

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 664

(Delegate Terrasa)

Health and Government Operations

Finance

Health Occupations - Licensed Direct-Entry Midwives - Disciplinary Actions

This bill clarifies the actions that the State Board of Nursing (MBON) may take if an applicant to practice direct-entry midwifery or a licensed direct-entry midwife violates a ground for discipline. MBON may deny or grant a license (including a license subject to a reprimand, probation, or suspension) to an applicant, reprimand a license, place a licensee on probation, or suspend or revoke the license of a licensee.

Fiscal Summary

State Effect: The bill has no fiscal or operational impact on MBON.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: In general, an individual must be licensed as a certified nurse-midwife by MBON to practice nurse midwifery in the State or licensed as a direct-entry midwife by MBON to practice direct-entry midwifery in the State.

Direct-entry midwifery refers to an educational path that does not require prior nursing training to enter the profession. “Practice direct-entry midwifery” means providing maternity care that is consistent with a midwife’s training, education, and experience as well as identifying and referring patients who require medical care to an appropriate health care provider. “Practice direct-entry midwifery” includes (1) providing the necessary supervision, care, and advice to a patient during a low-risk pregnancy, labor, delivery, and

postpartum period and (2) newborn care that is consistent with national direct-entry midwifery standards and based on the acquisition of clinical skills necessary for the care of pregnant women and newborns, including antepartum, intrapartum, and postpartum care.

A licensed direct-entry midwife may not assume or continue to care for a patient and must arrange for the orderly transfer of care to a health care practitioner for a patient who is already under the care of a direct-entry midwife if any of 34 specific disorders or situations are found to be present at the initial interview or occur as prenatal care proceeds. These conditions include previous uterine surgery, including a cesarean section or myomectomy.

If a patient is determined to have any of 21 specified conditions present during prenatal care, a licensed direct-entry midwife must consult with a health care practitioner and document the consultation, any recommendations, and the discussion of the consultation with the patient.

Disciplinary Actions

Subject to specified hearing provisions, MBON may deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license if the applicant or licensee violates any one of 28 specified disciplinary grounds, including:

- fraudulently or deceptively obtains, attempts to obtain, or uses a license;
- is disciplined by specified authorities or convicted or disciplined by a court for an act that would be grounds for disciplinary action in Maryland;
- is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude;
- knowingly does any act that has been determined to exceed the scope of practice authorized to the individual;
- is grossly negligent in the practice of direct-entry midwifery;
- is habitually intoxicated, or is addicted to, or habitually abuses, any narcotic or controlled dangerous substance;
- fails to cooperate with a lawful investigation conducted by MBON;
- engages in conduct that violates the professional code of ethics;
- is professionally incompetent;
- practices direct-entry midwifery without a license, before obtaining or renewing a license, including any period when the license has lapsed; or
- performs an act that is beyond the licensee's knowledge and skills.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2025
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