

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17117 Rules.

Sec. 17117.

(1) Within 24 months after the effective date of this part, the department, in consultation with the board, shall promulgate rules to do all of the following:

(a) Establish and implement the licensure program for the practice of midwifery under this part.
(b) Require the completion of continuing education for the practice of midwifery as a condition for license renewal. However, the rule shall allow the board to accept proof of a current credential under section 17115(1)(b) as meeting the requirements of this subdivision.

(c) Describe and regulate, limit, or prohibit the performance of acts, tasks, or functions by midwives. The department shall include rules that recognize and incorporate the requirements under section 17107 regarding the referral to and consultation with appropriate health professionals and ensure that those rules conform to national standards for the practice of midwifery as defined in section 17101.

(d) For purposes of section 17109, establish the process by which informed consent is obtained and ensure that the process conforms to national standards for the practice of midwifery as defined in section 17101. The process established for obtaining informed consent shall include at least all of the following:

(i) A requirement that at the inception of care for a client, the midwife must provide a copy of the rules promulgated by the department under this section.

(ii) A requirement that at the inception of care for a client, the midwife must orally and in writing disclose whether the midwife has malpractice liability insurance coverage and, if so, the policy limitations of that coverage.

(e) For purposes of establishing protocols for transfer of care under section 17107, establish the duties a midwife must perform if an emergency transfer to a hospital is necessary. Rules promulgated under this subdivision shall conform to nationally recognized guidelines on safe transfers.

(2) In addition to the authority to promulgate rules under section 16145 and subject to this section and section 16175, the department, in consultation with the board, may promulgate rules to supplement the requirements for licensure under this part, including the adoption of updated standards applicable to the practice of midwifery established by the North American Registry of Midwives or an organization that the board determines is a successor organization.

History: Add. 2016, Act 417, Eff. Apr. 4, 2017

Popular Name: Act 368