

Licensed Traditional Midwife Drug Purchasing Clarification (SF 3546/ HF3387)

Since 1999, licensed traditional midwives (midwives) have been ordering the medications listed in their formulary in statute in Minn. Stat 147D. These medications have been obtained and administered by midwives for over 20 years. Licensed by the Board of Medical Practice as autonomous healthcare providers, licensed traditional midwives are trained, skilled, and competent in the use of the medications in their formulary.

Recently, several suppliers have stopped selling these medications to midwives, creating a major barrier for midwives to obtain essential life-saving medications within their scope of practice. This development has revealed the need to clarify existing Statute 147D to allow midwives to 'obtain and possess' medications in their formulary to align with the original intent of the law, as well as the language and practice in other states that license traditional midwives.

The midwives are working with the legislature to ensure that any barriers to midwives obtaining life-saving medications listed in their formulary are removed, and that their ability to directly obtain these medications, without delay, is reinstated.

A simple change, below, is needed to clarify the ability of licensed traditional midwives to directly obtain the medications listed in their formulary. This would neither change the medications that can be obtained nor classify midwives as prescribers. Rather, it would affirm the original intent of the statute to allow midwives to obtain the formulary medications necessary for their practices.

147D.09 LIMITATIONS OF PRACTICE.

(a) A licensed traditional midwife shall not prescribe, dispense, or administer prescription drugs, except as permitted under paragraph (b).

(b) A licensed traditional midwife may obtain, possess, and administer vitamin K either orally or through intramuscular injection, maternal RhoGAM treatment, postpartum antihemorrhagic drugs under emergency situations, local anesthetic, oxygen, and a prophylactic eye agent to the newborn infant.

(c) A licensed traditional midwife shall not perform any operative or surgical procedures except for suture repair of first- or second-degree perineal lacerations.

Sec. 2. Minnesota Statutes 2022, section 151.37, is amended by adding a subdivision to read:

Subd. 11a. Exclusion for traditional midwives. A traditional midwife licensed under chapter 147D is authorized, consistent with the midwife's scope of professional practice and as necessary for the practice of midwifery, to directly obtain supplies and devices; obtain, possess, and administer drugs and diagnostic tests as permitted under section 147D.09, paragraph (b); order tests; and receive reports.