

Boddicker, Ch  
Foegle  
Reynolds

HSB 701

HUMAN RESOURCES

SUCCESS  
S 02498

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON BODDICKER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act providing registration requirements for direct entry  
2 midwives and establishing a midwifery advisory council.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 147B.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Council" means the midwifery advisory council  
5 appointed by the director of the Iowa department of public  
6 health to develop and adopt rules relating to the practice of  
7 direct entry midwifery.

8 2. "Department" means the Iowa department of public  
9 health.

10 3. "Director" means the director of the Iowa department of  
11 public health.

12 4. "Practice of direct entry midwifery" means the  
13 provision of midwifery services including advising, attending,  
14 or assisting a woman during pregnancy, labor, childbirth, or  
15 the postpartum period by a person who is not licensed to  
16 practice under chapter 148, 150, 150A, or 152.

17 Sec. 2. NEW SECTION. 147B.2 AUTHORIZATION AND PURPOSE.

18 The purpose of this chapter is to legalize the practice of  
19 direct entry midwifery, and to provide for the registration  
20 and regulation of persons providing direct entry midwifery  
21 services.

22 Sec. 3. NEW SECTION. 147B.3 REGISTRATION -- RENEWAL.

23 1. The department, upon application and receipt of the  
24 prescribed fee, shall issue a certificate to an individual who  
25 has met all of the requirements for registration as a  
26 certified professional midwife or a certified midwife  
27 established by rules adopted under section 147B.6, based on  
28 the recommendations of the council pursuant to section 147B.4.

29 2. Registration certificates shall be valid for the  
30 multiyear period determined by the department, unless sooner  
31 suspended or revoked. The certificate shall be renewed upon  
32 application of the holder and receipt of the prescribed fee if  
33 the holder has satisfactorily completed continuing education  
34 programs as required by rule.

35 3. The department may, based upon recommendations of the

1 council, deny an application for issuance or renewal of a  
2 registration certificate, or suspend or revoke the certificate  
3 if the department finds that the applicant or certificate  
4 holder is guilty of acts or offenses to be determined by rule.  
5 A denial, suspension, or revocation under this section shall  
6 be carried out and may be appealed in accordance with the  
7 rules of the department established pursuant to chapter 272C.

8 Sec. 4. NEW SECTION. 147B.4 COUNCIL ESTABLISHED -- TERMS  
9 OF OFFICE.

10 1. A midwifery advisory council shall be appointed by the  
11 director. Membership of the council shall be comprised of two  
12 physicians licensed to practice medicine in the state of Iowa  
13 pursuant to chapter 148 or 150A, one of which shall be a  
14 board-certified obstetrician and the other of which, at the  
15 discretion of the director, shall be either a board-certified  
16 pediatrician or a board-certified family practice physician;  
17 one certified nurse midwife licensed pursuant to chapter 152;  
18 two certified professional midwives or certified midwives  
19 registered pursuant to the provisions of this chapter; and two  
20 members who shall represent the general public.

21 2. The council shall advise the director and develop  
22 recommendations for the adoption of rules by the department  
23 regarding regulation of the practice of direct entry midwifery  
24 and development of clinical practice protocols.

25 a. Recommendations by the council relating to the  
26 regulation of the practice of direct entry midwifery shall  
27 include, but not be limited to, the following:

28 (1) Development of registration requirements. An  
29 applicant shall be eligible for registration as a certified  
30 professional midwife if the applicant is recognized by the  
31 north American registry of midwives as a certified  
32 professional midwife, or shall be eligible for registration as  
33 a certified midwife if recognized by the American college of  
34 nurse midwives as a certified midwife. An applicant for  
35 registration who is recognized as a certified midwife by the

1 American college of nurse midwives shall possess stipulated  
2 home birth experience as outlined by the north American  
3 registry of midwives. Registration requirements as a  
4 certified professional midwife and as a certified midwife  
5 shall also include current certification in a neonatal  
6 resuscitation program.

7 (2) Development of protocols for a review of clinical  
8 practice procedures established pursuant to paragraph "b" of  
9 this subsection.

10 (3) Development of protocols for disciplinary action,  
11 pursuant to section 147B.3, subsection 3.

12 (4) Determination of procedures regarding data collection  
13 and data submission that include risk assessment and outcomes  
14 data related to both a mother and child receiving the services  
15 of a midwife registered pursuant to this chapter.

16 b. Recommendations by the council relating to the  
17 development of clinical practice protocols shall include, but  
18 not be limited to, the following:

19 (1) Mandatory consultation with a licensed provider of  
20 obstetric services or certified nurse midwifery for risk  
21 assessment at least two times during a pregnancy.

22 (2) A mandatory statement by a midwife registered pursuant  
23 to this chapter that a client is strongly encouraged to seek  
24 consultation with a licensed provider of child health services  
25 for an infant within a week following the infant's birth.

26 (3) Rigorous and ongoing risk assessment with mandatory  
27 consultation or referral to either a licensed provider of  
28 obstetric services, a certified nurse midwife, or a licensed  
29 provider of child health services as determined appropriate by  
30 a midwife registered pursuant to this chapter.

31 (4) Obtaining written, informed consent which includes a  
32 written emergency backup plan.

33 (5) Restriction of the scope of practice protocol  
34 applicable to a certified professional midwife which excludes  
35 the authority to prescribe drugs and to order diagnostic

1 testing.

2 Sec. 5. NEW SECTION. 147B.5 MEETINGS OF THE COUNCIL --  
3 QUORUM -- EXPENSES.

4 Membership, terms of office, quorum, and expenses relating  
5 to the midwifery advisory council shall be determined by the  
6 director pursuant to chapter 135.

7 Sec. 6. NEW SECTION. 147B.6 RULEMAKING AUTHORITY.

8 The department shall adopt rules under this chapter, based  
9 upon the recommendations of the council, pursuant to section  
10 147B.4.

11 Sec. 7. NEW SECTION. 147B.7 LIABILITY.

12 Persons licensed under chapters 148, 150, 150A, and 152,  
13 and other licensed health care providers shall not be held  
14 liable for the acts or omissions of a certified professional  
15 midwife or certified midwife when they render birth-related  
16 services to the client of a certified professional midwife.

17 The liability of those licensed individuals in rendering care  
18 or assistance in good faith to a client of a certified  
19 professional midwife or certified midwife is limited to  
20 damages caused by the licensed individual's own gross  
21 negligence or willful or wanton acts or omissions.

22 Sec. 8. NEW SECTION. 147B.8 PROHIBITION -- CRIME.

23 A person required to register by this chapter who practices  
24 as a certified professional midwife or a certified midwife  
25 without having obtained the appropriate registration  
26 certificate under this chapter is guilty of a serious  
27 misdemeanor.

28 EXPLANATION

29 This bill provides registration requirements for  
30 individuals engaged in the practice of direct entry midwifery,  
31 and establishes a midwifery advisory council.

32 The bill defines the practice of direct entry midwifery to  
33 refer to the provision of midwifery services including  
34 advising, attending, or assisting a woman during pregnancy,  
labor, childbirth, or the postpartum period by a person who is

1 not licensed to practice under Code chapter 148, 150, 150A, or  
2 152.

3 The bill provides that the department of public health,  
4 upon application and receipt of a prescribed fee, shall issue  
5 a certificate of registration to an individual who has met all  
6 of the requirements for registration as a certified  
7 professional midwife or a certified midwife established by  
8 departmental rules based on the recommendations of a midwifery  
9 advisory council. The bill provides that the council shall be  
10 appointed by the director of the department of public health.  
11 Membership of the council shall be comprised of two physicians  
12 licensed to practice medicine in the state of Iowa pursuant to  
13 Code chapter 148 or 150A, one of which shall be a board-  
14 certified obstetrician and the other of which at the  
15 discretion of the director shall be either a board-certified  
16 pediatrician or a board-certified family practice physician;  
17 one certified nurse midwife licensed pursuant to Code chapter  
18 152; two certified professional midwives or certified midwives  
19 registered pursuant to the provisions of this chapter; and two  
20 members who shall represent the general public.

21 The bill provides that the council shall advise the  
22 director and develop recommendations for the adoption of rules  
23 by the department regarding regulation of the practice of  
24 direct entry midwifery. The bill provides that this shall  
25 include the development of registration requirements. An  
26 applicant shall be eligible for registration as a certified  
27 professional midwife if recognized by the north American  
28 registry of midwives as a certified professional midwife, or  
29 shall be eligible for registration as a certified midwife if  
30 recognized by the American college of nurse midwives as a  
31 certified midwife. The bill provides that an applicant for  
32 registration who is recognized as a certified midwife by the  
33 American college of nurse midwives shall possess stipulated  
34 home birth experience as outlined by the north American  
35 registry of midwives, and that registration requirements for

1 both certified professional midwives and certified midwives  
 2 shall also include current certification in a neonatal  
 3 resuscitation program. The bill provides that the council  
 4 shall also develop protocols for a review of clinical practice  
 5 procedures and for disciplinary action, and that the council  
 6 shall determine procedures regarding data collection and data  
 7 submission that include risk assessment and outcomes data  
 8 related to both a mother and child receiving the services of a  
 9 midwife registered pursuant to this chapter.

10 The bill additionally provides that the council make  
 11 recommendations regarding the development of clinical practice  
 12 protocols. The protocols shall include, but not be limited  
 13 to, mandatory consultation with a licensed provider of  
 14 obstetric services or certified nurse midwifery, a mandatory  
 15 statement encouraging a client to seek consultation with a  
 16 licensed provider of child health services for an infant,  
 17 ongoing risk assessment, the obtaining of written informed  
 18 consent, and the restriction of the scope of practice protocol  
 19 applicable to a certified professional midwife to exclude  
 20 authority to prescribe drugs and order diagnostic testing.

21 The bill provides that licensed physicians and surgeons,  
 22 licensed osteopaths, licensed osteopathic physicians and  
 23 surgeons, licensed nurses, and other licensed health care  
 24 providers are not liable for acts or omissions of a certified  
 25 professional midwife or certified midwife when they are  
 26 providing assistance to the certified professional midwife or  
 27 certified midwife. Any liability is limited to damages caused  
 28 by gross negligence or willful or wanton acts or omissions.

29 The bill provides for the renewal of registration  
 30 certificates upon application and receipt of the prescribed  
 31 fee if the registrant has satisfactorily completed continuing  
 32 education programs to be established by rule. The bill  
 33 further provides that an application for issuance or renewal  
 34 of a registration certificate may be denied, revoked or  
 suspended by the department under circumstances to be

HSB 701

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 determined by rule. The bill provides that a nonregistered  
2 individual who is not excluded from the requirements for  
3 registration and who practices as a certified professional  
4 midwife or a certified midwife without having obtained a  
5 registration certificate shall be guilty of a serious  
6 misdemeanor.

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3/21/00 Removed from Calendar

FEB 29 2000  
Place On Calendar

HOUSE FILE **2498**  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 701)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing registration requirements for direct entry  
2 midwives and establishing a midwifery advisory council.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

**HOUSE FILE 2498**

**H-8159**

1 Amend House File 2498 as follows:  
2 1. Page 4, by inserting after line 1 the  
3 following:  
4 "(6) Providing written information to the mother  
5 of a newborn infant regarding the need for a newborn  
6 blood test for hereditary metabolic disorders and  
7 where the specimen may be collected consistent with  
8 rules adopted by the department."

By BRADLEY of Clinton

H-8159 FILED MARCH 2, 2000

**HOUSE FILE 2498**

**H-8163**

1 Amend House File 2498 as follows:  
2 1. Page 4, by inserting after line 27 the  
3 following:  
4 "Sec. \_\_\_\_ . NEW SECTION. 147B.9 STANDARD OF CARE.  
5 A person registered pursuant to this chapter to  
6 practice as a certified professional midwife or a  
7 certified midwife shall be held to the same standard  
8 of care as a person licensed to practice medicine and  
9 surgery, osteopathy, or osteopathic medicine and  
10 surgery."

11 2. By renumbering as necessary.

By BARRY of Harrison

H-8163 FILED MARCH 2, 2000

HF 2498

1 Section 1. NEW SECTION. 147B.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Council" means the midwifery advisory council  
5 appointed by the director of the Iowa department of public  
6 health to develop and adopt rules relating to the practice of  
7 direct entry midwifery.

8 2. "Department" means the Iowa department of public  
9 health.

10 3. "Director" means the director of the Iowa department of  
11 public health.

12 4. "Practice of direct entry midwifery" means the  
13 provision of midwifery services including advising, attending,  
14 or assisting a woman during pregnancy, labor, childbirth, or  
15 the postpartum period by a person who is not licensed to  
16 practice under chapter 148, 150, 150A, or 152.

17 Sec. 2. NEW SECTION. 147B.2 AUTHORIZATION AND PURPOSE.

18 The purpose of this chapter is to legalize the practice of  
19 direct entry midwifery, and to provide for the registration  
20 and regulation of persons providing direct entry midwifery  
21 services.

22 Sec. 3. NEW SECTION. 147B.3 REGISTRATION -- RENEWAL.

23 1. The department, upon application and receipt of the  
24 prescribed fee, shall issue a certificate to an individual who  
25 has met all of the requirements for registration as a  
26 certified professional midwife or a certified midwife  
27 established by rules adopted under section 147B.6, based on  
28 the recommendations of the council pursuant to section 147B.4.

29 2. Registration certificates shall be valid for the  
30 multiyear period determined by the department, unless sooner  
31 suspended or revoked. The certificate shall be renewed upon  
32 application of the holder and receipt of the prescribed fee if  
33 the holder has satisfactorily completed continuing education  
34 programs as required by rule.

35 3. The department may, based upon recommendations of the

1 council, deny an application for issuance or renewal of a  
2 registration certificate, or suspend or revoke the certificate  
3 if the department finds that the applicant or certificate  
4 holder is guilty of acts or offenses to be determined by rule.  
5 A denial, suspension, or revocation under this section shall  
6 be carried out and may be appealed in accordance with the  
7 rules of the department established pursuant to chapter 272C.

8 Sec. 4. NEW SECTION. 147B.4 COUNCIL ESTABLISHED -- TERMS  
9 OF OFFICE.

10 1. A midwifery advisory council shall be appointed by the  
11 director. Membership of the council shall be comprised of two  
12 physicians licensed to practice medicine in the state of Iowa  
13 pursuant to chapter 148 or 150A, one of which shall be a  
14 board-certified obstetrician and the other of which, at the  
15 discretion of the director, shall be either a board-certified  
16 pediatrician or a board-certified family practice physician;  
17 one certified nurse midwife licensed pursuant to chapter 152;  
18 two certified professional midwives or certified midwives  
19 registered pursuant to the provisions of this chapter; and two  
20 members who shall represent the general public.

21 2. The council shall advise the director and develop  
22 recommendations for the adoption of rules by the department  
23 regarding regulation of the practice of direct entry midwifery  
24 and development of clinical practice protocols.

25 a. Recommendations by the council relating to the  
26 regulation of the practice of direct entry midwifery shall  
27 include, but not be limited to, the following:

28 (1) Development of registration requirements. An  
29 applicant shall be eligible for registration as a certified  
30 professional midwife if the applicant is recognized by the  
31 north American registry of midwives as a certified  
32 professional midwife, or shall be eligible for registration as  
33 a certified midwife if recognized by the American college of  
34 nurse midwives as a certified midwife. An applicant for  
35 registration who is recognized as a certified midwife by the

1 American college of nurse midwives shall possess stipulated  
2 home birth experience as outlined by the north American  
3 registry of midwives. Registration requirements as a  
4 certified professional midwife and as a certified midwife  
5 shall also include current certification in a neonatal  
6 resuscitation program.

7 (2) Development of protocols for a review of clinical  
8 practice procedures established pursuant to paragraph "b" of  
9 this subsection.

10 (3) Development of protocols for disciplinary action,  
11 pursuant to section 147B.3, subsection 3.

12 (4) Determination of procedures regarding data collection  
13 and data submission that include risk assessment and outcomes  
14 data related to both a mother and child receiving the services  
15 of a midwife registered pursuant to this chapter.

16 b. Recommendations by the council relating to the  
17 development of clinical practice protocols shall include, but  
18 not be limited to, the following:

19 (1) Mandatory consultation with a licensed provider of  
20 obstetric services or certified nurse midwifery for risk  
21 assessment at least two times during a pregnancy.

22 (2) A mandatory statement by a midwife registered pursuant  
23 to this chapter that a client is strongly encouraged to seek  
24 consultation with a licensed provider of child health services  
25 for an infant within a week following the infant's birth.

26 (3) Rigorous and ongoing risk assessment with mandatory  
27 consultation or referral to either a licensed provider of  
28 obstetric services, a certified nurse midwife, or a licensed  
29 provider of child health services as determined appropriate by  
30 a midwife registered pursuant to this chapter.

31 (4) Obtaining written, informed consent which includes a  
32 written emergency backup plan.

33 (5) Restriction of the scope of practice protocol  
34 applicable to a certified professional midwife which excludes  
35 the authority to prescribe drugs and to order diagnostic

1 testing.

2 Sec. 5. NEW SECTION. 147B.5 MEETINGS OF THE COUNCIL --  
3 QUORUM -- EXPENSES.

4 Membership, terms of office, quorum, and expenses relating  
5 to the midwifery advisory council shall be determined by the  
6 director pursuant to chapter 135.

7 Sec. 6. NEW SECTION. 147B.6 RULEMAKING AUTHORITY.

8 The department shall adopt rules under this chapter, based  
9 upon the recommendations of the council, pursuant to section  
10 147B.4.

11 Sec. 7. NEW SECTION. 147B.7 LIABILITY.

12 Persons licensed under chapters 148, 150, 150A, and 152,  
13 and other licensed health care providers shall not be held  
14 liable for the acts or omissions of a certified professional  
15 midwife or certified midwife when they render birth-related  
16 services to the client of a certified professional midwife.  
17 The liability of those licensed individuals in rendering care  
18 or assistance in good faith to a client of a certified  
19 professional midwife or certified midwife is limited to  
20 damages caused by the licensed individual's own gross  
21 negligence or willful or wanton acts or omissions.

22 Sec. 8. NEW SECTION. 147B.8 PROHIBITION -- CRIME.

23 A person required to register by this chapter who practices  
24 as a certified professional midwife or a certified midwife  
25 without having obtained the appropriate registration  
26 certificate under this chapter is guilty of a serious  
27 misdemeanor.

28 EXPLANATION

29 This bill provides registration requirements for  
30 individuals engaged in the practice of direct entry midwifery,  
31 and establishes a midwifery advisory council.

32 The bill defines the practice of direct entry midwifery to  
33 refer to the provision of midwifery services including  
34 advising, attending, or assisting a woman during pregnancy,  
35 labor, childbirth, or the postpartum period by a person who is

1 not licensed to practice under Code chapter 148, 150, 150A, or  
2 152.

3 The bill provides that the department of public health,  
4 upon application and receipt of a prescribed fee, shall issue  
5 a certificate of registration to an individual who has met all  
6 of the requirements for registration as a certified  
7 professional midwife or a certified midwife established by  
8 departmental rules based on the recommendations of a midwifery  
9 advisory council. The bill provides that the council shall be  
10 appointed by the director of the department of public health.  
11 Membership of the council shall be comprised of two physicians  
12 licensed to practice medicine in the state of Iowa pursuant to  
13 Code chapter 148 or 150A, one of which shall be a board-  
14 certified obstetrician and the other of which at the  
15 discretion of the director shall be either a board-certified  
16 pediatrician or a board-certified family practice physician;  
17 one certified nurse midwife licensed pursuant to Code chapter  
18 152; two certified professional midwives or certified midwives  
19 registered pursuant to the provisions of this chapter; and two  
20 members who shall represent the general public.

21 The bill provides that the council shall advise the  
22 director and develop recommendations for the adoption of rules  
23 by the department regarding regulation of the practice of  
24 direct entry midwifery. The bill provides that this shall  
25 include the development of registration requirements. An  
26 applicant shall be eligible for registration as a certified  
27 professional midwife if recognized by the north American  
28 registry of midwives as a certified professional midwife, or  
29 shall be eligible for registration as a certified midwife if  
30 recognized by the American college of nurse midwives as a  
31 certified midwife. The bill provides that an applicant for  
32 registration who is recognized as a certified midwife by the  
33 American college of nurse midwives shall possess stipulated  
34 home birth experience as outlined by the north American  
35 registry of midwives, and that registration requirements for

1 both certified professional midwives and certified midwives  
2 shall also include current certification in a neonatal  
3 resuscitation program. The bill provides that the council  
4 shall also develop protocols for a review of clinical practice  
5 procedures and for disciplinary action, and that the council  
6 shall determine procedures regarding data collection and data  
7 submission that include risk assessment and outcomes data  
8 related to both a mother and child receiving the services of a  
9 midwife registered pursuant to this chapter.

10 The bill additionally provides that the council make  
11 recommendations regarding the development of clinical practice  
12 protocols. The protocols shall include, but not be limited  
13 to, mandatory consultation with a licensed provider of  
14 obstetric services or certified nurse midwifery, a mandatory  
15 statement encouraging a client to seek consultation with a  
16 licensed provider of child health services for an infant,  
17 ongoing risk assessment, the obtaining of written informed  
18 consent, and the restriction of the scope of practice protocol  
19 applicable to a certified professional midwife to exclude  
20 authority to prescribe drugs and order diagnostic testing.

21 The bill provides that licensed physicians and surgeons,  
22 licensed osteopaths, licensed osteopathic physicians and  
23 surgeons, licensed nurses, and other licensed health care  
24 providers are not liable for acts or omissions of a certified  
25 professional midwife or certified midwife when they are  
26 providing assistance to the certified professional midwife or  
27 certified midwife. Any liability is limited to damages caused  
28 by gross negligence or willful or wanton acts or omissions.

29 The bill provides for the renewal of registration  
30 certificates upon application and receipt of the prescribed  
31 fee if the registrant has satisfactorily completed continuing  
32 education programs to be established by rule. The bill  
33 further provides that an application for issuance or renewal  
34 of a registration certificate may be denied, revoked or  
35 suspended by the department under circumstances to be

1 determined by rule. The bill provides that a nonregistered  
2 individual who is not excluded from the requirements for  
3 registration and who practices as a certified professional  
4 midwife or a certified midwife without having obtained a  
5 registration certificate shall be guilty of a serious  
6 misdemeanor.

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HOUSE FILE 2498

H-8136

1 Amend House File 2498 as follows:

2 1. Page 4, by striking line 22 and inserting the  
3 following:

4 "Sec. \_\_\_\_ . NEW SECTION. 147B.8 RELATIONSHIPS  
5 WITH PROVIDERS.

6 Nothing in this chapter shall be construed to  
7 require a person licensed under chapter 148, 150,  
8 150A, or 152 to consult with, provide professional  
9 services under protocol, or enter into any other  
10 relationship with a certified professional midwife or  
11 certified midwife registered pursuant to this chapter.  
12 Additionally, this chapter shall not be construed to  
13 require the consideration or grant of clinical  
14 privileges to, or the establishment of any other  
15 relationship with, a certified professional midwife or  
16 certified midwife registered pursuant to this chapter  
17 by a hospital, clinic, outpatient health facility,  
18 birth center, or other health facility.

19 Sec. \_\_\_\_ . NEW SECTION. 147B.9 PROHIBITION --  
20 CRIME."

By BLODGETT of Cerro Gordo

H-8136 FILED MARCH 1, 2000

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**HOUSE FILE 2498  
FISCAL NOTE**

The estimate for House File 2498 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2498 defines the practice of direct entry midwifery, establishes a midwifery advisory council, and specifies registration requirements for those individuals engaged in the practice of direct entry midwifery. The Bill requires the Department of Public Health, upon application and receipt of a prescribed fee, to issue a certificate of registration to individuals who have met all the requirements. In addition, House File 2498 specifies that a nonregistered individual who practices as a certified midwife without having obtained a registration certificate is guilty of a serious misdemeanor.

**ASSUMPTIONS**

1. The registration fee is estimated at \$150 annually with 20 potential registrants in the first year. General Fund revenues during the first year would be \$3,500.
2. Fines and penalties for the first year would total an estimated \$500.
3. One additional FTE position for a Program Planner II is required by the Department of Public Health. The salary and benefits for this position at the mid-range paygrade level is \$44,000.
4. Additional equipment and support expenditures of \$5,500 are required for an additional computer, desk, and various office supplies.
5. The midwifery council, composed of seven members from across the State, would meet once a month for the first year. The council would incur costs for travel, lodging, and meals totaling an estimated \$11,000.

**CORRECTIONAL IMPACT**

No significant correctional impact would be expected to result from HF 2498.

**FISCAL IMPACT**

The estimated General Fund first year cost of HF 2498 is as follows:

	<u>FY 2001</u>
Salaries	\$ 44,000
Equipment	3,500
Support	2,000
Council	11,000
Revenue	(3,500)
<b>TOTAL COST</b>	<b><u>\$ 57,000</u></b>

**SOURCES**

Department of Public Health  
Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections  
Judicial Department

(LSB 6516hv, VMT)