

# ASSEMBLY, No. 3235

## STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED FEBRUARY 3, 2003

**Sponsored by:**

**Assemblyman SEAN T. KEAN**

**District 11 (Monmouth)**

**SYNOPSIS**

Restricts practice of midwifery to State-licensed registered professional nurse.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the practice of midwifery and amending  
2 R.S.45:10-1 through R.S.45:10-3.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. R.S.45:10-1 is amended to read as follows:

8 45:10-1. A person shall be regarded as practicing midwifery within  
9 the meaning of this chapter who: is a registered professional nurse  
10 licensed in the State; is certified as a nurse midwife by a national  
11 certifying body; and attends a woman in childbirth as a certified nurse  
12 midwife, or advertises as such, by signs, printed cards or otherwise,  
13 but nothing in this chapter shall be construed to prohibit gratuitous  
14 service in case of emergency, nor the service of any legally qualified  
15 physician or surgeon of this [state]State.

16 (cf: R.S.45:10-1)

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18 2. R.S.45:10-2 is amended to read as follows:

19 45:10-2. A person desiring to begin the practice of midwifery in  
20 this [state]State shall first be a registered professional nurse licensed  
21 in the State and shall obtain from the [state board of medical  
22 examiners]State Board of Medical Examiners, hereinafter in this  
23 chapter designated as the "board", a license to do so, as hereinafter  
24 provided. The board shall execute the provisions of this chapter, and  
25 shall hold examinations in midwifery [in the state house at Trenton  
26 annually on the third Tuesday in June and October from ten A.M. to  
27 five P.M., or] at such [other] place and times as it may deem  
28 expedient.

29 (cf: R.S.45:10-2)

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31 3. R.S.45:10-3 is amended to read as follows:

32 45:10-3. Candidates for examination shall present to the board, at  
33 least ten days before the examination, a written application on a form  
34 provided by the board, setting forth under affidavit the name, age,  
35 nativity, residence, moral character [and time spent in obtaining a  
36 common school education, or its equivalent; and that the candidate  
37 has received a certificate or diploma from a legally incorporated school  
38 of midwifery, or maternity hospital, in good standing in the opinion of  
39 the board at the time of issuing the certificate or diploma, granted after  
40 at least eighteen hundred hours' instruction within a period of not less  
41 than nine months, or a certificate or diploma from a foreign institution  
42 of midwifery of equal requirements as determined by the board,

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 conferring the full right to practice midwifery in the country in which  
2 it was issued. The application must bear the seal of the institution  
3 from which the applicant was graduated. Foreign graduates must  
4 present with the application a translation of their foreign certificate or  
5 diploma, made by and under the seal of the consulate of the country  
6 in which the certificate or diploma was issued. Applications must be  
7 indorsed by a registered physician of this state], educational  
8 background and such other information as the board may require.  
9 (cf: R.S.45:10-3)

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11 4. This act shall take effect immediately.

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#### STATEMENT

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16 This bill amends current law to restrict the practice of midwifery in  
17 the State to individuals who are licensed by the State as a registered  
18 professional nurse and who are certified as a nurse midwife by a  
19 national certifying body.

20 Under current law, an individual may be licensed to practice  
21 midwifery upon: earning a certificate or diploma from a school of  
22 midwifery in good standing in the opinion of the State Board of  
23 Medical Examiners, granted after at least 1,800 hours of instruction;  
24 and passing a Statewide examination.

25 Although State law does not limit the practice of midwifery to  
26 registered professional nurses, current regulation provides solely for  
27 the certification of nurse midwives.