

1 H.21

2 Introduced by Representative Till of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Health; professions and occupations; licensed midwives; home birth;
6 vaginal birth after cesarean delivery

7 Statement of purpose of bill as introduced: This bill proposes to remove from
8 the scope of practice of a licensed midwife the authority to perform a home
9 vaginal birth with a patient who has previously had a cesarean delivery. The
10 bill would deem performance of such a home birth to be unprofessional
11 conduct.

12 An act relating to prohibiting licensed midwives from performing home
13 births after cesarean delivery

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 26 V.S.A. § 4188 is amended to read:

16 § 4188. UNPROFESSIONAL CONDUCT

17 (a) A licensed midwife or applicant for licensing, renewal, or reinstatement
18 shall not engage in unprofessional conduct.

1 (b) Unprofessional conduct shall include the conduct prohibited by
2 3 V.S.A. § 129a and ~~by this section~~ as follows, whether or not taken by a
3 license holder personally:

4 (1) failing to provide for informed consent, or exercising undue
5 influence on or taking improper advantage of a person using midwifery
6 services;

7 (2) willfully making or filing false reports or records in the practice of
8 midwifery, obstructing that filing, or willfully failing to file required reports or
9 records, including birth certificates;

10 (3) performing a home vaginal birth with a patient who has previously
11 had a cesarean delivery; or

12 (4) engaging in abusive behavior of any kind with clients.

13 (c) After a hearing, and upon a finding of unprofessional conduct, an
14 administrative law officer may take disciplinary action against a licensed
15 midwife or applicant.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on passage.