

HCS HB 36 -- MIDWIVES

SPONSOR: Phillips (Davis)

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 11 to 0.

This substitute specifies that nothing may prohibit a woman from giving birth in the setting and with the caregiver of her choice. A caregiver includes a person who provides midwifery services; however, this service is not the practice of medicine, nursing, or nurse-midwifery. These caregivers may not be subject to prosecution under state law if they exercise a reasonable degree of care.

Every midwife is required to provide a written disclosure statement informing all clients and potential clients of his or her education and training, years of experience, number of deliveries as a midwife, possible risks, and a contingency plan in the event of an emergency.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that home birth is the safest way to give birth for a healthy woman and a healthy baby. Some women want this type of care, but must move to other states because this option is not available in Missouri. A properly planned birth at home can lead to fewer problems and allows the patient to be surrounded by family and friends.

Testifying for the bill were Representative Davis; Friends of Missouri Midwives; Missouri Midwives Association; Whole Health Family Practice and Birth Center; Shepherdsfield Community Church; Allison Dougherty; J. Keith Nisbett; Dayna Hamp; Kevin J. Reed; Nicole Simmons; Kolbi Doyle-Barker; Tina Miller; Sister Sandra K. Morning Star; Elizabeth Allemann, M.D.; Christine Skinner; and Sandy Reed.

OPPOSERS: Those who oppose the bill say that it will lower the standard for home delivery by allowing anyone to practice midwifery. In the event of an emergency, a midwife is not able to perform the same tasks as a physician in a hospital setting to save the mother and/or child.

Testifying against the bill were Missouri State Medical Association; Missouri Association of Osteopathic Physicians and Surgeons; and Missouri Academy of Family Physicians.

Dominic Lackey, Legislative Analyst