

Sec. 8. Section 6, chapter 165, Laws of 1982 as last amended by section 65, chapter 57, Laws of 1985 and RCW 58.24.060 are each amended to read as follows:

There is created in the state treasury the surveys and maps account which shall be a separate account consisting of funds received or collected under chapters 58.22 and 58.24 RCW, moneys appropriated to it by law(~~and moneys deposited in the account from the sale of surveys, maps, map data, publications, and photographs~~). This account shall be used exclusively by the department of natural resources for carrying out the purposes and provisions of chapters 58.22 and 58.24 RCW. Appropriations from the account shall be expended for no other purposes. All earnings of investments of balances in the surveys and maps account shall be credited to the general fund.

Sec. 9. Section 7, chapter 165, Laws of 1982 as amended by section 2, chapter 272, Laws of 1983 and RCW 58.24.070 are each amended to read as follows:

A fee (~~of fifteen dollars~~) set by the board of natural resources shall be charged by each county auditor, in addition to any other fees required by law, as a condition precedent to the filing and recording of any surveys, subdivision plats, short plats, and condominium surveys, plats, or maps. (~~Ten percent of the fees imposed under this section shall be credited to the county current expense fund and ninety percent~~) Such funds shall be forwarded monthly to the state treasurer to be deposited in the surveys and maps account in the general fund. The fees shall be verified in the same manner as other fees collected by the county auditor. Fees collected under this section shall be expended by the department only for the (~~maintenance, sale, and distribution of survey records information~~) activities prescribed in this chapter.

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CHAPTER 467

[Substitute Senate Bill No. 5163]
MIDWIFERY—LICENSURE—SCOPE

AN ACT Relating to midwifery; amending RCW 18.50.005, 18.50.010, 18.50.040, 18.50.060, 18.50.140, and 43.24.086; adding a new section to chapter 18.50 RCW; and repealing RCW 43.131.297 and 43.131.298.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 2, chapter 53, Laws of 1981 and RCW 18.50.005 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

- (1) "Department" means the department of licensing.
- (2) "Director" means the director of licensing.
- (3) "Midwife" means a midwife licensed under this chapter.
- (4) "Physician" means a physician licensed under chapter 18.57 or 18.71 RCW.

Sec. 2. Section 8, chapter 160, Laws of 1917 as amended by section 5, chapter 53, Laws of 1981 and RCW 18.50.010 are each amended to read as follows:

Any person shall be regarded as practicing midwifery within the meaning of this chapter who shall render medical aid for a fee or compensation to a woman during prenatal, intrapartum, and postpartum stages or who shall advertise as a midwife by signs, printed cards, or otherwise. Nothing shall be construed in this chapter to prohibit gratuitous services. It shall be the duty of a midwife to consult with a (~~legally qualified~~) physician whenever there are significant deviations from normal in either the mother or the infant.

A study shall be conducted by the department of licensing in consultation with the department of social and health services and the midwifery advisory committee to determine maternal and neonatal outcome data by type of practitioner, including an analysis of births attended by nonlicensed practitioners. The study shall also determine the role of nonlicensed practitioners in the provision of maternity services in the state of Washington. The results of the study shall be reported to the legislature in January, 1988.

Sec. 3. Section 2, chapter 160, Laws of 1917 as last amended by section 24, chapter 299, Laws of 1986 and RCW 18.50.040 are each amended to read as follows:

(1) Any person seeking to be examined shall present to the director, at least forty-five days before the commencement of the examination, a written application on a form or forms provided by the director setting forth under affidavit such information as the director may require and proof the candidate has received a high school degree or its equivalent; that the candidate is twenty-one years of age or older; that the candidate has received a certificate or diploma from a midwifery program accredited by the director and licensed under chapter 28C.10 RCW, when applicable, or a certificate or diploma in a foreign institution on midwifery of equal requirements conferring the full right to practice midwifery in the country in which it was issued. The diploma must bear the seal of the institution from which the applicant was graduated. Foreign candidates must present with the application a translation of the foreign certificate or diploma made by and under the seal of the consulate of the country in which the certificate or diploma was issued.

(2) The candidate shall meet the following conditions:

(a) Obtaining a minimum period of midwifery training for at least three years including the study of the basic nursing skills that the department shall prescribe by rule. However, if the applicant is a registered nurse under chapter 18.88 RCW, a licensed practical nurse under chapter 18.78 RCW, or has had previous nursing education or practical midwifery experience, the required period of training may be reduced depending upon the extent of the candidate's qualifications as determined under rules adopted by the department. In no case shall the training be reduced to a period of less than two years.

(b) Meeting minimum educational requirements which shall include studying obstetrics; neonatal pediatrics; basic sciences; female reproductive anatomy and physiology; behavioral sciences; childbirth education; community care; obstetrical pharmacology; epidemiology; gynecology; family planning; genetics; embryology; neonatology; the medical and legal aspects of midwifery; nutrition during pregnancy and lactation; breast feeding; nursing skills, including but not limited to injections, administering intravenous fluids, catheterization, and aseptic technique; and such other requirements prescribed by rule.

(c) For a student midwife during training, undertaking the care of not less than fifty women in each of the prenatal, intrapartum, and early postpartum periods, but the same women need not be seen through all three periods. A student midwife may be issued a permit upon the satisfactory completion of the requirements in (a), (b), and (c) of this subsection and the satisfactory completion of the licensure examination required by RCW 18.50.060. The permit permits the student midwife to practice under the supervision of a midwife licensed under this chapter, a physician (~~licensed under chapter 18.57 or 18.71 RCW;~~) or a certified nurse-midwife licensed under the authority of chapter 18.88 RCW. The permit shall expire within one year of issuance and may be extended as provided by rule.

(d) Observing an additional fifty women in the intrapartum period before the candidate qualifies for a license.

(3) Notwithstanding subsections (1) and (2) of this section, the department shall adopt rules to provide credit toward the educational requirements for licensure before July 1, 1988, of nonlicensed midwives, including rules to provide:

(a) Credit toward licensure for documented deliveries;

(b) The substitution of relevant experience for classroom time; and

(c) That experienced lay midwives may sit for the licensing examination without completing the required coursework.

The training required under this section shall include training in either hospitals or alternative birth settings or both with particular emphasis on learning the ability to differentiate between low-risk and high-risk pregnancies.

Sec. 4. Section 4, chapter 160, Laws of 1917 as last amended by section 8, chapter 53, Laws of 1981 and RCW 18.50.060 are each amended to read as follows:

(1) The director of licensing is hereby authorized and empowered to execute the provisions of this chapter and shall offer examinations in midwifery at least twice a year at such times and places as the director may select. The examinations shall be written and shall be in the English language.

(2) The director, with the assistance of the midwifery advisory committee, shall develop or approve a licensure examination in the subjects that the director determines are within the scope of and commensurate with the work performed by a licensed midwife. The examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery. All application papers shall be deposited with the director and there retained for at least one year, when they may be destroyed.

(3) If the examination is satisfactorily completed, the director shall issue to such candidate a license entitling the candidate to practice midwifery in the state of Washington.

~~((4) A midwife licensed under this chapter may obtain and administer prophylactic ophthalmic medication, postpartum oxytocic and local anesthetic, and may administer such other drugs or medications as prescribed by a licensed physician. A pharmacist who dispenses such drugs to a licensed midwife shall not be liable for any adverse reactions caused by any method of utilization by the midwife.))~~

Sec. 5. Section 3, chapter 53, Laws of 1981 and RCW 18.50.140 are each amended to read as follows:

The midwifery advisory committee is created.

The committee shall be composed of one ~~((licensed))~~ physician who is a practicing obstetrician; one practicing ~~((licensed))~~ physician; one certified nurse midwife licensed under chapter 18.88 RCW; three midwives licensed under this chapter; and one public member, who shall have no financial interest in the rendering of health services. The committee may seek other consultants as appropriate, including persons trained in childbirth education and perinatology or neonatology.

The members are appointed by the director and serve at the pleasure of the director but may not serve more than ~~((three consecutive))~~ five years ~~((or more than five years in total))~~ consecutively. The terms of office shall be staggered. Members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended.

NEW SECTION. Sec. 6. A new section is added to chapter 18.50 RCW to read as follows:

A midwife licensed under this chapter may obtain and administer prophylactic ophthalmic medication, postpartum oxytocic, vitamin K, Rho immune globulin (human), and local anesthetic and may administer such other drugs or medications as prescribed by a physician. A pharmacist who dispenses such drugs to a licensed midwife shall not be liable for any adverse reactions caused by any method of use by the midwife.

The director, after consultation with representatives of the midwife advisory committee, the board of pharmacy, and the board of medical examiners, may issue regulations which authorize licensed midwives to purchase and use legend drugs and devices in addition to the drugs authorized in this chapter.

Sec. 7. Section 12, chapter 168, Laws of 1983 and RCW 43.24.086 are each amended to read as follows:

(1) It shall be the policy of the state of Washington that the cost of each professional, occupational or business licensing program be fully borne by the members of that profession, occupation or business. The director of licensing shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations or businesses administered by the business and professions administration in the department of licensing. In fixing said fees, the director shall set the fees for each such program at a sufficient level to defray the costs of administering that program. All such fees shall be fixed by rule adopted by the director in accordance with the provisions of the administrative procedure act, chapter 34.04 RCW.

(2) Notwithstanding subsection (1) of this section, no fee for midwives, as licensed in chapter 18.50 RCW may be increased by more than one hundred dollars or fifty percent, whichever is greater, during any biennium.

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

- (1) Section 22, chapter 197, Laws of 1983 and RCW 43.131.297; and
- (2) Section 48, chapter 197, Laws of 1983 and RCW 43.131.298.

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