be issued to the applicant.

Sec. 13. Character of examination.—Examination may be made in whole or in part in writing in the following branches:

1. Anatomy of the pelvis and of the generative organs of women.
2. Physiology of mensuration and conception
3. The signs of pregnancy.
4. Mechanism of labor.
5. Puerperal hygiene and antiseptic.
6. Management of normal labor.
7. Special care of mother and infant in puerperian only.

Sec. 14. An applicant who desires the examination conducted in any other than the English language must furnish an interpreter at her own expense.

Sec. 15. Result of examination.—Seventy-five (75) per cent of correct answers shall be required to pass.

Sec. 16. Refusal or revocation of certificate.—The state board of medical examiners shall refuse to issue the certificate to individuals guilty of unprofessional or dishonorable conduct, and it may revoke such certificate for like causes; provided, that they have given the person an opportunity to be heard in her defense.

Sec. 17. Definition of practicing midwife.—Every person shall be regarded as a practicing midwife, within the meaning of this act, who shall, for a fee or salary or other reward, paid either to her or to another person, or who shall publicly profess to be a midwife to assume the duties thereof, and who shall deliver a pregnant woman, at the expiration of her full term, in the vertex presentation with its four positions, as follows, viz:

1. Left occipite anterior.
2. Right occipite anterior.
3. Right occipite posterior.
4. Left occipite posterior.

10 And no person except a regularly qualified and practicing physician shall deliver a preg-
11 nant woman in any other position than named in this section, under the penalties provided
12 for a violation of this act. *Provided*, however, that nothing in this act shall be so construed
13 as to prevent a regularly qualified midwife from assisting such patient to the best of her
14 ability in an emergency until the physician arrives and takes charge of the case.

Sec. 18. It shall be the duty of every practicing midwife to immediately call a regularly
2 qualified and practicing physician to her assistance upon discovery of any abnormal presen-
3 tation, such as breech, face and transverse position.

Sec. 19. No midwife shall treat, operate or prescribe for any physical ailment of any
2 other than a woman in puerperium, or infant, nor shall such midwife administer at any time
3 to any one, any drug, nostrum, ointment or appliance of any kind intended for the treatment
4 of disease or injury, except such remedies as carbolic acid, boracic acid, or any other anti-
5 septic for use of the art of midwifery for disinfection purposes, and such other remedies as
6 may be authorized and prescribed by action of the state board of medical examiners.

Sec. 20. It shall be the duty of every practicing midwife, in every case of any disturb-
2 ance in or after a natural delivery, such as post partum hemorrhages, placenta praevia or
3 puerperal fever, to call at once, on discovery of such condition, a regularly and practicing
4 physician.

Sec. 21. Penalty.—Any person not possessing the qualifications for the practice of the
2 art of midwifery required by the provision of this act, who shall engage in the practice of
3 the art of midwifery in this state, shall be deemed guilty of a misdemeanor, and on convic-
4 tion thereof shall be fined in any sum not less than fifty dollars (\$50) nor more than two
5 hundred dollars (\$200) and the costs of prosecution for each offense, and shall stand commit-
6 ted until such fine and costs are paid.

Sec. 22. Any person filing or attempting to file as her own the diploma or certifi-
2 cate of another, or a forged affidavit of indentification, shall be deemed guilty of a felony,
3 and upon conviction thereof shall be subject to such fine and imprisonment as are made and
4 provided by the statues of this state for the crime of forgery, and it shall be the duty of the
5 district attorney in each county to prosecute violations of this act.

Sec. 23. All acts or parts of acts, so far as they conflict with the provisions of
2 this act, are hereby repealed.