

## Midwifery Licensure and Regulation in the United States

NACPM embraces the global vision for strengthening midwifery through the implementation of global standards for midwifery education, regulation, and professional association adopted by the International Confederation of Midwives (ICM). We are dedicated to building a healthy, vibrant profession that truly meets the needs of childbearing families for physiologic birth with access to midwives and choice of birth setting.

We share the important values and principles of ICM that underpin the Global Standards of Midwifery Regulation, which include:

- Regulation is a mechanism by which the social contract between the midwifery profession and society is expressed. Society grants the midwifery profession authority and autonomy to regulate itself. In return, society expects the midwifery profession to act responsibly, ensure high standards of midwifery care, and maintain the trust of the public.
- Each woman has the right to receive care in childbirth from an educated and competent midwife authorized to practice midwifery.
- Midwives are autonomous practitioners; they practice in their own right and are responsible and accountable for their own clinical decision-making.
- Midwifery is a profession that is autonomous, separate and distinct from nursing and medicine. What sets midwives apart from nurses and doctors is that only midwives can exercise the full scope of midwifery practice and provide all the competencies within this scope.

→ *The [ICM Global Standards](#) and related documents are available at*

→ *Training materials related to implementation of the global standards are incorporated in the [ICM Global Standards, Competencies and Tools – Dissemination Packet May 2014](#)*

NACPM, working collaboratively with other midwifery organizations and advocates, has found many new and interesting opportunities to strengthen midwifery in accordance with ICM's global vision. With a compelling vision for a stronger midwifery profession, critical collaborative relationships developing, core documents approved and new tools in hand, CPMs and their allies can expect to make significant progress in the coming years. Working together, we will achieve licensure of CPMs in all 50 states and regulations for all midwives that protect autonomous midwifery practice.

NACPM encourages midwives and their allies to reach out to NACPM for support. Whether you need help interpreting the US MERA agreements, finding ways to move forward in your state, or learning from other states, NACPM is ready to help!

This document and other materials in the NACPM Regulation Toolkit provide background information and guidance for CPMs and their advocates working to achieve state licensure in states that do not yet recognize CPMs. It will also be useful to those interested in improving current state laws in order to

strengthen midwifery and support the realization of the autonomous midwifery profession envisioned by the ICM Global Standards.

### **US MERA: Taking Action on the ICM Standards in the United States**

Since 2011, NACPM has been working with other national midwifery organizations and agencies in the US Midwifery, Education, Regulation and Association (US MERA) collaboration to explore how the ICM's global standards could be applied to strengthen midwifery in the United States. Our purpose is to create a shared vision for US midwifery within a global context, generate an action plan for collaboration to strengthen and promote the profession of midwifery in the US, and to make a positive impact on US maternity care that will improve the health of all women and their families and promote normal physiologic birth.

→ *Additional information about the US MERA collaboration is available at <http://www.usmera.org/>*

It was critical to find a way to adapt the ICM global standards to work within the regulatory model for health professions in the US, which grants states the authority to regulate professions but often relies on the profession to establish standards. Two important documents related to the regulation of midwives have been approved by the organizations participating in US MERA. The first is a resolution to support new legislation for the licensure of CPMs in states that do not currently license CPMs and the second is a consensus statement outlining principles for model midwifery legislation and regulation.

- [\*US MERA Statement on the Licensure of Certified Professional Midwives June 2015\*](#)
- [\*US MERA Principles for Model U.S. Midwifery Legislation and Regulation October 2015\*](#)
- [\*NACPM continuing education webinars that address what the US MERA agreements could mean for CPMs are available online\*](#)

### **ICM Regulation Toolkit**

The International Confederation of Midwives has developed an excellent comprehensive toolkit for midwifery advocates working to establish regulation or improve existing laws. It describes the purpose and key elements of regulation and critical steps in managing the change to regulation, which includes building relationships and addressing potential barriers. There is a lengthy section devoted to building the skills needed to influence change, including strategic planning, political activism, stakeholder engagement, and communications.

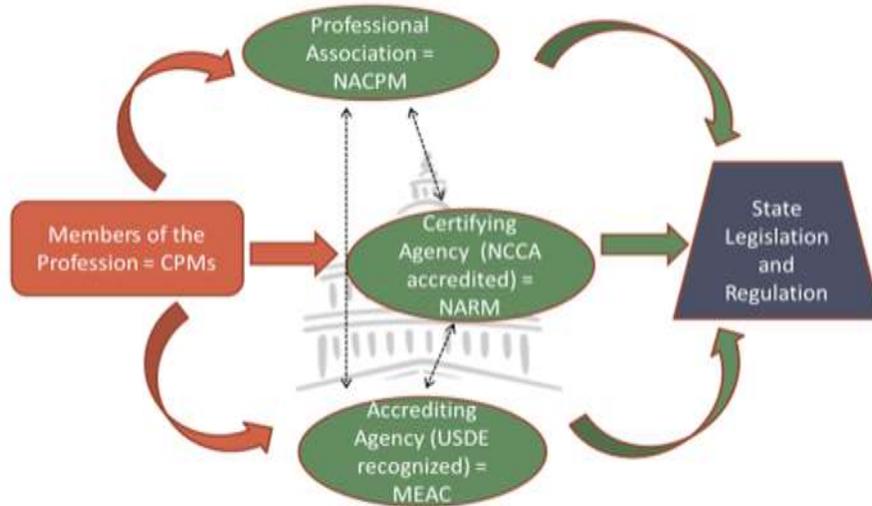
The toolkit includes a Gap Analysis Tool which contains some components and language that will be relevant to US midwives and other sections that won't apply. Nevertheless, advocates may benefit from **completing parts 1 through 3 of the assessment process**, remembering that regulation occurs at the state, not national, level in the US and that midwifery autonomy is preserved, in part, when state regulation is based on national midwifery standards for certification and midwifery education program accreditation (see discussion of US MERA principles below).

Part 6 is a tool for assessing regulations against ICM global standards for midwifery regulation. In the US context, the development of the US MERA Principles for Model Midwifery Legislation and Regulation was based on the ICM global standards but adapted to the US context. NACPM has created a tool for assessing regulations based on the US MERA principles which will be more useful to advocates thinking about state legislation or rules (see NACPM assessment tool below).

→ [\*ICM Midwifery Regulation Toolkit April 2016\*](#)

## How CPMs Influence Regulation by Establishing Requirements for Certification and Setting National Standards for Education and Practice

In the United States, health professional regulation is the responsibility of the states, unlike many countries where that responsibility lies with the national government. Most states recognize the value of using national standards for certification and accreditation developed by each profession as a component of their licensing laws and regulations.



When state licensure is based on national certification, the profession as a whole plays an important role in regulation through the processes of accountability maintained by the national certifying agency. For CPMs, that agency is the North American Registry of Midwives (NARM). Likewise, when the requirements for educational programs are based on national accreditation, it is the health professionals that develop the standards for education and the core competencies necessary for safe practice. For CPMs, the national accrediting agency is the Midwifery Education Accreditation Council (MEAC). Both NARM and MEAC are governed by midwives and set standards for certification and accreditation based on input received from practicing midwives and educators. Finally, when state licensure defines scope of practice, standards of practice and ethical conduct based on those established by the national professional association and national certifying agency, CPMs have the opportunity to set those standards through participation in NACPM and NARM.

### US MERA Principles for Model Midwifery Legislation and Regulation

The US MERA Principles for Model Midwifery Legislation and Regulation were drafted with this US-specific context in mind and, therefore, refer to the national midwifery certifying and accrediting agencies. These agencies have themselves aligned with the ICM Global Standards for Education and Essential Competencies for Basic Midwifery Practice as applicable in the US context.

Like the ICM Standards for regulation, the US MERA Principles address state authority to regulate, register, and license midwives, including establishment of education qualifications, setting standards for practice and conduct, and management of complaints. Additional sections were needed to address

professional liability insurance and reimbursement issues which are unique to the US. The US MERA Principles also align with the ICM position that midwifery is a profession that is autonomous, separate, and distinct from nursing and medicine and that only midwives can exercise the full scope of midwifery practice and provide all the competencies within this scope.

The US MERA Principles for Model Midwifery Legislation and Regulation are aspirational. They are intended to serve as a guide to those engaged in the revision of existing laws or the development of new laws. There are more than 50 jurisdictions that regulate health professionals and there are three national midwifery credentials (CPMs, CNMs, and CMs) with the potential to be addressed by state regulation. That means that there are more than 150 different state-specific midwifery regulatory environments in play. No one state or credential has the perfect situation for midwifery. However, the US MERA Principles provide a new sense of common ground and direction.

### **NACPM Regulatory Assessment Tool**

NACPM has created a Regulatory Assessment Tool, based on the US MERA Principles for Model Midwifery Legislation and Regulation. The tool provides space to compare proposed or existing legislation or rules to each element of the principles and, when there are gaps, to determine how important and/or feasible it might be to close the gap. There is also space to identify the skills and resources that might be needed to strengthen midwifery by bringing state law into better alignment with the principles. The NACPM Regulatory Assessment Tool and the ICM Midwifery Regulation Toolkit complement each other.

→ [NACPM Regulatory Assessment Tool](#)

### **More on Specific Legislative Language Regarding Qualifications**

In 2014, the organizations participating in US MERA approved a resolution to support new legislation for the licensure of CPMs in states that do not currently license CPMs. Specifically, there was agreement on legislative language stating that by 2020, all new applicants for midwifery licensure must have successfully completed an educational program or pathway accredited by an organization recognized by the U.S. Department of Education (USDE) or obtained the Midwifery Bridge Certificate. (Note: At this time, this language agreement does not apply to states where there are existing statutes for CPM licensure.)

- Read about [the CPM credential and the Midwifery Bridge Certificate](#) administered by the North American Registry of Midwives
  
- Read about [educational programs that prepare midwives to become CPMs and are accredited by the Midwifery Education Accreditation Council](#), an organization recognized by the USDE

Please contact NACPM directly for guidance regarding the implementation of the US MERA resolution in specific state contexts.