

# ARKANSAS STATE BOARD OF HEALTH

## RULES GOVERNING THE PRACTICE OF LICENSED LAY MIDWIFERY IN ARKANSAS



PROMULGATED UNDER THE AUTHORITY OF  
ARKANSAS CODE ANN. §§ 17-85-101 ET SEQ. AND  
ARKANSAS CODE ANN. §§ 20-7-109

May 23, 2022

**Family Health Branch – Women’s Health Section  
Arkansas Department of Health**

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**RULES GOVERNING THE PRACTICE OF LICENSED LAY MIDWIFERY  
(Pursuant to ACT 481 of 1987)**

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## **Part 47. Rules Governing the Practice of Licensed Lay Midwifery in Arkansas**

### **101. PURPOSE AND AUTHORITY**

Act 838 of 1983 provided for the lawful practice of Licensed Lay Midwifery in counties having 32.5% or more of their population below the poverty level. Act 481 of 1987 superseded Act 838 of 1983, and expanded the lay midwifery licensure statewide. These Rules govern the practice of Licensed Lay Midwives (LLMs) in Arkansas.

The following Rules are promulgated pursuant to the authority conferred by the Licensed Lay Midwife Act A.C.A. § 17-85-101 et seq. and A.C.A. § 20-7-109. Specifically, the LLM Act directs the Arkansas State Board of Health to administer the provisions of the Act and authorizes and directs the Board to adopt rules governing the qualifications for licensure of lay midwives and the practice of Licensed Lay Midwifery. The broad authority vested in the Board of Health, pursuant to ACA § 20-7-109, to regulate and to ultimately protect the health of the public is the same authority the Board utilizes in enforcing the Rules, determining sanctions, revoking licenses, etc.

### **102. ADMINISTRATION OF PROGRAM**

The State Board of Health (BOH) has delegated the authority to the Arkansas Department of Health (ADH)."

### **700. SEVERABILITY.**

If any provision of these Rules, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of these Rules which can give effect without the invalid provisions or applications; and to this end the provisions hereto are declared to be severable.

### **800. REPEAL.**

All Rules and parts of Rules in conflict herewith are hereby repealed.

### **900. CERTIFICATION**

This will certify that the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas were prepared pursuant to A.C.A. 20-7-109 and A.C.A. 17-85-101 et seq.

This will also certify that the foregoing Rules Governing the Practice of Licensed Lay Midwifery in Arkansas were adopted by the Arkansas Board of Health at a regular session of same held in Little Rock, Arkansas on the 28th day of October 2021

## Subpart 1. General Provisions

### 17 CAR § 47-101. Definitions.

As used in this part, the terms below will be defined as follows, except where the context clearly requires otherwise:

(1)(A) “Advertisement” and “advertising” means any statements, oral or written, disseminated to or before the public, with the intent of:

- (i) Selling professional services; or
- (ii) Offering to perform professional services.

(B) Advertising includes, but is not limited to, promotional literature, websites, and social media sites used for the purpose of selling services;

(2) “Apprentice” means a person who is training to become an LLM in Arkansas working under the direct supervision of a preceptor;

(3) “Arkansas Department of Health clinician” means a Department of Health physician, certified nurse midwife (CNM), or nurse practitioner providing Department of Health maternity services at a local health unit;

(4) “Arkansas rules examination” means the exam that tests knowledge of the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas;

(5) “Automatic licensure” means granting the occupational licensure without an individual having met occupational licensure requirements provided:

- (A) Under the Arkansas Code; or
- (B) By other provisions in this part;

(6) “Birthing center” or “birth center” means any facility licensed by the Department of Health which is organized to provide family-centered maternity care in which births are planned to occur in a homelike atmosphere away from the mother’s usual residence following a low-risk pregnancy;

(7)(A) “Certified midwife (CM)” means individuals who:

(i) Have or receive a background in a health-related field other than nursing; and

(ii) Graduate from a midwifery education program accredited by the Accreditation Commission for Midwifery Education (ACME).

(B) Graduates of an ACME-accredited midwifery education program take the same national certification examination as CNMs but receive the professional designation of certified midwife;

(8)(A) “Certified nurse midwife (CNM)” means a person who is:

(i) Certified by the American College of Nurse–Midwives; and

(ii) Also currently licensed by the Arkansas State Board of Nursing or the appropriate licensing authority of a bordering state to perform nursing skills relevant to the management of women’s health care for compensation, focusing on:

- (a) Pregnancy;
- (b) Childbirth;

- (c) The postpartum period;
- (d) Care of the newborn;
- (e) Family planning; and
- (f) The gynecological needs of women.

(B) The CNM must be currently practicing midwifery unless stated otherwise in this part;

(9) “Certified professional midwife (CPM)” means a professional midwifery practitioner who has met the standards for certification set by the North American Registry of Midwives (NARM);

(10) “Client” means a pregnant woman, a postpartum woman for a minimum of thirty (30) days, or her healthy newborn for the first fourteen (14) days of life who is the recipient of LLM services;

(11)(A) “Consultation” means the process by which an LLM who maintains primary responsibility for the client’s care, seeks the advice of a:

- (i) Physician;
- (ii) CNM; or
- (iii) Department of Health clinician.

(B) This may be:

- (i) By phone;
- (ii) In person; or
- (iii) By written request.

(C) The physician, CNM, or Department of Health clinician may require the client to come into their office for evaluation;

(12)(A) “Contact hour” means a unit of measure to describe fifty (50) to sixty (60) minutes of an approved, organized learning experience that is designed to meet professional educational objectives.

(B) It is a measurement for continuing education.

(C) One (1) contact hour is equal to one-tenth of one (0.1) CEU.

(D) Ten (10) contact hours are equal to one (1) CEU;

(13) “Labor support attendant” means an individual who is present at the request of the client to provide emotional or physical support for the client and her family;

(14) “LLM assistant” means an individual who is present at the request of the LLM at any point during the course of midwifery care of the client to provide services under LLM supervision;

(15)(A) “Licensed lay midwife (LLM)” means any person who:

- (i) Is licensed by the Department of Health to practice midwifery; and
- (ii) Performs for compensation those skills relevant to the management of care of women in the antepartum, intrapartum, and postpartum periods of the maternity cycle.

(B) LLMs also manage care of the healthy newborn for the first fourteen (14) days of life;

(16) “Local health unit” means a community-based Department of Health clinic site that provides medical and environmental services;

(17) “Midwifery bridge certificate” means a certification administered by NARM awarded to CPMs following the completion of accredited, approved continuing education contact hours based upon identified areas to address emergency skills and the International Confederation of Midwives (ICM) competencies;

(18) “North American Registry of Midwives (NARM)” means the international certification agency that established, and continues to administer, certification for the credential “Certified Professional Midwife” (CPM) and the Midwifery Bridge Certificate (MBC);

(19)(A) “Physician” means a person who is currently licensed by the Arkansas State Medical Board, or the appropriate licensing authority of a bordering state, to practice medicine or surgery.

(B) For the purposes of any sections of this part governing the care of pregnant and postpartum women, “physician” refers to those currently practicing obstetrics.

(C) For the purposes of any sections of this part governing the care of newborn infants, “physician” refers to those physicians who currently include care of newborns in their practices;

(20)(A) “Preceptor” means a legally practicing obstetric or midwifery practitioner who:

(i) Participates in the teaching and training of apprentice midwifery students;

and

(ii) Meets NARM preceptor standards including credentials, years of experience, and birth attendance requirements.

(B) A preceptor assumes responsibility for supervising the practical (clinical obstetric) experience of an apprentice and for the midwifery services they render during their apprenticeship.

(C) In the case of transitional apprentices, the definition of preceptor in Appendix B applies;

(21) “Referral” means the process by which the client is directed to a physician, CNM, or Department of Health clinician for management of a particular problem or aspect of the client’s care after informing the client of the risks to the health of the client or newborn;

(22) “Supervision” means the direct observation and evaluation by the preceptor of the clinical experiences and technical skills of the apprentice while present in the same room;

(23) “Transfer of care” means the process by which the LLM relinquishes care of her or his client for pregnancy, labor, delivery, or postpartum care to a physician, CNM, or Department of Health clinician, after informing the client of the risks to the health or life of the client;

(24) “Uniformed service member” means an:

(A) Active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;

(B) Active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or

(C) Active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(25) “Uniformed service veteran” means a former member of the United States uniformed services discharged under conditions other than dishonorable.

**17 CAR § 47-102. Scope of practice.**

(a)(1) The LLM may provide midwifery care according to the protocols in this part only to healthy women, determined through a physical assessment and review of the woman’s health and obstetric history:

(A) Who are at low risk for the development of medical or obstetric complications of pregnancy or childbirth; and

(B) Whose expected outcome is the delivery of:

(i) A healthy newborn; and

(ii) An intact placenta.

(2) The LLM shall be responsible for care of the healthy newborn immediately following delivery and for the first fourteen (14) days of life (unless care is transferred to a physician or APRN specializing in the care of infants and children before that).

(3) After fourteen (14) days the LLM is no longer responsible and the client should seek further care from a physician or an APRN specializing in the care of infants and children.

(4) If any abnormality is suspected, including, but not limited to, a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than seventy-two (72) hours.

(5) This does not preclude the LLM from continuing to provide counseling regarding routine newborn care and breastfeeding.

(b)(1) Although the Department of Health Licensed Lay Midwifery program is supervised by department physicians, each LLM is encouraged to develop a close working relationship with one (1) or more specific physicians in obstetric and pediatric practice, or CNMs in obstetric practice who agree to serve as a referral/consultation source for the LLM.

(2) This relationship is optional.

(3) The referral physician and LLM relationship, or the CNM and LLM relationship, can be terminated by either party at any time.

(c) Apprentice midwives and LLM assistants may only work under the onsite supervision of their preceptor.

(d)(1) At various points during the course of midwifery care, the LLM must inform the client of the requirement for tests, procedures, treatments, medications, or referrals specified in 17 CAR § 47-301 et seq., which are for the optimal health and safety of the mother and baby, and refusal is strongly discouraged.

(2) However, continuing care of a client who refuses some of these requirements is permitted if the LLM meets certain requirements as outlined in subsections (e) – (h) of this section.

(e) LLMs who have a current certified professional midwife (CPM) credential but do not have a Midwifery Bridge Certificate (MBC) may continue care of clients who:

(1) Refuse the following tests listed in 17 CAR § 47-303(b):

- (A) Pap test/HPV test;
- (B) Test for gonorrhea and chlamydia;
- (C) Test for syphilis;
- (D) Hepatitis B test; and
- (E) HIV counseling and test;

(2) Refuse recommended Rh immunoglobulin as outlined in 17 CAR § 47-303(e);

(3) Refuse a referral or to follow advice against home birth as a result of the identification of these pre-existing conditions listed in 17 CAR § 47-304(f):

- (A) History of seven (7) or more deliveries;
- (B) Maternal age greater than or equal to forty (40) at estimated date of delivery;
- (C) Previous infant weighing less than five (5) pounds or more than ten (10)

pounds; or

(D) Pregnancy termination or loss of greater than or equal to three (3); and

(4) Refuse the newborn procedures listed in 17 CAR § 47-309(d) and (e):

- (A) Administration of eye medication if indicated; and
- (B) Administration of vitamin K.

(f) LLMs who have both a current CPM and the MBC, or LLMs who have a CNM or CM, may continue care of clients who refuse any test, procedure, treatment, referral, or medication, except for:

(1) The precluded conditions listed in 17 CAR § 47-304(e);

(2) The requirement of having the risk assessments listed in 17 CAR § 47-303(a); or

(3) Conditions requiring immediate transport as listed in 17 CAR § 47-306(a), 17 CAR § 47-308(a), and 17 CAR § 47-310(a).

(g)(1) LLMs who do not have a current CPM credential are not permitted to continue care for clients who refuse any of the required tests, procedures, treatments, medications, or referrals specified in this part except for recommended Rh immunoglobulin as outlined in 17 CAR § 47-303(e).

(2) Should a client refuse Rh immunoglobulin, the LLM must follow 17 CAR § 47-102(h)(2) – (6).

(h) Should a client of the LLM with a CPM, CM, CNM, or CPM/MBC refuse any of the tests or procedures pursuant to subsections (e) and (f) of this section:

(1) The LLM must inform the client that the LLM is only permitted to continue to provide care to the client if the LLM's certification meets the required standard as outlined in subsections (e) and (f) of this section;

(2)(A) The LLM must inform the client of the potential risks to herself or her baby.

(B) It is the responsibility of the LLM to provide current evidence and adequate information, both written and verbal, to the client regarding the risks of declining the test, procedure, treatment, medication, or referral, including the risks and benefits of no action at all.

(C) This must include the review of any available and relevant department-approved sources on each test, procedure, treatment, medication, or referral being refused;

(3) The LLM must document the client's refusal using the department Informed Refusal Form and include:

(A) The information shared with the client as outlined in subdivision (h)(2) of this section and the department-approved sources used;

(B) The client's written assertion refusing the:

(i) Test;

(ii) Procedure;

(iii) Treatment;

(iv) Medication; or

(v) Referral;

(C) The client's affirmation of her understanding and acceptance of the risks; and

(D) A plan of care for the condition, including a plan for transfer of care if indicated;

(4)(A) The department Informed Refusal Form must be signed and dated by both the LLM and the client and a copy must be kept by the LLM in the client's file.

(B) Signing the form shows they have discussed the risks and benefits of continuing under the care of the LLM;

(5) Each signed refusal form must be documented by completing an Incident Report Form and noting the Informed Refusal on the next LLM Caseload and Birth Report Log; and

(6) Documentation of refusal must be included in the client's record in the event a client changes her mind concerning an informed refusal.

(i)(1)(A) It is the responsibility of the LLM to engage in a process of continuous evaluation, beginning with the initial consultation and continuing throughout the provision of care.

(B) This includes continuously assessing safety considerations and risks to the client and informing her of the same.

(2)(A) The LLM is expected to use their judgment in assessing when the client's condition or health needs exceed the LLM's:

- (i) Knowledge;
- (ii) Experience; or
- (iii) Comfort level.

(B) The LLM has the right and responsibility to terminate care under these circumstances.

(j) If any medications that are provided by the department or prescribed by a physician or CNM in accordance with this part are administered at the home birth site, the LLM shall document this in the client health record and include the following:

- (1) The name of the medication;
- (2) The lot number and date of expiration;
- (3) The strength and amount or dose of the medication;
- (4) The date and time the medication is administered;
- (5) The name of the prescriber; and

(6) Document:

(A) The name and the credentials of the nurse administering the medication; or

(B) That the client, or LLM as agent to the client, administered medication to the newborn.

(k) The LLM is required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191).

(l) The LLM is required to comply with all provisions of CLIA (Clinical Laboratory Improvement Amendments of 1988, Pub. L. No. 100-578) when tests are performed for the purpose of providing information for the health care of midwife clients.

### **17 CAR § 47-103. Title protection.**

(a)(1) A person may not practice or offer to act as a lay midwife in Arkansas unless licensed by the State Board of Health.

(2) It is unlawful for any person not licensed as a lay midwife by the board to:

(A) Receive compensation for attending births as an LLM; or

(B) Indicate that they are licensed to practice lay midwifery in Arkansas, excluding licensed:

- (i) CNMs; and
- (ii) Physicians.

(b) Anyone unlawfully practicing lay midwifery without a license shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by:

(1) A fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500);

(2) Imprisonment in the county jail for a period of not less than one (1) week nor more than six (6) months; or

(3) Fine and imprisonment.

(c) The courts of this state having general equity jurisdiction are vested with jurisdiction and power to enjoin the unlawful practice of midwifery in a proceeding by:

- (1) The State Board of Health or any member thereof; or
- (2) Any citizen of this state in:
  - (A) The county in which the alleged unlawful practice occurred;
  - (B) Which the defendant resides; or
  - (C) Pulaski County.

(d) The issuance of an injunction shall not relieve a person from criminal prosecution for violation of the provisions of the Licensed Lay Midwife Act, Arkansas Code § 17-85-101 et seq., but remedy of the injunction shall be in addition to liability to criminal prosecution.

(e) An LLM must use the title “Licensed Lay Midwife” or the initials “LLM” on all materials related to their practice, including all promotional materials.

#### **17 CAR § 47-104. Delegation of licensed lay midwifery functions.**

(a)(1) An LLM assistant may be engaged by the LLM to complement their work, but shall not be used as a substitute for the LLM.

(2) Tasks that may be delegated to the LLM assistant before an assessment of the client’s care needs is completed by the LLM include:

- (A) Noninvasive and non-sterile tasks if, in the judgment of the LLM, the LLM assistant has the appropriate knowledge and skills to perform the task;
- (B) The collecting, reporting, and documentation of temperature, weight, intake, output, and contractions, indicating their frequency and duration;
- (C) Reporting changes from baseline data established by the LLM;
- (D) Assisting the client with:
  - (i) Ambulation;
  - (ii) Positioning; or
  - (iii) Turning;
- (E) Assisting the client with personal hygiene; and
- (F) Reinforcing health teaching planned or provided by the LLM.

(3) Tasks that must never be delegated to an LLM assistant include, but are not exclusive to, the following:

- (A) The performance of a physical assessment or evaluation;
- (B) Physical examination which includes, but is not limited to:
  - (i) Fetal heart rate auscultation;
  - (ii) Cervical exams; and
  - (iii) Blood pressure measurements;
- (C) The provision of sterile invasive treatments;
- (D) The administration of any prescription drugs; and
- (E) The use of any medical devices.

(b) The LLM shall monitor and document the care and procedures performed by any LLM assistant or labor support attendant in the client's medical record.

(c) An LLM who has agreed to provide care to a client is held accountable to act according to the standards of care set out in this part, until such a time as that care is terminated by the client or the LLM in accordance with this part.

(d)(1) An LLM may request a registered nurse to perform selected acts, tasks, or procedures that are outside the scope of the LLM's practice but which do not exceed the scope of practice of the nurse's license.

(2) It is the nurse's responsibility to be informed and act in accordance with both the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Rules, 17 CAR pt. 120.

(e)(1) An LLM who also holds an Arkansas nursing license is required to act in accordance with the following:

(A) The Rules Governing the Practice of Licensed Lay Midwifery in Arkansas;

(B) The Arkansas Nurse Practice Act, as codified in Arkansas Code § 17-87-101 et seq.; and

(C) The Arkansas State Board of Nursing Rules, 17 CAR pt. 120, as promulgated by the Arkansas State Board of Nursing.

(2) An LLM practicing under the scope of her or his nursing license while acting as an LLM may be referred to the board if any improper conduct is suspected.

#### **17 CAR § 47-105. Advertising.**

(a) The Department of Health permits advertising by LLMs regarding the practice of licensed lay midwifery in accordance with this part.

(b)(1) No LLM shall disseminate or cause the dissemination of any advertisement or advertising that is in any way false, deceptive, or misleading.

(2) Any advertisement or advertising shall be deemed to be false, deceptive, or misleading if it:

(A) Contains a misrepresentation of facts;

(B) Makes only a partial disclosure of relevant facts;

(C) Contains any representation or claims as to services that the LLM cannot legally perform;

(D) Contains any representation, statement, or claim which misleads or deceives;

or

(E) Could lead a reasonably prudent person to believe that the LLM is licensed to practice nursing or medicine when not so licensed in the State of Arkansas.

(c) Advertising that crosses into other states must clearly state if any of the services offered are legal only in certain states in which the LLM practices.

### **17 CAR § 47-106. Immunizations.**

All LLMs and their apprentices are strongly encouraged to:

- (1) Have routine vaccinations to the fullest extent unless contraindicated; and
- (2) Not to rely on the immunization status of others or herd immunity to protect them, their clients, and their families.

### **17 CAR § 47-107. Midwifery Advisory Board.**

(a) The State Board of Health shall establish and appoint the Midwifery Advisory Board (MAB) to advise the Department of Health and the State Board of Health on matters pertaining to the regulation of midwifery.

#### **(b) Purpose, duties, and responsibilities.**

(1) Reviewing and advising the department and the State Board of Health regarding the rules.

(2) Reviewing and advising the department regarding approval of continuing education units (CEUs).

(3) Reviewing and advising the department regarding quality improvement data and information.

(4) Serving as community liaisons to educate the public and other providers regarding the practice of midwifery.

(5) Promoting the safe practice of midwifery by addressing issues and concerns regarding the practice of midwifery of the department, State Board of Health, public consumers of midwifery services, and LLMs.

#### **(6) Reviewing reports.**

##### **(A) Statistical reports.**

(i) A draft of the annual LLM statistical report will be available to MAB members for comment prior to the presentation to the State Board of Health.

(ii) Up to two (2) MAB members may consult with department program staff in determining the plan for the collection of data.

##### **(B) Disciplinary case reports.**

(i) The department will notify the MAB of all disciplinary hearings taken before the State Board of Health.

(ii) A copy of the final order will be made available to the MAB.

#### **(c) Composition of the MAB.** The composition of the MAB will be as follows:

(1) Four (4) Arkansas LLMs;

(2) One (1) CNM, currently licensed as a CNM in Arkansas, preferably practicing;

(3) One (1) member at large; and

(4) Three (3) public consumers who have either had a midwife-attended birth, are the spouse of someone who has had a midwife-attended birth, or are persons who have been involved in promoting midwifery or home birth in the State of Arkansas.

#### **(d) Nomination of members.**

(1)(A) Members of the MAB are appointed by the State Board of Health.

(B) The State Board of Health requests nominations from the MAB through the department.

(2) The process for applying to serve on the MAB is as follows:

(A) Individuals interested in either proposing a nomination or serving on the MAB must obtain an “Application for Midwifery Advisory Board Appointment” from the MAB; and

(B) The applicant will complete the application form and submit it to the MAB according to the instructions.

**(e) Terms of Midwifery Advisory Board members.**

(1) Midwifery Advisory Board (MAB) members shall serve terms of up to four (4) years.

(2) No member may serve more than two (2) consecutive full terms.

(3) Members may be eligible for reappointment two (2) years after the date of the expiration of the second full term.

**(f) Organizational structure of the Midwifery Advisory Board.**

(1) MAB members shall establish and annually review the Bylaws of the Midwifery Advisory Board.

(2) Additionally, an organizational chart with delegation of duties of MAB members and officers shall be developed.

(3) MAB members shall elect a chair, vice-chair, and secretary at its first meeting each year that will serve until their successors are elected.

(4) The MAB will schedule and conduct meetings at least two (2) times a year and at other times, as necessary

**17 CAR § 47-108. Continuing education activities of the Midwifery Advisory Board.**

For the purpose of this part, the MAB will process the review of continuing education credits by the following criteria:

(1) The application for review:

(A) Must be received by the MAB at least sixty (60) days prior to the scheduled course date; and

(B) Shall be submitted simultaneously to the Department of Health;

(2) The MAB will review and evaluate the application for the continuing education course and make a recommendation to the department;

(3)(A) The documentation will be reviewed for appropriate content applicable to the protocols and clinical practice of the licensed lay midwifery program of Arkansas.

(B) Each application shall be evaluated on the following criteria:

(i) Completeness of application;

(ii) Agenda;

(iii) Intended audience;

(iv) Method of delivery (lecture, video, correspondence, online, other);

- (v) Course description and objectives; and
  - (vi) Biographical data for each speaker including pertinent education and experience; and
- (4)(A) The recommendation of the MAB shall be submitted in writing for department approval, no less than thirty (30) days prior to the scheduled course date.
- (B) The department will make the final decision for approval of continuing education courses, after consideration of timely received MAB recommendations.
- (C) All final decisions by the department denying approval for continuing education courses may be appealed to the State Board of Health within thirty (30) days of receiving the denial.

## **Subpart 2. Licensing**

### **17 CAR § 47-201. Generally.**

- (a)(1) An LLM license, valid for up to three (3) years, is issued upon application and favorable review.
- (2) Application materials and instructions are available:
- (A) From the Department of Health website; or
  - (B) By contacting the Women’s Health Section of the Department of Health for assistance.
- (b) Unless otherwise specified by this part, individuals who wish to become licensed as an LLM in Arkansas are required to have either current:
- (1) NARM CPM certification;
  - (2) Certification by the American Midwifery Certification Board as a CNM or CM;
- or
- (3) Certification deemed equivalent and approved by the department.
- (c)(1) LLMs seeking renewal of their license must have current CPM, CNM, or CM certification unless they:
- (A) Were licensed continuously prior to this part; and
  - (B) Have never been certified as a CPM.
- (2) Those LLMs may renew their license by:
- (A) Showing documentation of CEUs as required in 17 CAR § 47-203(b)(4); and
  - (B) Completing the renewal application process.
- (d)(1) It is the responsibility of the LLM to ensure their credentials and certifications are current at all times.
- (2) These include, but are not limited to:
- (A) CPM;
  - (B) CPR; and
  - (C) Neonatal resuscitation.
- (3) The licensee must provide documentation upon request.

(e)(1) LLMs who receive a CPM or MBC must provide verification with initial application and for license renewal, or within thirty (30) days of initial certification.

(2) A notarized copy of the certificate or a verification letter sent directly from NARM must be submitted to the department.

(f) In the event of a lapse or revocation of any licensure or certification held the LLM must notify the department within thirty (30) days of revocation.

(g) If the name used on the application is not the same as that on any of the supporting documentation, the applicant must submit proof of name change with application.

(h) Apprentices who hold a valid permit prior to the effective date of this part will follow the requirements for licensure found in Appendix B: Transitional Provisions and Forms.

(i) If an application for licensure or renewal is denied, the applicant may appeal that denial to the State Board of Health within thirty (30) days of receipt of the denial.

### **17 CAR § 47-202. Eligibility requirements for initial licensure.**

Applicants for initial licensure must meet the following requirements, except for those noted in 17 CAR § 47-201(c):

(1) An applicant for an initial license to practice midwifery shall submit:

(A) A completed application, provided by the Department of Health;

(B) A passport style and size photo of the applicant, showing head and shoulders, taken within sixty (60) days prior to the submission date of the application and attached to the application;

(C) A copy of one (1) of the following documents that demonstrates the applicant is twenty-one (21) years of age or older:

(i) The applicant's birth certificate;

(ii) The applicant's United States passport, United States driver's license, or other state-issued identification document; or

(iii) Any document issued by federal, state, or provincial registrar of vital statistics showing age;

(D)(i) Documentation of a high school diploma or its equivalent and documentation of the highest degree attained after high school.

(ii) This documentation should include the name of the issuing school or institution and the date issued;

(E)(i) Documentation that applicant is:

(a) Certified by NARM as a CPM or by the American Midwifery Certification Board (AMCB) as a CNM or a CM, or holds a certification deemed equivalent; and

(b) Approved by the department.

(ii) Documentation may be received in the form of a verification letter directly from the credentialing body or a notarized copy of the applicant's credential.

(iii) The department may request additional documentation to support applicants' qualifications or certifications.

(iv) It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request;

(F)(i) If applicable, documentation that applicant holds an MBC issued by NARM.

(ii) Documentation may be received in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate; and

(G)(i) A list on the application form of all current professional health-related licensure including those from other jurisdictions.

(ii) The department may request verification;

(2) Upon satisfactory review of the application by the department, the applicant:

(A) Shall take the Arkansas Rules Examination, which will be administered at the department, three (3) times each year on dates chosen and publicized by the department;

(B) Shall provide proof of identity upon request in the form of a government-issued photographic identification card at the time of testing;

(C)(i) Shall receive a written notice of examination results.

(ii) If the applicant scores eighty percent (80%) or higher on the Arkansas Rules Examination, a license will be issued; and

(D) Shall be permitted to re-test if their score is below eighty percent (80%);

(3) All final decisions by the department denying issuance of license may be appealed to the State Board of Health pursuant to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.;

**(4) Prohibiting criminal offenses.**

(A) An individual is not eligible to receive or hold a license issued by the department if that individual has pleaded guilty or nolo contendere to or been found guilty of any of the offenses detailed in Arkansas Code § 17-3-102 et seq., by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court, unless the conviction was:

(i) Lawfully sealed under the Comprehensive Criminal Record Sealing Act of 2013, Arkansas Code § 16-90-1401 et seq.; or

(ii) Otherwise sealed, pardoned, or expunged under prior law.

(B) The department may grant a waiver as authorized by Arkansas Code § 17-3-102 in certain circumstances.

(C)(i) For the purpose of issuing a lay midwife license, the department is not authorized to conduct criminal background checks, but may inquire about criminal convictions upon application or renewal of a license.

(ii) Any applicant or licensee who provides false information to the department regarding a criminal conviction may be subject to suspension, revocation, or denial of a license; and

**(5) Prelicensure prohibiting offense determination.**

(A) Pursuant to Acts 2019, No. 990, an individual may petition for a prelicensure determination of whether the individual's criminal record will disqualify the individual from licensure and whether a waiver may be obtained.

(B) The individual must obtain the prelicensure criminal background check petition form from Appendix A of this part.

(C) The department will respond with a decision in writing to a completed petition within a reasonable time.

(D) The department response will state the reason or reasons for the decision.

(E) All decisions of the department in response to the petition will be determined by the information provided by the individual.

(F) Any decision made by the department in response to a prelicensure criminal background check petition is not subject to appeal.

(G) The department will retain a copy of the petition and response and it will be reviewed during the formal application process.

**17 CAR § 47-203. Renewal.**

(a)(1) Licenses expire on August 31 of the renewal year, and applications and documentation must be submitted by July 2 of the renewal year to be timely.

(2) Renewal will only occur upon receipt of application and favorable review of required activity reports by the Department of Health.

(3) This review will ensure that the LLM has acted in accordance with this part.

(b) Applications for renewal for LLMs who have been continuously licensed in the State of Arkansas prior to the effective date of this part, and who have never received certification as a CPM, must include:

(1) A completed application for renewal provided by the department;

(2)(A) A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR).

(B) Approved CPR courses include courses that are approved by NARM.

(C) **Note.**

(i) Only certification from courses which include a hands-on skills component are accepted.

(ii) Online-only courses are not accepted.

(D) It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request;

(3)(A) A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM.

(B) **Note.**

(i) Only certification from courses which include a hands-on skills component are accepted.

(ii) Online-only courses are not accepted.

(B) It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request; and

(4)(A) Documentation of thirty (30) hours of continuing clinical education within the past three (3) years.

(B) Continuing education units (CEUs) and contact hours will be approved according to the following guidelines:

(i) A maximum of five (5) hours may be granted for documented peer review;

(ii) CPR or neonatal resuscitation courses may not be used as part of your CEU totals; and

(iii) Workshops or conferences relevant to the clinical practice of midwifery in Arkansas that are sponsored by the following organizations are preapproved by the Licensed Lay Midwifery Advisory Board for CEUs:

(a) American College of Nurse Midwives;

(b) American College of Obstetrics and Gynecology;

(c) The department;

(d) International Childbirth Education Association;

(e) La Leche League International;

(f) University of Arkansas for Medical Sciences;

(g) Midwifery Education Accreditation Council (MEAC);

(h) Any state nurses association; and

(i) Arkansas Osteopathic Medical Schools.

(c) Applications for renewal for the LLM licensed by the department and certified as a CPM, CNM, or CM or having a certification previously approved by the department (17 CAR § 47-202(1)(E)) must include:

(1) A completed application for renewal in a format provided by the department;

(2)(A) Proof that the relevant credential is current.

(B) Documentation may be received in the form of:

(i) Verification letter sent directly from the certifying agency; or

(ii) Notarized copy of the certificate;

(3)(A) A list of all professional health-related licensure in other jurisdictions on the renewal application.

(B) The department may request verification; and

(4)(A) The department may request additional documentation to support applicants' qualifications or certifications.

(B) It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.

(d)(1) The Arkansas Rules Examination must be taken for each licensing period within one hundred eighty (180) days prior to the expiration of the midwifery license.

(2) A score of eighty percent (80%) or higher must be achieved.

(3) The test for renewal of licenses will be available:

- (A) On the department website; or
- (B) By contacting the Women's Health Section of the department for information.
- (4) The applicant must submit a copy of the certificate of completion with the application for license renewal.
- (e) All final decisions by the department denying renewal of license may be appealed to the State Board of Health pursuant to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

**17 CAR § 41-204. Grounds for denial of application, discipline, suspension, or revocation of license.**

The Department of Health may refuse to issue, suspend, or revoke a license for violation of the Licensed Lay Midwife Act, Arkansas Code § 17-85-101 et seq., or any provision of this part, including, but not limited to, any of the following reasons:

- (1) Securing a license or permit through:
  - (A) Deceit;
  - (B) Fraud; or
  - (C) Intentional misrepresentation;
- (2) Submitting false or misleading information to the:
  - (A) Department;
  - (B) State Board of Health; or
  - (C) MAB;
- (3) Practicing midwifery on expired credentials;
- (4) Knowingly making or filing a false report or record, intentionally or negligently failing to file a report or record required by this part, or willfully impeding or obstructing such filing;
- (5) Failure to submit requested midwifery records in connection with an investigation;
- (6) Engaging in unprofessional conduct or dereliction of any duty imposed by law, which includes, but is not limited to, any departure from, or failure to conform to, the standards of the practice of midwifery as established by this part;
- (7) Revocation of CPM certification by NARM;
- (8) Permitting another person to use the licensee's license or permit;
- (9) Knowingly or negligently employing, supervising, or permitting (directly or indirectly) any person to perform any work not allowed by this part;
- (10) Obtaining any fee by fraud or misrepresentation;
- (11) Knowingly or negligently allowing an LLM apprentice to practice midwifery without a supervising preceptor present, except in an emergency;
- (12) Using, causing, or promoting the use of any advertising material, promotional literature, or any other representation, however disseminated or published, which is misleading or untruthful;

(13) Representing that the service or device of a person licensed to practice medicine will be used or made available when that is not true, or using the words "doctor", "registered nurse", "Certified Nurse Midwife", or similar words, abbreviations, acronyms, or symbols including MD (Medical Doctor), DO (Doctor of Osteopathic Medicine), RN (Registered Nurse), CNM, CM, APRN (Advanced Practice Registered Nurse), RNP (Registered Nurse Practitioner), EMT (Emergency Medical Technician) or paramedic, falsely implying involvement by such a medical professional;

(14) Use of the designation "birth center" or "birthing center" in reference to the LLM's home or office, or charging facility fees for delivery in a "birth center" or "birthing center", unless that center is licensed as such in compliance with the requirements set forth by the Rules for Free-Standing Birthing Centers, 20 CAR pt. 44;

(15) Violation of the Arkansas Legend Drugs and Controlled Substances Law, Arkansas Code § 20-64-501 et seq., or the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq.;

(16) Displaying the inability to practice midwifery with reasonable skill and safety because of:

- (A) Illness;
- (B) Disability; or
- (C) Psychological impairment;

(17) Practicing while knowingly suffering from a contagious or infectious disease that may be transmitted through the practice of midwifery;

(18) Practicing midwifery while under the influence of any intoxicant or illegal drug;

(19) Judgment by a court of competent jurisdiction that the individual is mentally impaired;

(20) Disciplinary action taken by another jurisdiction affecting the applicant's legal authority to practice midwifery in that jurisdiction;

(21) Disciplinary action taken by another licensing or credentialing body due to:

- (A) Negligence;
- (B) Willful disregard for patient safety; or
- (C) Other inability to provide safe patient care;

(22) Gross negligence;

(23) Conviction of a felony;

(24) Failure to comply with an order issued by the State Board of Health or a court of competent jurisdiction; and

(25) Practicing outside the scope of practice and protocols as outlined in this part.

### **17 CAR § 47-205. Disciplinary actions.**

(a)(1) Suspected cases involving violation of the Licensed Lay Midwifery Act, Arkansas Code § 17-85-101 et seq. or this part may be referred by the Department of

Health to the State Board of Health for a hearing, according to the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(2) If the board finds that a person holding a license or permit has violated the Licensed Lay Midwifery Act, Arkansas Code § 17-85-101 et seq., or this part, sanctions, which include but are not limited to the following, may be imposed:

- (A) Revocation of license or permit;
- (B) Suspension of a license or permit for a determinate period of time;
- (C) Written or verbal reprimand of a licensee or permit holder;
- (D) Probation of license or permit;
- (E) Limitations or conditions on the practice of a person holding a license or permit;

(F) Continuing education requirements to address known deficiencies; and

(G) Fines as imposed by the board under its general authority to regulate.

(b) The department will notify licensee of any actions to be imposed.

(c) Decisions may be appealed to the circuit court pursuant to the Arkansas Administrative Procedure Act.

(d) Any applicable certification or licensing agencies will be notified of final actions on licenses including, but not limited to, NARM and any states where the midwife holds a license.

#### **17 CAR § 47-206. Inactive status.**

(a) Inactive status is automatic on the day after the license expires.

(b)(1) LLMs who do not maintain a current license will be considered inactive.

(2) Inactive status may be maintained for up to three (3) years.

(c) An LLM with inactive status may not practice midwifery until the license is reactivated.

(d) To reactivate a license with inactive status, the applicant must:

(1) Submit a copy of their current CPM, CNM, or CM credential or, if the applicant was licensed prior to the effective date of this part, document additional continuing education credits totaling ten (10) hours for each year of inactive status;

(2) Submit current CPR certification;

(3) Submit current NARM-approved neonatal resuscitation certification; and

(4) Take the Arkansas Rules Examination and achieve a score of eighty percent (80%) or higher.

#### **17 CAR § 47-207. Reactivation of expired license.**

(a) After three (3) years, a license in inactive status automatically expires.

(b) To become relicensed the applicant must successfully fulfill all of the requirements for initial licensure as outlined in 17 CAR § 47-202.

**17 CAR § 47-208. Apprenticeships.**

(a) Apprentices who hold a valid permit prior to the effective date of this part will follow the requirements found in Appendix B: Transitional Provisions and Forms.

(b)(1) An LLM will be responsible for notifying the Department of Health of any apprentices accepted under their supervision within thirty (30) days of signing, but prior to the apprentice providing any services.

(2)(A) The department Preceptor-Apprentice Agreement form (found in Appendix A or available on the department website) shall be used for this notification.

(B) Preceptors must meet all NARM preceptor requirements.

(3) Any changes in the apprentice's contact information must be provided to the department by the LLM within thirty (30) days of the status change.

(4) If the apprentice is still under the LLM's supervision after three (3) years, the LLM must complete a new form indicating this status.

(c)(1) Should the Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify the department immediately.

(2) An apprentice must not continue to perform under any preceptor or preceptors unless a new signed Preceptor-Apprentice Agreement is on file with the department.

(3) A signed Preceptor-Apprentice Agreement for every preceptor under whom an apprentice trains must be signed and sent to the department.

(d) Apprentices shall follow all applicable Arkansas laws and this part.

(e) Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191).

**17 CAR § 47-209. Licensure of uniformed service members, uniformed service veterans, and their spouses.**

(a) **Applicability.** This section applies to:

(1) A uniformed service member stationed in the State of Arkansas;

(2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; and

(3) The spouse of subdivision (a)(1) or subdivision (a)(2) of this section including a uniformed service member who is:

(A) Assigned a tour of duty that excludes the spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; or

(B) Killed or succumbed to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

(b) **Automatic licensure.** Automatic licensure shall be granted to persons listed in subdivision (a)(1) of this section if the person is a holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States.

(c) **Credit toward initial licensure.** Relevant and applicable uniformed service education, training, or service-issued credentials shall be accepted toward initial licensure for a uniformed service member or a uniformed service veteran who makes an application within one (1) year of his or her discharge from uniformed service.

(d) **Expiration dates and continuing education.**

(1) A license expiration date shall be extended for a deployed uniformed service member or spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(2) A uniformed service member or spouse shall be exempt from continuing education requirements in 17 CAR § 47-203(b)(4) for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(3) Any uniformed service member or spouse exercising the exemption shall provide evidence of completion of continuing education before renewal or grant of a subsequent license.

(e) The Department of Health shall grant such automatic licensure upon receipt of all of the below:

(1) Evidence that the individual holds a substantially equivalent license in another state;

(2) Evidence that the applicant is a qualified applicant under subsection (a) of this section;

(3)(A) The applicant shall hold his or her occupational licensure in good standing.

(B) The applicant shall not have had a license revoked for:

(i) An act of bad faith; or

(ii) A violation of:

(a) Law;

(b) Rule; or

(c) Ethics.

(C) The applicant shall not hold a suspended or probationary license in a United States jurisdiction;

(4) A completed application, provided by the department;

(5) A passport-style and passport-size photo of the applicant, head and shoulders:

(A) Taken within sixty (60) prior to the submission date of the application; and

(B) Attached to the application;

(6)(A) If applicable, documentation that applicant holds an MBC issued by NARM.

(B) Documentation may be received in the form of a:

(i) Verification letter directly from the certifying body; or

(ii) Notarized copy of the applicant's certificate; and

(7)(A) A list on the application form of all current professional health-related licensure, including from other jurisdictions.

(B) The department may request verification.

(f) All applicants who are licensed pursuant to this section must adhere to all LLM protocols as outlined in this part.

**17 CAR § 47-210. Reciprocal licensure.**

(a)(1) Pursuant to Acts 2019, No. 1011, reciprocal licensure will be granted based on substantially equivalent licensure in another United States jurisdiction.

(2) Refer to 17 CAR § 47-202(1)(E) of this part for all certifications deemed substantially equivalent.

**(b) Reciprocity.**

(1) **Required qualifications.** An applicant applying for reciprocal licensure shall meet the following requirements:

(A)(i) The applicant shall hold a substantially similar license in another United States jurisdiction.

(ii) Refer to 17 CAR § 47-202(1)(E) of this part for all certifications deemed substantially equivalent.

(iii) The applicant shall hold his or her occupational licensure in good standing.

(iv) The applicant shall not have had a license revoked for:

(a) An act of bad faith; or

(b) A violation of law, rule, or ethics.

(v) The applicant shall not hold a suspended or probationary license in a United States jurisdiction;

(B) The applicant shall be sufficiently competent in lay midwifery; and

(C) The applicant will provide documentation to the Department of Health verifying current certification is held as required by 17 CAR § 47-202(1)(E).

(2) **Required documentation.** An applicant shall submit the documentation described below:

(A) A completed application, provided by the department;

(B) A passport style and size photo of the applicant, showing head and shoulders, taken within sixty (60) days prior to the submission date of the application and attached to the application;

(C)(i) A list on the application form of all current professional health-related licensure, including those from other jurisdictions.

(ii) The department may request verification;

(D) As evidence that the applicant's license from another jurisdiction is substantially similar to Arkansas's, the applicant shall submit the following information:

(i)(a) Evidence of current and active licensure in that state.

(b) The department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and

(ii)(a) Evidence that the other state's licensure requirements match those listed in 17 CAR § 47-202(1)(E).

(b) The department may verify this information online or by telephone to the other state's licensing board;

(E) To demonstrate that the applicant meets the requirements in subdivisions (b)(1)(A)(iii) – (v) of this section, the applicant shall provide the department with:

(i) The names of all states in which the applicant is currently licensed or has been previously licensed;

(ii)(a) Letters of good standing or other information from each state in which the applicant is currently or has ever been licensed showing that the applicant:

(1) Has not had his or her license revoked for the reasons listed in subdivision (b)(1)(A)(iv) of this section; and

(2) Does not hold a license on suspended or probationary status as described in subdivision (b)(1)(A)(v) of this section.

(b) The department may verify this information online if the jurisdiction at issue provides primary source verification on its website or by telephone to the other state's licensing board; and

(F)(i) As evidence that the applicant is sufficiently competent in the field of lay midwifery, an applicant shall provide documentation to the department verifying current certification is held as required by 17 CAR § 47-202(1)(E).

(ii) If applicable, documentation that applicant holds an MBC issued by NARM.

(iii) Documentation may be received in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate.

**(c) Temporary license.**

(1) The department shall issue a temporary license immediately upon receipt and satisfactory review of the application and the documentation required under subdivision (b)(2) of this section.

(2) The temporary license shall be effective for ninety (90) days or until the department makes a decision on the application, unless the department determines that the applicant does not meet the requirements in subdivisions (c)(1) and (c)(2) of this section, in which case the temporary license shall be immediately revoked.

(3) An applicant may provide the rest of the documentation required in 17 CAR § 47-202 in order to receive a license, or the applicant may only provide the information necessary for the issuance of a temporary license.

(4) Upon issuance of a temporary license, the applicant will have up to ninety (90) days to successfully complete the Arkansas Rules Examination as specified in 17 CAR § 47-202(2).

(5) Upon successful completion of the Arkansas Rules Examination, the applicant will be issued a standard Arkansas Lay Midwife License valid for up to three (3) years.

(6) All standard license holders will follow the renewal process outlined in 17 CAR § 47-203 of this part.

(7) If the applicant does not successfully complete the Arkansas Rules Examination within ninety (90) days of issuance of a temporary and provisional license, the temporary license will be considered invalid.

(8) If the applicant scores less than eighty percent (80%) on the Arkansas Rules Examination, the temporary license will be considered invalid.

(9) A temporary license cannot be reissued or extended.

(10) The applicant must successfully complete the Arkansas Rules Examination as specified in 17 CAR § 47-202(2) in order to obtain a standard Arkansas Lay Midwife License.

(d)(1) License for person from a state that does not license profession.

(2) Applicants from another United States jurisdiction where substantially equivalent licensure is not available, refer to 17 CAR § 47-202 for licensure requirements.

(e) All applicants who are licensed pursuant to 17 CAR § 47-210 must adhere to all LLM protocols as outlined in this part.

### **Subpart 3. Protocols**

#### **17 CAR § 47-301. Generally.**

The LLM must adhere to the LLM protocols as outlined in this part.

#### **17 CAR § 47-302. Requirements for licensed lay midwifery practice.**

(a) The following requirements must be met before a LLM can legally accept a client:

(1) **Licensing.**

(A) The LLM must possess a current Arkansas Lay Midwife License.

(B) See 17 CAR § 47-201 et seq.;

(2) **Disclosure form.**

(A) At the time a request is made for care, the LLM must discuss certain information concerning LLM assisted home deliveries with the client.

(B) This discussion must be documented by use of the disclosure form (found in Appendix A or available on the Department of Health website).

(C) It must be signed and dated by the client at the same time the LLM and client enter into an agreement for services and sign a contract.

(D) This form must be filed in the client's medical record and noted on the next caseload and birth report log sent to the department by the LLM; and

(3) **Emergency plan.**

(A) As part of the disclosure form, an individual emergency plan must be established by the LLM and client.

(B) The plan must include:

(1) The name and contact information of the physicians who will be consulted for the mother and the newborn;

(2) The arrangements for transport from the delivery site to a hospital, if needed;

(3) The hospital with obstetric services, or the hospital where the physician or CNM has obstetric privileges, that will be used for transport, which must be located within fifty (50) miles of the delivery site; and

(4) The nearest hospital to the delivery site.

**(b) Termination of care.**

(1) An LLM shall terminate care of a client only in accordance with this subsection (b) unless a transfer of care results from an emergency situation.

(2) Once the LLM has accepted a client, the relationship is ongoing and the LLM cannot refuse to continue to provide midwifery care to the client unless the:

(A) Client has no need of further care;

(B) Client terminates the relationship; or

(C) LLM formally terminates the relationship due to a provision of this part or for any other reason.

(3) The LLM may terminate care for any reason by:

(A)(i) Providing a minimum of thirty (30) days' written notice, during which time the LLM shall continue to provide midwifery care until the client is able to select another healthcare provider.

(ii) If continuing care would cause the LLM to violate this part, care can be terminated by the LLM without giving thirty (30) days' notice.

(iii) Justification for this action must be documented in the client's record;

(B)(i) Attempting to tell the client in person, and in the presence of a witness, of the LLM's wish to terminate care.

(ii) If the client will not meet with the LLM, the LLM must document that the attempt was made and how it was made;

(C) Providing the client with referrals to other healthcare providers; and

(D) Documenting the termination of care in the client medical record and submission of a department incident report.

**(c) Transfer of care.**

(1) If a transfer of care recommendation occurs during labor, delivery, or the immediate postpartum period and the client refuses transfer, the midwife shall:

(A) Call 911; and

(B) Provide further care as indicated by the situation.

(2) If the midwife is unable to transfer to a healthcare professional, the client will be transferred to the nearest appropriate healthcare facility.

(3) The midwife shall attempt to contact the facility and continue to provide care as indicated by the situation.

**17 CAR § 47-303. Protocol for required antepartum care.**

**(a) Risk assessment or assessments.**

(1) Risk assessments shall be performed by a physician, a CNM, or a Department of Health clinician.

(2) The purpose of these visits is to ensure that the client has no potentially serious medical conditions and has no medical contraindications to home birth.

(3) Each risk assessment must be filed in the client's medical record.

(4) The risk assessments must be comprehensive enough for the LLM to identify potentially dangerous conditions that may preclude midwifery care or that require physician or CNM consultation.

(5) Each client must be evaluated by a physician, a CNM, or a department clinician at the following times:

(A) At or near the time care is initiated with the LLM and the evaluation must include the Required Antepartum Services listed in subsection (b) of this section;

(B) At or near the thirty sixth week of gestation and must include:

(i) Review of the client's complete prenatal record;

(ii) Review of the results of all prenatal testing;

(iii) Interval medical and obstetric history;

(iv) Review of systems;

(v) Pertinent physical examination, including:

(a) Measurements of blood pressure, weight;

(b) Fundal height;

(c) Estimated gestational age;

(d) Fetal presentation/position; and

(vi) Group B strep testing, according to department-approved guidelines;

(C)(i) Between forty-one (41) weeks, zero out of seven (0/7) days and forty-two (42) weeks, zero out of seven (0/7) days of gestation, the requirements for the thirty-sixth week assessment shall be repeated and may include additional tests or procedures.

(ii) A documented plan for care beyond forty-two (42) weeks, zero out of seven (0/7) days gestational age must be submitted to the department as an additional required incident report.

(iii) If a referral or this risk assessment is not made, or if the clinician advises against home delivery, the client must be transferred; and

(D)(i) The LLM is responsible for reviewing the risk assessment data and ensuring that her or his client is low risk for home delivery.

(ii) The LLM must base her or his decision on all information, results, and recommendations received from the clinician performing the risk assessment, including any statement in the client's record by a physician, CNM, or department clinician indicating that the client is not suitable for home birth.

**(b) Required antepartum services at or near the initiation of care.**

(1)(A) The LLM must ensure each client receives the following services at or near the initiation of care from a physician, CNM, or department clinician.

(B) Exceptions to these required services are at the discretion of the physician, CNM, or department clinician who performs the risk assessment and must be documented in the client's medical record.

(2) The services are:

(A)(i) Medical, obstetric, and nutritional history.

(ii) The history must be comprehensive enough to identify potentially dangerous conditions that:

(a) May preclude midwifery care; or

(b) Require physician or CNM consultation;

(B) A physical examination comprehensive enough to identify potentially dangerous conditions that may preclude midwifery care;

(C) Estimation of gestational age;

(D) Measurements of blood pressure, height, and weight; and

(E) Prenatal testing:

(i) Pap test/HPV test;

(ii) Test for gonorrhea and chlamydia;

(iii) Blood sample for blood group and Rh determination and antibody screen;

(iv) CBC with platelets or hematocrit or hemoglobin;

(v) Test for syphilis;

(vi) Urine culture;

(vii)(a) Blood sugar.

(b) Test according to national standards as approved by the department and available on the department website;

(viii) Hepatitis B test;

(ix) Counsel client concerning maternal serum genetic testing, if before twenty

(20) weeks gestation;

(x) Rubella test if previous immunity not documented; and

(xi) HIV counseling and test.

**(c) Collection of laboratory specimens.**

(1)(A) For LLMs who are trained in the collection of laboratory specimens and collect the specimens themselves, the specimens must be submitted to a standard lab.

(B) The reports and test results must be sent for review and interpretation by a:

(i) Physician;

(ii) CNM; or

(iii) Department clinician.

(C) All reports and test results, including reviews and interpretations, must be recorded in the client record.

(2)(A) If blood sugar testing is performed by the LLM, they shall:

(i) Use only a United States Food and Drug Administration-approved device for the Clinical Laboratory Improvement Amendments of 1988, Pub.L. No. 100-578 (e.g., HemoCue Blood Glucose Analyzer); and

(ii) Follow the department-approved standards for diabetes testing.

(B) The results of all testing must be interpreted by a physician, CNM, or department clinician within ten (10) days.

**(d) Routine antepartum LLM care.**

(1) **Frequency of visits.** Routine antepartum visits must be made approximately every four (4) weeks during the first twenty-eight (28) weeks of gestation, approximately every two (2) weeks from the twenty-eighth to thirty-sixth weeks, and weekly thereafter until delivery.

(2) **Routine visit services.** At each visit the LLM will perform and record the following services:

(A) Weight;

(B) Blood pressure;

(C) Fundal height;

(D) Determination of fetal position;

(E) Urine testing for:

(i) Glucose;

(ii) Protein; and

(iii) Nitrites;

(F) Fetal heart rate;

(G) Medical and nutritional history since last visit; and

(H) Check for edema of:

(i) Legs;

(ii) Face; or

(iii) Hands.

**(e) Required antepartum services at twenty-four (24) to twenty-eight (28) weeks gestation.**

(1) Except for women with known gestational diabetes all women must be screened for gestational diabetes between twenty-four (24) to twenty-eight (28) weeks according to national standards approved by the department.

(2) All women with negative Rh factor must be treated as follows:

(A)(i) Repeat antibody screening at twenty-eight (28) weeks.

(ii) If it is negative, advise client that an Rh immunoglobulin injection is recommended.

(iii) If the client is enrolled in a local health unit maternity clinic, Rh immunoglobulin can be administered at the clinic, otherwise she must be referred to a physician or CNM to obtain the Rh immunoglobulin;

(B) If antibody screen is positive, refer the client or consult a physician or CNM as soon as possible.

(C)(i) If client declines Rh immunoglobulin, repeat antibody screening must be performed at twenty-eight (28) weeks and the LLM is responsible for providing the client with written information provided by the department outlining the risks of isoimmunization and the benefits of Rh immunoglobulin.

(ii) A copy of the signed refusal form needs to be documented and filed in the client's record.

(3) Testing for CBC with platelets.

**(f) Required antepartum service at thirty-five (35) to thirty-seven (37) weeks gestation.** Screening for group B strep according to department-approved guidelines available on the department website.

**(g) Antepartum preparation for home birth.**

**(1) Pre-delivery home visit.**

(A) The LLM is required to make, prior to delivery, at least one (1) visit to the home where the birth will take place.

(B)(i) The LLM should inform the client of the equipment and supplies that must be available at the time of delivery.

(ii) She or he should instruct the client and family of requirements for an aseptic delivery site.

**(2) Obtaining department newborn care package.**

(A) The newborn care package provided by the department:

- (i) Contains the required newborn medications and other necessary items; and
- (ii) Is available to all LLM clients.

(B) If the mother chooses to obtain the newborn care package from the department, she must notify the local health unit in sufficient time to allow the local health unit one (1) month to obtain the care package.

**(3) Obtaining medications for newborn.**

(A)(i) The LLM must advise the client that the newborn may need either Erythromycin one-half of one percent (0.5%) Ophthalmic or Tetracycline one percent (1.0%) Ophthalmic in individual dose packaging for newborn eye care.

(ii) The mother may obtain one (1) of these medications before thirty-seven (37) weeks, zero out of seven (0/7) days of the pregnancy either by:

- (a) Prescription from a private physician;
- (b) CNM;
- (c) Other licensed prescriber; or
- (d) Prior arrangement with a local health unit.

(B)(i) The LLM must advise the client that the newborn should receive vitamin K within two (2) hours of birth.

(ii) The medication should be obtained by prescription before thirty-seven (37) weeks, zero out of seven (0/7) days of pregnancy:

(a) From a private physician, CNM, or other licensed prescriber; or

(b) By prior arrangements with a local health unit.

(C) The LLM must advise the client that:

(i) All medications must be administered to the newborn by a person licensed by the State of Arkansas to administer medications (nurse, physician), and that prior arrangements should be made in order to ensure the licensed person will be available to administer the medications soon after birth;

(ii) The client has the option to administer the medications to her newborn with instructions from the licensed prescriber (physician, CNM, or department clinician); or

(iii) The client has the option to allow the LLM to act as her agent to administer to her newborn the following medications:

(a) Erythromycin one half of one percent (0.5%) Ophthalmic or Tetracycline one percent (1.0%) Ophthalmic; and

(b) Vitamin K, only allowed to be administered orally by the LLM.

**(4) Obtaining intrapartum and postpartum medications for mothers.** The LLM will discuss with her or his client the protocol for each of the following medications that require the client to make arrangements to obtain the prescriptions and establish a plan for the administration of medications prior to the onset of labor:

(A) Rh immunoglobulin for Rh negative mothers with an Rh positive newborn;

(B) GBS prophylaxis according to department-approved guidelines; and

(C) Benzocaine fourteen percent (14%) available in gel form, solution, or spray that may be used for the repair of first and second degree lacerations by the LLM after birth.

**(5) Preparing bottle-feeding mothers.**

(A) For the client planning to bottle feed her newborn, commercially prepared, client-selected formula shall be available for an initial feeding within the first two (2) to three (3) hours after birth.

(B) Client-selected formula must be available for newborn feedings.

**(6) Education of client for required genetic/metabolic screening.**

(A) The LLM is responsible for advising the client of the:

(i) Law that requires newborn screening (Arkansas Code § 20-15-302); and

(ii) Procedure for conducting newborn screening.

(B) Information is available on the department website.

**(7) Completion of newborn hearing screening.**

(A) The LLM is responsible for advising the client of the:

(i) Newborn infant hearing screening law (Arkansas Code § 20-15-1101 et seq.); and

(ii) Available resources to obtain the newborn hearing screening.

(B) Information is available on the department website.

**(8) Preparation for well-baby care.**

(A) The LLM is responsible for advising the mother that beyond the first fourteen (14) days of life, the LLM is no longer responsible and the mother should seek further care from a physician or an APRN specializing in the care of infants and children.

(B) This does not preclude the LLM from providing counseling regarding routine newborn care and breastfeeding.

**(9) Preparation for secondary prevention of newborn early-onset group B strep.** The LLM shall advise the mother of the necessity for newborn evaluation by a physician within twenty-four (24) hours of birth when:

(A)(i) Maternal GBS status is unknown and membranes are ruptured in labor more than eighteen (18) hours before birth.

(ii) Refer to 17 CAR § 17-310(b)(7)(H); and

(B)(i) The mother has indications for GBS prophylaxis in labor, regardless of adequate antibiotic treatment prior to birth and regardless of the presence or absence of symptoms of illness.

(ii) Refer to 17 CAR § 17-304(g)(3)(B).

**17 CAR § 17-304. Protocol for antepartum conditions requiring intervention.**

(a) Each client is to have a risk assessment (see 17 CAR § 47-303(a)) documented by a physician, CNM, or Department of Health clinician at or near the initiation of care and again around the thirty-sixth week.

(b)(1) The following sections detail the actions to be followed by the LLM if the client exhibits or develops one (1) of the specified conditions.

(2) The LLM will refer women for medical evaluation as soon as possible after the condition is identified.

(c) The LLM is expected to use their judgment regarding the need for consultation, referral, or transfer when problems arise that are not specified in this part.

(d) In addition to the birth log, such care will be documented on an incident report and submitted to the department.

**(e) Conditions precluding midwifery care.**

(1)(A) The following conditions preclude midwifery care and the client must be transferred to a physician, CNM, or department clinician upon diagnosis.

(B) There may be additional high-risk conditions judged by either a physician, CNM, department clinician, or LLM that could also preclude midwifery care.

(2) The conditions are:

(A) Previous cesarean delivery;

(B) Multiple gestation;

(C) Documented placenta previa in the third trimester;

(D) Insulin-dependent diabetes; and

(E)(i) Pregnancy that extends beyond forty-two (42) weeks, zero out of seven (0/7) days gestational age unless there is a third risk assessment and a documented plan of care submitted to the department.

(ii) If the clinician advises against home delivery, the client must be transferred.

**(f) Pre-existing conditions requiring antepartum consultation, referral, or transfer of care.**

(1) If any of the following pre-existing conditions are identified, the client must be examined by a:

- (A) Physician;
- (B) CNM; or
- (C) Department clinician.

(2)(A) A plan of care for the condition must be established, including a plan for transfer of care if indicated, and execution of the plan of care must be documented.

(B) Midwives caring for these clients will be required to submit additional incident reports to the department.

(C) If a referral is not made or if the clinician advises against home birth, the care must be transferred to a physician or CNM.

(3) The pre-existing conditions are:

- (A) Heart disease;
- (B) Epilepsy;
- (C) Diabetes;
- (D) Neurological disease;
- (E) Sickle cell or other hemoglobinopathies;
- (F) Cancer;
- (G) Psychiatric disorders;
- (H) Active tuberculosis;
- (I) Chronic pulmonary disease;
- (J) Thrombophlebitis;
- (K) Endocrinopathy;
- (L) Collagen vascular diseases or other severe collagen disease;
- (M) Renal disease;
- (N) Hypertension;
- (O) Drug or alcohol use during current pregnancy;
- (P) Significant congenital or chromosomal anomalies;
- (Q) History of postpartum hemorrhage not caused by placenta previa or abruption;
- (R) Rh negative isoimmunization (positive Coombs);
- (S) Structural abnormalities of the reproductive tract including fibroids;
- (T) HIV positive or AIDS;
- (U) Previous infant with GBS disease;

- (V) History of unexplained perinatal death;
  - (W) History of seven (7) or more deliveries;
  - (X) Maternal age greater than or equal to forty (40) at estimated date of delivery;
  - (Y) Previous infant weighing less than five (5) pounds or more than ten (10) pounds;
  - (Z) Previous surgery involving the uterus or cervix; and
  - (AA) Pregnancy termination or loss more than or equal to three ( $\geq 3$ ).
- (g) Antepartum conditions requiring consultation, referral, or transfer of care.**
- (1) If any of the following antepartum conditions are identified:
    - (A) A physician/CNM consultation, referral, or transfer is required; and
    - (B) The client must be examined by a physician or CNM currently practicing obstetrics.
  - (2)(A) Department clinicians may accept referrals per department protocol.
  - (B) A plan of care for the condition must be established and execution of the plan must be documented.
  - (C) Midwives caring for these clients shall submit additional required incident reports to the department.
  - (D) If a referral is not made or if the clinician advises against home delivery the client must be transferred immediately to a physician or CNM.
  - (3) The antepartum conditions are:
    - (A) A sudden decrease in fetal movement or kick count of fewer than ten (10) per hour after twenty-seven (27) weeks, six out of seven (6/7) days;
    - (B) Group B strep prophylaxis indication.**
      - (i)(a) Centers for Disease Control and Prevention-approved group B strep intrapartum prophylaxis (per department-approved guidelines) must be obtained for the clients listed below (subdivision (g)(3)(B)(ii) of this section).
      - (b) Clients who refuse antibiotics will be transferred from midwifery care to a physician for hospital care unless a physician agrees to supervise the LLM care of the client.
      - (c) The plan of care agreed to by the physician and the LLM must be documented and submitted as an incident report to the department.
      - (ii) The clients are:
        - (a)(1) Clients who test positive for group B strep in the urinary tract at any time in the current pregnancy (regardless of repeated testing that is negative for group B strep).
        - (2) Vaginal/rectal testing for group B strep is not indicated when the urine testing is positive for group B strep in the current pregnancy;
        - (b) Clients who test positive for group B strep in the vagina or rectum at any time in the current pregnancy (regardless of repeated testing that is negative for group B strep);

(c) Clients with positive history of birth of an infant with early-onset group B strep disease; and

(d) Clients with antepartum group B strep culture status that is unknown at the time of labor onset and:

(1) Temperature in labor (greater than or equal to one hundred and four tenths of one degrees Fahrenheit ( $\geq 100.4^{\circ}$  F));

(2)(A) Rupture of membranes more than sixteen ( $>16$ ) hours (17 CAR § 47-306(12)).

(B) Prophylactic antibiotics are indicated by eighteen (18) hours of ruptured membranes; or

(3) Preterm labor (less than thirty seven ( $<37$ ) weeks, zero out of seven (0/7) days of gestation);

(C) Cervical effacement or dilatation prior to thirty-seven (37) weeks, zero out of seven (0/7) days;

(D)(i) Late term pregnancy greater than forty-one ( $>41$ ) weeks, zero out of seven (0/7) days.

(ii) The third risk assessment is required between forty-one (41) weeks, zero out of seven (0/7) days and forty-two (42) weeks, zero out of seven (0/7) days, and transfer of care may be required depending on results (17 CAR § 47-303(a)(5)(C));

(E) Genital herpetic lesions;

(F) Clients with a previous preterm delivery must be co-managed until thirty-seven (37) weeks, zero out of seven (0/7) days;

(G) Suspected or confirmed fetal death;

(H) Vaginal bleeding heavier than a normal period;

(I) Persistent or significant weight loss after the first trimester;

(J) Abnormal weight gain;

(K) Symptoms of vaginitis refractory to treatment;

(L) Symptoms of UTI refractory to treatment;

(M) Hematocrit of less than thirty ( $<30$ ) or hemoglobin of less than ten ( $<10$ ), or platelets less than one hundred thousand ( $<100,000$ );

(N) Hyperemesis with weight loss;

(O) Two (2) blood pressure readings at least one (1) hour apart of systolic greater than or equal to one hundred forty ( $\geq 140$ ) or diastolic greater than or equal to ninety ( $\geq 90$ );

(P) Size/date discrepancy of three (3) or more weeks on two (2) successive exams;

(Q) Positive antibody screen;

(R) Abnormal pap test;

(S) Sexually transmitted infection;

(T)(i) Ruptured membranes without onset of labor within twenty-four (24) hours and group B strep testing is negative.

(ii) Refer to 17 CAR § 47-304(g)(3)(B) for mothers who are GBS positive or have unknown GBS status;

(U) Signs and symptoms of preeclampsia;

(V) Fetal heart rate below one hundred ten beats per minute (110 bpm) or above one hundred sixty beats per minute (160 bpm);

(W) Spontaneous rupture of membranes prior to thirty-seven (37) weeks, zero out of seven (0/7) days;

(X) Gestational diabetes, as defined by department-approved guidelines;

(Y) Rh negative mothers with abdominal trauma, with or without antepartum bleeding; or

(Z) Position other than vertex any time after thirty-five (35) weeks, six out of seven (6/7) days.

### **17 CAR § 47-305. Protocol for required intrapartum care.**

(a) **Initial labor assessment.** As soon as possible but within one (1) hour following the onset of active labor (five to six centimeters (5 – 6 cm) with regular and painful contractions) or as soon as possible but within one (1) hour following the prelabor rupture of membranes, the LLM must assess and record:

(1) Physical conditions including temperature, pulse, respiration, blood pressure, and urinalysis for glucose and protein;

(2) Labor status including:

(A) Assessment of contractions;

(B) Status of membranes;

(C) Cervical dilatation; and

(D) Effacement;

(3)(A) Fetal position, station, size, presenting part, and heart rate.

(B) Establish a fetal heart rate baseline by checking rate and rhythm every fifteen (15) minutes for the first hour of observation; and

(4)(A) In case of suspected prelabor rupture of membranes, avoid digital exams unless the client is in active labor or delivery is imminent.

(B) A sterile speculum examination is advised to inspect for umbilical cord prolapse and to assess the cervix.

(b) **Management of labor.**

(1) **First stage.** The LLM must assess and record:

(A) Fetal heart rate and rhythm (immediately following a contraction):

(i) At least every hour until five to six centimeters (5-6 cm), then at least every thirty (30) minutes until cervix is completely dilated;

(ii) Immediately after rupture of membranes and during and after the next two (2) contractions to rule out prolapsed cord;

- (iii) After any treatment, procedure, or intervention;
  - (iv) When there is a change in contractions or labor pattern; and
  - (v) When there is any indication that a medical or obstetric complication is developing;
- (B) Duration, interval, and intensity of uterine contractions at least every two (2) hours or more frequently if indicated;
- (C) Maternal blood pressure and heart rate in active labor:
- (i) Every two (2) hours, or more frequently if indicated;
  - (ii) Blood pressure every fifteen (15) minutes when there is a systolic reading of greater than or equal to one hundred forty ( $\geq 140$ ) or a diastolic of greater than or equal to ninety ( $\geq 90$ ); and
  - (iii) Heart rate every fifteen (15) minutes when maternal heart rate is fewer than seventy beats per minute ( $< 70$  bpm) or greater than one hundred ten beats per minute ( $> 110$  bpm); and
- (D) Temperature:
- (i) Every two (2) hours in active labor;
  - (ii) Every two (2) hours following rupture of membranes; and
  - (iii) Every thirty (30) minutes when oral temperature is ninety-nine and one half degrees Fahrenheit ( $99.5^{\circ}$  F) or higher.
- (2) **Second stage and third stage.** The LLM's duties include but are not limited to:
- (A) Assessing and documenting:
- (i) That labor is progressing; and
  - (ii) Maternal and fetal well-being, including fetal heart rate at least every fifteen (15) minutes, or more frequently if indicated; and
- (B) Delivering the newborn and placenta.
- (c) All services should be provided in a supportive manner and in accordance with this part.

**17 CAR § 47-306. Protocol for intrapartum conditions requiring physician or CNM intervention.**

- (a) **Immediate transport.** The following intrapartum conditions preclude midwifery care, and when identified, the client must be transported to the planned hospital by the most expedient method of transportation available to obtain treatment/evaluation:
- (1) Position other than vertex;
  - (2) Active genital herpes lesions;
  - (3) Labor prior to thirty-seven (37) weeks, zero out of seven (0/7) days gestation;
  - (4) Bleeding in labor that exceeds scant amount with each cervical examination;
  - (5) Thick meconium if birth is not imminent;
  - (6) Prolapsed cord;

(7)(A) Non-reassuring fetal heart rate (FHR) patterns (Category II or Category III) that are repetitive and do not promptly respond to maternal position changes, unless birth is imminent.

(B) Category I FHR patterns are reassuring and are not an indication to transport.

(C) Characteristics of Categories II and III include:

(i) **Variable decelerations.** Abrupt decreases in the FHR by fifteen beats per minute (15 bpm) or more lasting fifteen (15) seconds or more;

(ii) **Late decelerations.** Gradual decreases in the FHR occurring in the latter portion of the contraction, returning to baseline after the end of the contraction;

(iii) **Prolonged decelerations.** A decrease in the FHR baseline by fifteen beats per minute (15 bpm) or more lasting between two (2) minutes and ten (10) minutes;

(iv) **Tachycardia.** FHR baseline greater than one hundred sixty beats per minute (>160 bpm); and

(v) **Bradycardia.** FHR baseline fewer than one hundred ten beats per minute (<110 bpm);

(8) Signs of maternal infection include any of the following:

(A) Temperature of greater than or equal to one hundred and four tenths of one degrees ( $\geq 100.4^\circ$ );

(B) Fetal tachycardia (baseline heart rate greater than one hundred sixty beats per minute (>160 bpm)); and

(C) Maternal tachycardia (heart rate greater than one hundred ten beats per minute (>110 bpm));

(9) **Signs of fetal infection.** Baseline FHR greater than one hundred sixty (>160) or a baseline FHR that is continually increasing;

(10) Suspected or confirmed fetal death;

(11) Two (2) high blood pressure readings, meaning a systolic of greater than or equal to one hundred forty ( $\geq 140$ ) or a diastolic of greater than or equal to ninety ( $\geq 90$ ), two (2) hours apart unless birth is imminent; or

(12)(A) Unknown GBS status prior to sixteen (16) hours of ruptured membranes, when delivery is not imminent.

(B) Prophylactic antibiotics are indicated by eighteen (18) hours of ruptured membranes.

(b) **Physician consultation.**

(1)(A) The following intrapartum conditions require consultation with a physician or CNM who has obstetric privileges in a hospital within fifty (50) miles of the delivery site.

(B)(i) A plan of care must be established and execution documented.

(ii) Midwives caring for these clients will submit additional required incident reports (found in Appendix A or available on the Department of Health website).

(iii) If consultation is not available the client must be transported to the hospital per the emergency plan.

(iv) If the client's condition is not stable she should be transported to the nearest hospital.

(2) The intrapartum conditions are:

(A) Prolonged labor in a primagravida defined as more than:

- (i) Twenty (20) hours from onset of contractions to five centimeters (5 cm);
- (ii) Seventeen (17) hours from five centimeters (5 cm) to complete dilation;
- (iii) Two and a half (2.5) hours pushing; or
- (iv) One (1) hour from delivery of the infant to delivery of the placenta; and

(B) Prolonged labor in the multigravida defined as more than:

- (i) Fourteen (14) hours from onset of contractions to five centimeters (5 cm);
- (ii) Sixteen (16) hours from five centimeters (5 cm) to complete dilation;
- (iii) One (1) hour pushing; or
- (iv) One (1) hour from delivery of the infant to delivery of the placenta.

### **17 CAR § 47-307. Protocol for required postpartum care.**

(a) **Immediate care.** The LLM must remain in attendance for at least two (2) hours after the delivery and shall assess and record the following:

(1) Immediately following the delivery of the placenta, the LLM shall:

- (A) Determine that the uterus is firmly contracted without excessive bleeding;
- (B) Ascertain that the placenta has been delivered completely; and
- (C) Determine the number of cord vessels;

(2)(A) LLMs may repair first and second degree perineal lacerations.

(B) LLMs may apply topical benzocaine fourteen percent (14%) (available in gel form, solution, or spray) for repair of lacerations.

(C) Benzocaine requires a prescription from a physician, CNM, or Department of Health clinician for the client and the prescription must be written in the client's name;

(3)(A) During the two-hour postpartum period, the LLM shall assess, as needed:

- (i) Uterine firmness;
- (ii) Vaginal bleeding;
- (iii) Vaginal swelling or tearing;
- (iv) Maternal blood pressure; and
- (v) Pulse.

(B) The LLM shall remain in attendance until:

- (i) These signs are well within normal limits; or
- (ii) A physician or CNM is in attendance if they are found to be abnormal; and

(4) The LLM shall leave instructions for follow-up care that include signs and symptoms of conditions that require medical evaluation such as:

- (A) Excessive bleeding;
- (B) Increasing pain;
- (C) Severe headaches or dizziness; and
- (D) Inability to void.

**(b) Follow-up postpartum care.**

(1) A follow-up home visit shall be performed between twelve (12) to thirty-six (36) hours postpartum to evaluate for:

- (A) Excessive bleeding;
- (B) Infection; or
- (C) Other complications.

(2) For all mothers with Rh negative blood and a newborn who is Rh positive, the LLM must counsel the mother to obtain postpartum Rh immunoglobulin within seventy-two (72) hours of delivery.

(3)(A) The LLM is required to follow the mother for a minimum of thirty (30) days from delivery.

(B) Care shall include family planning counseling and education on the need for updated immunizations, including the rubella vaccine if susceptible.

(C) The final postpartum evaluation shall be performed between four (4) to six (6) weeks after delivery.

**17 CAR § 47-308. Protocol for postpartum conditions requiring physician or CNM intervention.**

(a) **Immediate transport.** The following postpartum conditions preclude midwifery care and when identified, the client must be transported to the hospital indicated in the emergency plan by the fastest method of transportation available to obtain treatment/evaluation:

- (1) **Hemorrhage.** Estimated blood loss of five hundred milliliters (500 mL) or more;
- (2) Exhibiting signs of shock:
  - (A) Systolic BP less than ninety (<90);
  - (B) Diastolic BP less than sixty (<60);
  - (C) Heart rate fewer than fifty beats per minute (<50) or greater than one hundred twenty beats per minute (>120);
  - (D) Respiratory rate fewer than ten (<10) or greater than thirty (>30); or
  - (E) Maternal agitation, confusion, or unresponsiveness;
- (3) Elevated BP:
  - (A) Systolic greater than or equal to one hundred sixty ( $\geq 160$ ); or
  - (B) Diastolic greater than or equal to one hundred ( $\geq 100$ );
- (4) Third and fourth degree lacerations;
- (5) Maternal temperature greater than one hundred and four tenths of one degrees (>100.4°) on two (2) occasions one (1) hour or more apart; and
- (6) Inability to urinate by six (6) hours after delivery.

**(b) Consultation or referral.**

(1)(A) The following postpartum conditions require consultation with a physician or a CNM.

- (B) A plan of care must be established and execution documented.

(C) Midwives caring for these clients will submit additional required incident reports to the Department of Health (found in Appendix A or available on the department website).

(2) The postpartum conditions are:

(A) Signs and symptoms of postpartum infection:

(i) Endometritis;

(ii) Mastitis; and

(iii) Urinary tract infection;

(B) Signs and symptoms of sub-involution;

(C) Signs and symptoms of postpartum preeclampsia; and

(D) Signs and symptoms of postpartum depression.

### **17 CAR § 47-309. Protocol for required newborn care.**

(a)(1) The LLM shall be responsible for newborn care immediately following the delivery and care of the healthy newborn for the first fourteen (14) days of life unless care is transferred to a physician or APRN specializing in the care of infants and children before that.

(2) After fourteen (14) days the LLM is no longer responsible and the mother should seek further care from a physician or an APRN specializing in the care of infants and children.

(3) If any abnormality is suspected, including, but not limited to, a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than seventy-two (72) hours.

(4) This does not preclude the LLM from providing counseling regarding routine newborn care and breastfeeding.

(b) **Immediate care.** The following services must be provided by the LLM as part of immediate newborn care:

(1) Suction nose and mouth prior to delivery of shoulders if needed;

(2) Assess presence of meconium;

(3) Assess baby's status at birth as vigorous or non-vigorous;

(4) Immediately after delivering entire body, suction mouth, then nose again, if needed;

(5) Clamp and cut the cord;

(6)(A) Directly place baby skin-to-skin with mother, covering baby with a blanket.

(B) The baby should ideally remain in direct skin-to-skin contact with their mother immediately after birth until the first feeding is accomplished;

(7) Determine Apgar scores at one (1) and five (5) minutes after delivery while baby is with mother;

(8)(A) Routine care can be done with the baby and mother in skin-to-skin contact to insure warmth.

(B) Observe and record:

- (i) Skin color and tone;
- (ii) Heart rate;
- (iii) Respiration rate and character;
- (iv)(a) Estimated gestational age.
  - (b) Indicate average, small, or large for gestational age;
  - (v) Axillary temperature; and
  - (vi) Weight, length, head circumference; and
- (9) Obtain cord blood for Rh and antibody screen if mother is Rh negative.
- (c) Feeding.**
  - (1) Newborn should be placed at the breast as soon as stable after delivery.
  - (2) The bottle-fed newborn should be offered formula of choice within the first two (2) to three (3) hours after birth.
  - (3) Instruct the mother in normal and abnormal feeding patterns.
  - (d)(1) If indicated, the LLM must advise parents that the newborn must receive either Erythromycin one-half of one percent (0.5%) Ophthalmic or Tetracycline one percent (1.0%) Ophthalmic within one (1) hour of birth.
  - (2) The LLM must document in the client's medical record whether or not medication was administered to the newborn and by whom.
  - (e)(1) The LLM must advise parents that the newborn must receive vitamin K within two (2) hours of birth.
  - (2) The LLM must document in the client's medical record whether or not medication was administered to the newborn and by whom.
- (f) Newborn screening.**
  - (1) Genetic/metabolic screening.**
    - (A) All newborns must have a capillary blood sample within the required time frame for the newborn screening as mandated by law and as specified on the Department of Health collection form.
    - (B) Information can be obtained by contacting the department Newborn Screening Program.
  - (2) Infant hearing screening.**
    - (A) The LLM must instruct the mother in available resources to obtain the infant hearing screen.
    - (B) Assistance in completing and submitting the required form can be obtained by contacting the department Infant Hearing Program.
- (g) Cord care.** The LLM must instruct the mother in routine cord care.

**17 CAR § 47-310. Protocol for newborn conditions requiring physician intervention.**

- (a) Immediate transport.**
  - (1) The following newborn conditions, when identified, require immediate transport of the newborn to the hospital by the most expedient method of transportation available to obtain treatment/evaluation.

(2) LLMs who participate in the care of these newborns are required to submit additional incident reports (found in Appendix A or available on the Department of Health website).

(3) The conditions are:

(A) Respiratory distress;

(B) Central cyanosis;

(C) Seizures;

(D)(i) If a temperature outside the normal range of ninety-seven and seven tenths degrees Fahrenheit (97.7°F) or thirty-six and five tenths degrees Celsius (36.5°C), to ninety-nine and three tenths degrees Fahrenheit (99.3°F) or thirty-seven and four tenths degrees Celsius (37.4°C) per axilla is noted:

(a) Appropriate corrective measures must be taken; and

(b) Temperature must be taken hourly for the next two (2) hours.

(ii) Three (3) persistently out-of-range temperatures warrant transfer;

(E) Jaundice at zero (0) to twenty-four (24) hours;

(F) Apgar score of less than five (<5) at one (1) minute or less than seven (<7) at five (5) minutes;

(G) Apnea lasting more than ten (>10) seconds;

(H) Heart rate greater than one hundred sixty beats per minute (>160 bpm) or fewer than one hundred beats per minute (<100 bpm);

(I) Pallor and poor capillary refill;

(J) Poor suck or refusal to feed;

(K) High-pitched cry;

(L) Any significant congenital anomaly including ambiguous genitalia;

(M) Skin with petechiae or significant bruises;

(N) Poor response to sound or touch; or

(O) Poor tone (floppy).

(b) **Physician consultation.**

(1) The newborn must be weighed weekly.

(2) During the first two (2) weeks of life the newborn must be immediately referred to a pediatric or family medicine provider for any illness or abnormal physical finding.

(3) The newborn must also be referred if there are any concerns about:

(A) Weight gain;

(B) Feeding;

(C) Elimination;

(D) Development; or

(E) Abnormal screening results.

(4) The following newborn conditions require immediate (unless otherwise indicated) consultation with a physician whose practice includes pediatrics.

(5)(A) A plan of care must be established and execution documented.

(B) Midwives caring for these newborns will be required to submit additional required incident reports to the department (found in Appendix A or available on the department website).

(6)(A) If consultation is not available, the newborn must be transported to the hospital listed in the plan of care.

(B) The LLM:

(i) Is responsible for the coordination of the physician consultation with the child's parents; and

(ii) Must follow up on this consultation and document the outcome in the client's record.

(7) The conditions are:

(A) Jaundice at twenty-four (24) to forty-eight (48) hours of life;

(B) No urination at twelve (12) hours of life;

(C) Birth weight of less than five and one-half pounds (5 1/2 lb) or more than ten pounds (10 lb);

(D) Abnormal cry;

(E) No stool after forty-eight (48) hours;

(F) Vomiting after feedings;

(G) Tachypnea of greater than sixty (60) breaths per minute after four (4) hours of life;

(H) Mother's membranes ruptured for more than eighteen (18) hours and unknown GBS status;

(I) Infant born to mother with indications for GBS prophylaxis in labor that did not receive antibiotics more than or equal to four ( $\geq 4$ ) hours prior to birth (per department-approved guidelines found on department website);

(J) Jittery;

(K) Floppy; or

(L) Eye rolling.

## **Subpart 4. Emergency Measures**

### **17 CAR § 47-401. Emergency measures.**

(a) The LLM must:

(1) Consult a licensed physician or CNM whenever there are significant deviations from normal in either the mother or the newborn; and

(2) Act in accordance with the instructions of the physician or CNM.

(b) In those situations requiring transport to a hospital, the LLM must:

(1) Notify the emergency room or labor and delivery unit of the designated hospital of an imminent transport; and

(2) Provide a copy of the complete medical record to the appropriate staff at the receiving facility.

(c) The LLM is expected to use their judgment regarding the need for referral or emergency transport when problems arise that are not specified in the protocol.

(d) No licensed lay midwife may assist labor by any forcible or mechanical means, attempt to remove adherent placenta, administer, prescribe, advise, or employ any prescription drug or device, or attempt the treatment of a precluded condition, except in an emergency when the attendance of a physician or CNM cannot be speedily secured.

(e)(1) Any authorized or unauthorized emergency measures must be reported to the Department of Health in an incident report (found in Appendix A or available on the department website).

(2) In the case of actions/procedures authorized by a physician or CNM in the case of a specific emergency, the LLM will:

- (A) Document these orders with an order signed by the physician or CNM; and
- (B) Submit it to the department on the tenth of the following month.

## **Subpart 5. Record Keeping and Reporting Requirements**

### **17 CAR § 47-501. Monthly reports.**

(a) A monthly reporting log, referred to as the “Caseload” and “Birth Log” (found in Appendix A or available on the Department of Health website), will be maintained and sent to the department postmarked no later than the tenth of each month regardless of any changes or additions to the log.

(b) Each woman receiving care for two (2) or more visits shall be listed on the Caseload and Birth Log in the following month of care, regardless of whether or not the LLM attended the birth.

### **17 CAR § 47-502. Incident reports.**

(a)(1) When any complication occurs (whether or not the LLM remained in attendance) the care must be documented in greater detail using Department of Health forms (found in Appendix A or available on the department website).

(2) The LLM shall send these forms to the department by the tenth of the month following the event.

(b)(1) When an LLM’s client delivers outside the hospital without attendance by an LLM, the LLM must submit an incident report (form found in Appendix A or available on the department website) describing the circumstances and outcome of the unattended birth.

(2) The LLM shall send these reports to the department by the tenth of the month following the event.

**17 CAR § 47-503. Record audits.**

- (a) The Department of Health will audit selected records from each LLM's practice each year.
- (b) The purpose of the audit will be to confirm compliance with this part.
- (c) The LLM will be required to submit the records for each client selected by the department for auditing.

**17 CAR § 47-504. Documentation by LLM apprentices.**

- (a)(1) LLMs supervising an apprentice midwife should record the name of the apprentice on the Birth Log when the apprentice provided care during the intrapartum and immediate postpartum period.
  - (2) Because the LLM is responsible for the clinical work of their apprentices, all reports will be filed by the attending LLM.
- (b)(1) Clinical services provided by apprentice midwives shall be documented by the apprentice in the client record and cosigned by the LLM.
  - (2) Initials may be used provided the initials clearly identify the person providing care.

**17 CAR § 47-505. Reporting maternal, fetal, or newborn events.**

- (a) The LLM is required to track maternal and newborn events for thirty (30) days unless care is terminated by the client.
- (b) Maternal events, pregnancy loss at any gestational age, or newborn events must be reported according to the following schedule.
- (c) In each of these instances, LLMs will:
  - (1) Complete the required incident report (found in Appendix A or available on the Department of Health website); and
  - (2) Submit it, with a complete copy of the client record, to the department.
- (d) Complications resulting in intrauterine fetal death, or death of a mother or newborn within forty-eight (48) hours of delivery must be reported to the department within two (2) business days.
- (e) Maternal or newborn deaths that occur between two (2) through thirty (30) days of birth must be reported to the department within five (5) business days.
- (f) Maternal or newborn hospitalizations that occur within thirty (30) days of delivery must be reported to the department within five (5) business days.

**17 CAR § 47-506. Client health record.**

- (a) The LLM is responsible for ensuring that all required services are documented on client records maintained by the LLM.
- (b) Each page of the client record must contain the client ID number.
- (c) The records will remain confidential.
- (d) They are subject to periodic review by the Department of Health staff.

(e) All client records must be maintained for at least twenty-five (25) years.

**17 CAR § 47-507. Vital records.**

The LLM shall follow all applicable laws pertaining to vital records.

**Subpart 6. Department of Health Responsibilities**

**17 CAR § 47-601. Granting new permits and licenses.**

The Department of Health shall review applications for licensure and issue licenses or permits.

**17 CAR § 47-602. Registration listing.**

The Department of Health shall maintain a list of all LLMs and Apprentice Midwives in the State of Arkansas, and make this list available to the public.

**17 CAR § 47-603. Monitoring outcomes.**

(a) The Department of Health shall monitor perinatal outcomes of home births attended by LLMs and publish these statistics annually.

(b) The department shall also review LLMs' records to ensure that such LLMs are practicing within regulatory guidelines and standards of care.

**17 CAR § 47-604. Investigation.**

(a) The Department of Health will conduct investigations regarding complaints or deviations from this part.

(b) The department will consider all available information that is relevant and material to the investigations.

(c)(1) Where, in the opinion of the Director of the Department of Health, the public's health, safety, or welfare imperatively requires emergency action, the department may temporarily suspend the license of an LLM pending proceedings for revocation or other action.

(2) All proceedings initiated under this provision shall be promptly instituted and determined.

(3) The licensee may request a hearing on a temporary suspension with five (5) days of receiving notice.

**17 CAR § 47-605. Administration of tests.**

The Department of Health shall administer the Arkansas Rules Examination at least three (3) times per year.

## **Appendix A. Forms**

1. LLM Disclosure Form
2. LLM Informed Refusal Form
3. LLM Initial License and Reactivation of License Application
4. LLM License Renewal Application
5. Instructions for Completing LLM Reports
6. LLM Caseload and Birth Log
7. LLM Monthly Worksheet
8. LLM Incident Report
9. Preceptor-Apprentice Agreement for NARM PEP Apprentices
10. LLM Pre-Licensure Criminal Background Check Petition
11. Hospital Reporting Form – Lay Midwife Patient Transfer  
(For Hospital/Healthcare Facility Use only)

**Licensed Lay Midwife  
Disclosure Form**



Client's Printed Name: \_\_\_\_\_

Client's Address: \_\_\_\_\_  
Street

\_\_\_\_\_

City	State	Zip Code
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Phone Number: \_\_\_\_\_

In compliance with the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas, at the time of acceptance into care, a Licensed Lay Midwife (LLM) must provide the following disclosures in oral and written form:

- A. Licensed Lay Midwife Scope of Practice
- B. Informed Consent for Licensed Lay Midwifery Care
- C. Requirements for Licensed Lay Midwifery Care
- D. Risks and Benefits of Home and Hospital Births
- E. Emergency Arrangements
- F. Plan for Well-Baby Care

**A. Licensed Lay Midwife Scope of Practice**

The Rules Governing the Practice of Licensed Lay Midwifery in Arkansas require each LLM to provide information on the scope of licensed midwifery practice under these rules to clients seeking midwifery care. The LLM may provide approved midwifery care only to healthy women, determined to be at low risk for the development of complications of pregnancy or childbirth; and whose outcome of pregnancy is most likely to be the delivery of a healthy newborn and intact placenta. Apprentice midwives and LLM Assistants work under the on-site supervision of the LLM. A person may not practice or offer to act as an LLM in Arkansas unless he/she is licensed by the Arkansas State Board of Health.

The responsibilities of the LLM are specified by the Rules in regards to:

- 1. Required prenatal care.
- 2. Attendance during labor and delivery.
- 3. Care of the healthy newborn for the first fourteen (14) days of life unless care is transferred to a physician or APRN whose practice includes pediatrics. After fourteen (14) days, the LLM is no longer responsible to provide care except for routine counseling on newborn care and breastfeeding as indicated. The client should seek further care from a physician or an APRN whose practice includes pediatrics. If any abnormality is identified or suspected, including but not limited to a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours.
- 4. Postpartum care for a minimum of 30 days after delivery.

These would also apply to any arrangements the LLM has in regard to apprentices she is supervising, or arrangements made with other LLMs to attend the birth, if she/he is unavailable. The LLM is responsible to ensure the client is informed of and understands the need to receive clinical assessments, including laboratory testing; evaluations by a physician, certified nurse midwife (CNM) or public health maternity clinician; and required visits with the midwife that are mandated by the Rules. The LLM is also responsible for informing the client of the necessary supplies the client will need to acquire for the birth and the newborn (including eye prophylaxis and vitamin K).

LLM providing care \_\_\_\_\_

Licensed in Arkansas since \_\_\_\_\_

Arkansas LLM License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Certified Professional Midwife (CPM) Yes or No (Circle correct response)

Midwifery Bridge Certificate (MBC) Yes or No (Circle correct response)

If CPM, Certification Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

**Each statement below is to be read and initialed by the client.**

**B. Informed Consent**

\_\_\_\_\_ I understand that I am retaining the services of \_\_\_\_\_ who is an LLM, not a CNM or a physician.

\_\_\_\_\_ I understand the LLM *does or does not* (circle correct response) have liability coverage for services provided to someone having a planned home birth.

\_\_\_\_\_ I understand that the LLM practices in home settings and does not have hospital privileges.

\_\_\_\_\_ I understand the LLM *does or does not* (circle correct response) have a working relationship with a physician or CNM. If she/he does, they are:

Physician's Name: \_\_\_\_\_

CNM's Name: \_\_\_\_\_

\_\_\_\_\_ I understand that if my LLM relies on a hospital emergency room for backup coverage, the physician on duty may not be trained in obstetrics.

\_\_\_\_\_ I understand the LLM is trained and certified in Cardiopulmonary Resuscitation (CPR) and neonatal resuscitation.

\_\_\_\_\_ I understand there are conditions that are outside the scope of practice of an LLM that will prevent me from beginning midwifery care. These conditions include, but are not limited to: previous cesarean delivery, multiple gestation, and insulin-dependent diabetes.

\_\_\_\_\_ I understand that there are conditions that are outside the scope of practice of an LLM that will require physician consultation, referral or transfer of care to a physician, CNM or health department clinician, or transport to a hospital. If during the course of my care my LLM informs me that I have a condition indicating the need for a mandatory transfer, I am no longer eligible for a home birth by an LLM. These conditions include but are not limited to: placenta previa in the third trimester, baby's position not vertex at onset of labor, labor prior to thirty-seven (37) weeks gestation, or active herpes lesions at onset of labor.

\_\_\_\_\_ The LLM is responsible to inform and educate me (the client) on these and other potential conditions that preclude care by an LLM.

\_\_\_\_\_ I understand emergency medical services for myself and my baby may be necessary and a plan for emergency care must be in place for the prenatal, labor, birth and immediate postpartum and immediate newborn periods, as outlined in Section E of this form.

\_\_\_\_\_ I understand my laboratory test results must be reviewed and interpreted by a physician, CNM or ADH clinician.

\_\_\_\_\_ I understand that the LLM must work in accordance with all applicable laws. The Rules Governing the Practice of Midwifery in Arkansas are available online at the Arkansas Department of Health website or by contacting the Arkansas Department of Health.

### **C. Requirements for Licensed Lay Midwifery Care**

I understand the LLM has protocols as specified in the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas that must be followed concerning care for normal pregnancy, labor, home birth and the postpartum period, and for specific potentially serious medical conditions. The following requirements are my responsibility, as a midwife client, to fulfill:

\_\_\_\_\_ I must have an initial, and 36 week visit with a private physician or CNM or go to an Arkansas Department of Health Local Health Unit which provides maternity services for a risk assessment, which includes a physical exam and lab work.

\_\_\_\_\_ If my pregnancy continues beyond 41 weeks, I must have a visit before 42 weeks with a private physician or CNM or go to an Arkansas Department of Health Local Health Unit which provides maternity services for a risk assessment.

\_\_\_\_\_ I must ensure that all my healthcare providers have access to all my medical records at the time of each visit and at the time of delivery. It is unsafe for any of these practitioners to evaluate or deliver a client without knowledge of all lab results and current risk status.

\_\_\_\_\_ I must have Vitamin K on hand for the birth. This may be ordered in advance of delivery from the Local Health Unit or may be obtained at a pharmacy by prescription.

\_\_\_\_\_ I must have ophthalmic erythromycin on hand for the birth, if indicated. This may be ordered in advance of delivery from the Local Health Unit or may be obtained at a pharmacy by prescription.

**D. Risks and Benefits of Home and Hospital Births**

Before becoming a client with the intent of delivery at home, I understand I need to be familiar with some of the advantages and disadvantages of having either a home birth or a hospital birth.

<b>RISKS AND BENEFITS OF HOME AND HOSPITAL BIRTHS</b>	
<b>BENEFITS</b>	
<b>Home</b>	<b>Hospital</b>
Planned home birth with skilled, trained, midwifery care	Skilled, specialized obstetric staff
Natural progression of labor	Medications to induce or maintain labor, if needed
Non-invasive monitoring of labor progression and fetal well-being	Early detection of fetal distress through advanced monitoring techniques
Privacy and familiar home surroundings	Equipment available for high risk situations: intensive care, resuscitative equipment, surgical suites
Decreased obstetric interventions – midwives are trained to handle some unexpected emergencies on site for low risk women	Immediate medical intervention including medications and blood products if needed, by OB/GYN, pediatrician, and medical personnel trained to deal with life threatening emergencies on site
Preserves family togetherness; provides personalized care; honors client’s choices for birthing position, movement, and food and fluids during labor; labor takes place in familiar surroundings	Some hospitals provide family-centered birthing and some provide birthing suites that create a home-like atmosphere and incorporate client’s choices into their birth plan
Use of natural, non-invasive pain relief techniques	Availability of pain medications upon request
The absolute risk of a planned home birth may be low	The American College of Obstetrics and Gynecology and the American Academy of Pediatrics state that hospitals and birthing centers are the safest settings for birth in the United States
<b>RISKS</b>	
<b>Home</b>	<b>Hospital</b>
A planned home birth is associated with a twofold increased risk of newborn death compared to a hospital birth for low risk mother/infant pairs, and greater increases for those at higher risk.	Hospital births are associated with increased maternal interventions including the possibilities of: epidural analgesia, electronic contraction and fetal heart rate monitoring, IVs, vacuum extraction, episiotomy, and cesarean delivery.
Certain emergency conditions may occur without warning, which cannot be handled in a timely manner at home; and the home may lack needed emergency equipment for advanced resuscitation. In emergency situations greater risk of adverse outcomes exists, including death, for both mother and child.	Not all hospitals have immediate availability of specialty consultation and care in cases of certain medical emergencies and in these situations there is the risk for adverse outcomes including death for the mother and child.

<p>Transport time to a hospital in case of an emergency can seriously impact the outcome on health of mother and newborn. Travel time of more than 20 minutes has been associated with increased adverse newborn outcomes, including mortality.</p>	<p>Hospitals that provide delivery services may not be available in some geographic areas requiring the mother to travel longer distances for urgent care of sudden risks.</p>
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\_\_\_\_\_ I have reviewed the above table and have discussed with my midwife the risks and benefits of both home and hospital births.

**E. Emergency Arrangements**

An emergency plan must be developed between the client and the LLM detailing the arrangements for transport of the client to the nearest hospital licensed to provide maternity services or to the hospital where the back-up physician has privileges. The hospital must be within fifty (50) miles of the home birth site.

1. The licensed physician or CNM that will be consulted when there are deviations from normal in either the mother or infant is:

a. Name of Clinic/Physician/ADH Clinician/CNM for the mother:

\_\_\_\_\_ Phone Number \_\_\_\_\_

City/State \_\_\_\_\_

b. Name of Physician/ADH Clinician/CNM for the infant if known:

\_\_\_\_\_ Phone Number \_\_\_\_\_

City/State \_\_\_\_\_

2. Transport Arrangements: In an emergency, transport to a hospital will be by:

Ambulance: Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site: \_\_\_\_\_

Estimated time to home birth site \_\_\_\_\_

Has the option of using a private vehicle for backup been discussed?  Yes  No

3. In the event of maternal emergency in a home birth, transport will be to the following:

Hospital: \_\_\_\_\_

City/State: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site \_\_\_\_\_ Estimated Time from home birth site \_\_\_\_\_

I understand that the physician on duty in this hospital emergency room may not be trained in obstetrics.

4. In the event of a neonatal emergency requiring immediate transport, transport will be to the **nearest** hospital:

Hospital: \_\_\_\_\_

City/State: \_\_\_\_\_

Phone: \_\_\_\_\_

Miles from home birth site \_\_\_\_\_ Estimated Time from home birth site \_\_\_\_\_

I understand that the physician on duty in this hospital emergency room may not be trained in obstetrics or pediatrics.

\_\_\_\_\_ I agree to these arrangements should an emergency or medical complication arise.

**F. Plan for Routine Well-baby Care**

A plan of care should be developed between the client and a physician or an APRN whose practice includes pediatrics to follow up with routine well-baby visits after birth. The LLM is responsible for newborn care immediately following delivery and for the first fourteen (14) days of life, unless care is transferred before that time. After fourteen (14) days, the LLM is no longer responsible to provide care except for routine counseling on newborn care and breastfeeding as indicated. The client should seek further care from a physician or an APRN whose practice includes pediatrics. If any abnormality is identified or suspected, including but not limited to a report of an abnormal genetic/metabolic screen or positive antibody screen, the newborn must be sent for medical evaluation as soon as possible but no later than 72 hours.

Name of Physician/APRN for the infant:

\_\_\_\_\_

Unknown:

Phone \_\_\_\_\_

Number \_\_\_\_\_

City/State \_\_\_\_\_

**G. Consent Signatures**

The consent signatures page will be kept in the client's chart as proof that all above Disclosure Form items have been initialed.

I have discussed and provided in writing the information included in this disclosure form with my client. I have discussed with her how this impacts her pregnancy and its outcome.

LLM Signature: \_\_\_\_\_ Date Signed \_\_\_\_\_

The above information has been discussed with me and also provided in writing. I understand its implications to my pregnancy and its outcome.

\_\_\_\_\_  
Client printed name

\_\_\_\_\_  
Client signature

\_\_\_\_\_  
Date signed



# INFORMED REFUSAL FORM

Version March 8, 2017

The Arkansas Lay Midwife Act gives authority to the Board of Health (BOH) to oversee Licensed Lay Midwives (LLMs) in Arkansas. As part of this authority, the BOH sets the rules for LLMs. These rules require that LLMs follow specific protocols for risk assessment, consultation, referral, and transfer of care to ensure the safety of the mother and baby. The BOH has delegated the authority to enforce these Rules Governing the Practice of Licensed Lay Midwifery in Arkansas to the Arkansas Department of Health (ADH).

LLMs are trained experts in the care of **low-risk** pregnancy for women who want to give birth outside of a hospital. Low-risk means that a woman is healthy and should have a normal birth of a healthy baby with no problems. Some women have health issues that give them a greater chance of problems for the mother or baby. The LLM's training may not prepare her/him to handle these health issues. ***The health issue may call for testing or treatment that the LLM cannot give.*** Careful thought and discussion about the safety of an out-of-hospital birth may be needed. A team of health care providers may be better able to handle some health issues. This team may involve LLMs, obstetricians, pediatricians, Certified Nurse Midwives (CNMs), specialists, family doctors, and others.

The mother and her health practitioners should talk about her health issues. Together they can decide on the best plan for her care and for the birth of a healthy baby. Talking about the risks is important and required by the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas, and, as stated by NARM (North American Registry of Midwives) requires that:

**If a midwife supports a client's choices that are outside her Plan of Care, she must be prepared to give evidence of informed consent. The midwife must also be able to document the process that led to the decision and show that the client was fully informed of the potential risk and benefits of proceeding with the new care plan. It is the responsibility of the midwife to provide evidence-based information, clinical expertise, and when appropriate, consultation or referral to other providers to aid the client in the decision making process.**

Both the mother and the LLM must sign this form. Signing the form shows that the LLM and the mother have discussed the risks to both mother and baby of refusing the required test, procedure, treatment, medication, or referral. That discussion must include reviewing material from an ADH-approved source for each requirement being refused by the client. The LLM and the mother must decide on a plan of care for the health issue and that plan must be written on the form.

LLM INFORMATION	
Name:	Arkansas License Number:
CPM #	CPM Expiration Date:
MBC #	
Telephone Number:	Email Address:
CLIENT INFORMATION	
Name:	Date of Birth:
Address:	
Telephone Number:	CLIENT FILE #

***The client must initial each of the following statements:***

\_\_\_\_\_ I have been told by my LLM that my baby or I should have the following test, procedure, treatment, medication, or referral required by the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas:

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\_\_\_\_\_ I have been told of the following risks and benefits of the test, procedure, treatment, medication, or referral:

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**ARKANSAS DEPARTMENT OF HEALTH  
LLM INITIAL LICENSE AND REACTIVATION OF LICENSE APPLICATION**

Last Name		First	Middle	Social Security Number	
				Date	
Street		City		State	Zip
Mailing Address, if different					
Home Phone ( )		Business Phone ( )		Other Phone (cellular, pager, etc.) ( )	
				Email	
Date of Birth		Have you attended school, been licensed, or certified under a different name? <input type="checkbox"/>			
		Yes			
		If yes, what name(s) _____ <input type="checkbox"/>			
		No			
Did you graduate High School? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If No, do you have a GED or High School Equivalency? <input type="checkbox"/> Yes <input type="checkbox"/> No					
From Where?			Date Obtained:		
Highest Grade Completed		Date Completed	Name of High School		Address State
			Zip		
CPM Certificate #			Expiration Date		MBC Certificate #
CM (AMCB) Certificate #			Expiration Date		
CNM (AMCB) Certificate #			Expiration Date		CNM License #
					Expiration Date
College or Vocational Training Name and Address of School			Dates Attended		Total Credit/ Clock Hours
			From To		Date of Diploma Or Certificate
			From To		
			From To		

**ARKANSAS DEPARTMENT OF HEALTH  
LLM INITIAL LICENSE AND REACTIVATION OF LICENSE APPLICATION**

Current Health-Related Other Licenses Name of Trade or Profession	State	License Number	Expiration Date
Have you ever had a license revoked in any health-related field? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify: _____			
Have you ever been convicted of a crime? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, a detailed statement, a summary of the charges, the final order, any probation or parole documentation, and any other relevant information must be attached and received before your application will be processed.			
Please list any other states or territories where you have held a Midwife license and indicate whether or not the license is current: _____ _____			
Has your application for any professional license, certificate, registration been denied by any state licensing board or federal authority? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify _____			

**ATTACH RECENT  
PHOTOGRAPH HERE**

Passport style taken  
within 60 days prior  
to submission  
of application

I certify that all information given on this application is true and accurate. That in consideration of the issuance to me of a license to practice in Arkansas, I swear that I shall observe, abide by and uphold the laws of the State of Arkansas governing my practice and that I shall abstain from unethical, deceptive and fraudulent methods of practice and from unprofessional and unethical conduct, and that I shall not associate professionally with nor become a partner or employee of any person who resorts to such practices. I hereby agree that the violation of this oath shall constitute cause sufficient for the revocation of said license and surrender of the rights and privileges accorded me there under.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**ARKANSAS DEPARTMENT OF HEALTH  
LLM INITIAL LICENSE AND REACTIVATION OF LICENSE APPLICATION**

**PROCEDURES FOR APPLYING FOR LAY MIDWIFERY LICENSE**

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Type or print the application and check thoroughly before submitting. An incomplete application will delay processing. All items must be on file before your application will be considered. If any of your application documentation requires additional information the review process may take longer. Apply far enough in advance to allow for processing time.

**All applicants must submit the following items:**

- 1. Complete application form, including passport style and size photograph, head and shoulders, taken within 60 days of application date.
- \*2. Notarized copy of the applicant's high school diploma, GED Certificate or documentation of highest degree attained after high school. Must include the name of the issuing school or institution and the issue date.
- \*3. Notarized copy of one of the following documents that demonstrates the applicant is 21 years of age or older:
  - A. Birth Certificate
  - B. U.S. Passport, current or expired
  - C. U.S. Driver's License or other state-issued identification document
  - D. Document issued by federal, state or provincial registrar of vital statistics
- 4. Documentation, if applicable, in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate that applicant is currently certified:
  - i. By NARM as a Certified Professional Midwife (CPM).
  - ii. By the American Midwifery Certification Board (AMCB) as a certified nurse midwife (CNM).
  - iii. By the American Midwifery Certification Board (AMCB) as a certified midwife (CM).
  - iv. By certification deemed equivalent and approved by ADH.ADH may request additional documentation to support applicants' qualifications or certifications. It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.
- 5. Documentation, if applicable, that applicant holds an MBC issued by NARM. Documentation may be received in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate.

**Applicants with a current Apprentice permit issued prior to the effective date of these Rules must additionally submit the following notarized forms:**

- 1. Clinical Experience Documentation for Births as a Primary Midwife form
- 2. Preceptor Verification Form
- 3. Documentation of Acquisition of Clinical Knowledge and Skills (completed by each Preceptor)
- 4. Copy of both sides of current certification in adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.
- 5. Copy of both sides of current certification in neonatal resuscitation through a course recognized by NARM. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.

**NOTE:**

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- ADH has the option to request of verification of current required certifications and of other licensure held.
- \*Arkansas Apprentices that have provided this information to the Health Department with apprentice application will not be required to resubmit these items.

**Mail all forms and attachments to:**  
ARKANSAS DEPARTMENT OF HEALTH  
WOMEN'S HEALTH SECTION, SLOT 16  
4815 W. MARKHAM ST.  
LITTLE ROCK, AR 72205

**ARKANSAS DEPARTMENT OF HEALTH  
LLM LICENSE RENEWAL APPLICATION**

Last Name	First	Middle	Date of Birth	Date
<i>It is your responsibility to notify us of any change in name or address</i>		Midwife License Number	Social Security Number	
Address (include Street, City, State, Zip)			Home Phone ( )	
			Business Phone ( )	
Mailing Address, if different from above			Other Phone (pager, etc.) ( )	
			Email Address:	
CPM License #		Expiration Date		Midwifery Bridge Certificate #
CM Certificate #		Expiration Date		
CNM Certificate #		Expiration Date		CNM License #
Expiration Date		Expiration Date		
Current Midwifery Licenses other than Arkansas (Verification of licensure may be requested)		State	License Number	Expiration Date
Current Health Related Licenses		State	License Number	Expiration Date
Have you ever had a license revoked in any health-related field <b>since last application</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify _____ _____		Have you ever been convicted of a felony <b>since last application</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify _____		
Has your application for any professional license, certificate, registration been denied by any state licensing board or federal authority? <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, specify _____				
That in consideration of the issuance to me of a license to practice in Arkansas, I swear that I shall observe, abide by and uphold the laws of the State of Arkansas governing my practice and that I shall abstain from unethical, deceptive and fraudulent methods of practice and from unprofessional and unethical conduct, and that I shall not associate professionally with nor become a partner or employee of any person who resorts to such practices. I hereby agree that the violation of this oath shall constitute cause sufficient for the revocation of said license and surrender of the rights and privileges accorded me there under.				
Signature of Applicant				Date

## PROCEDURES FOR APPLYING FOR RENEWAL OF LAY MIDWIFERY LICENSE

Lay midwifery licenses are valid for up to three (3) years and are renewed on August 31 of the third year of licensure. Applications are due 60 days prior to that date.

In order to be reviewed an application for renewal must be complete and accompanied by all supporting documentation.

**Type or print the application and review thoroughly before submitting. An incomplete application will delay processing.**

**All applicants must submit the following items before your application will be considered:**

- 1. Complete application form.
- 2. Copy of certificate documenting completion of ADH exam on the Arkansas Rules with a score of 80% or higher. Instructions for taking the exam are available from ADH.
- 3. Documentation, if applicable, in the form of a verification letter directly from the certifying body or a notarized copy of the applicant's certificate that applicant is currently certified:
  - By NARM as a certified professional midwife (CPM).
  - b. By the American Midwifery Certification Board (AMCP) as a certified nurse-midwife (CNM).
  - c. By the AMCP as a certified midwife (CM).
  - d. By certification deemed equivalent and approved by ADH.ADH may request additional documentation to support applicant's qualifications or certifications.
- 4. Verification of Midwifery Bridge Certificate (MBC), if held and not previously submitted. Documentation may be received in the form of a verification letter directly from NARM or a notarized copy of the applicant's certificate.

**For applicants who are LLMs who have been continuously licensed in the state of Arkansas prior to the effective date of these Rules, and who have never received certification from NARM as a CPM, the following requirements must be met:**

- 1. Complete application form.
- 2. Documentation of hours of continuing education obtained (LLM Rules, Section 202.#2.d.)  
Documentation must include a copy of the diploma or certificate and the following:
  - a. Type of training: College, Vocational Training, Continuing Education
  - b. Name of institution
  - c. Name of course
  - d. Dates attended (from-to)
  - e. Total number of credits/clock hours/contact hours
  - f. Date of diploma or certificate
- 3. Notarized copy of both sides of current certification adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross.
- 4. Notarized copy of both sides of current certification in neonatal resuscitation through a course recognized by NARM.

NOTE:

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- It is the responsibility of the licensee to ensure relevant credentials are current at all times and documentation must be provided upon request.
- ADH has the option to request verification of current required certifications and of other licensure held.

**Mail all forms and attachments to:**  
ARKANSAS DEPARTMENT OF HEALTH  
WOMEN'S HEALTH SECTION, SLOT 16  
4815 W. MARKHAM ST.  
LITTLE ROCK, AR 72205

LLM License Renewal

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**ARKANSAS DEPARTMENT OF HEALTH**  
**INSTRUCTIONS FOR COMPLETING LLM REQUIRED REPORTS**  
**Caseload and Birth Log**

The Licensed Lay Midwife Caseload and Birth Report Log is required under Section 500 of the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas (Jun 1 1, 2018). The form is available from the Arkansas Department of Health (ADH).

The Licensed Lay Midwife Caseload and Birth Report Log is designed to be a perpetual report, so that the same form may be copied and re-submitted on a monthly basis until the pages are full and new pages started. A new Caseload and Birth Report Log is opened each January 1. The current undelivered caseload will be carried over to a new birth log for the January 1 report. The report must be dated, completed and submitted monthly even if there is no new activity that month and must be postmarked no later than the 10<sup>th</sup> of the month.

The report consists of 2 pages:

- Coversheet:** A continuous record of the year's activity. Each column represents one month. A new coversheet is initiated each January.
- Caseload List:** Each page provides room for listing clients. Please copy and add additional sheets as needed. Each January, a caseload list of undelivered clients is submitted as the initial caseload for the calendar year.

The Caseload and Birth Report Log is used to report the following:

1. Women who receive prenatal care from the LLM for more than one month of the gestation period regardless of whether or not the LLM attended the birth.
  - a. Enter the name and estimated due date on the Log at the time the client enters into care of the LLM.
  - b. Enter the date the Disclosure Form is signed by client and LLM.
  - c. ADH requires that all clients receiving care be listed on the Log in order to establish statistically reliable data for annual reports.
2. Clients who are referred for care, transferred to another provider, transported, lost to follow-up (or leave LLM care), or for other reasons are not attended by the LLM at birth.
3. Consultations between the LLM and a physician, CNM or an ADH clinician to discuss the status and future care of the client.
4. Labors/births attended by the LLM.
5. Apprentice name when apprentice participates in the client's birth.

On the Caseload List, the boxes for reporting Consults/Referrals and Transport or Hospitalization of Mother and/or Newborn shall be completed as follows:

In the box write in the appropriate letter to indicate if it is a consult (C), referral (R) or transport for the mother (M), newborn (N) or both (B) and the date of the event.

Example: For a Consult :

For a Maternal Transport:

C 2/17/2017

M 2/17/2017

**ARKANSAS DEPARTMENT OF HEALTH  
INSTRUCTIONS FOR COMPLETING LLM REQUIRED REPORTS**

**Incident Report**

The Incident Report form is used to document incidents or complications and must be submitted to ADH, postmarked by the 10th of the month. Please note that there is a different reporting time-frame for some complications. Refer to section 8 below or Rules section 400 for details. When a second page is needed to provide a comprehensive report, attach and number the second page. Do not write or record anything on the back of any pages.

The following events must be documented:

1. **Consultations and Referrals.** Refer to Rules definitions 103.10 and 103.22. Consultation is the process by which an LLM who maintains primary management responsibility for the client's care, seeks the advice of a physician, CNM, or ADH clinician. This may be by phone, in person or by written request. The physician, CNM, or ADH clinician may require the client to come into their office for evaluation. Referral is the process by which the client is directed to a physician, CNM or ADH clinician for management of a particular problem or aspect of the client's care, after informing the client of the risks to the health of the client or newborn. A consultation or referral must be documented in the client record and Incident Report whether or not a Transfer or Transport becomes necessary. Consultation and/or Referral is required for:
  - a. Pre-existing conditions listed in the Rules section 303.02
  - b. Prenatal conditions listed in 303.03
  - c. Intrapartum conditions listed in 305.02
  - d. Postpartum conditions listed in 307.02
  - e. Newborn conditions listed in 309.02
  - f. Other problems not specified in the protocol in which there are significant deviations from normal
  
2. **Transfers.** Refer to Rules definition 103.22: The process by which the LLM relinquishes care of her client for pregnancy, labor, delivery, or postpartum care to a physician, CNM or ADH clinician, after informing the client of the risks to the health or life of the client. A transfer may result from a consultation and/or referral for a complication, or may occur for social reasons (relocation, preference for another provider, preference for a hospital birth, financial reasons, et al). The delivery date for transfers is recorded when known by the LLM. Transfers resulting from complications include:
  - a. Conditions that preclude LLM care listed in 303.01
  - b. Recommendation of the consultant (physician, CNM, ADH clinician) following a risk assessment, consultation or referral
  - c. Other conditions as determined by the LLM

**ARKANSAS DEPARTMENT OF HEALTH  
INSTRUCTIONS FOR COMPLETING LLM REQUIRED REPORTS**

3. **Immediate Transport.** Occurs when the client must be taken to a medical facility by the most expedient method of transportation available, to obtain treatment or evaluation for an emergency condition and includes:
  - a. Intrapartum conditions, Rules section 305.01
  - b. Postpartum conditions, Rules section 307.01
  - c. Newborn conditions, Rules section 309.01
  - d. Other conditions as determined by the LLM
4. **LLM Terminated Care.** Refer to Rules section 301.01.
5. **Informed Refusals.** LLMs who have a current CPM or MBC credential must utilize the ADH Informed Refusal Form in specific situations outlined in the Rules section 104, #4-8. The Informed Refusal Form must be completed according to Rules section 104, #8.c - #8.f. which includes the requirement for the LLM to document the Informed Refusal by completing an Incident Report form and noting the Informed Refusal on the next Caseload and Birth Report Log to be submitted to ADH. The form is maintained in the client record and a copy does not have to be submitted with the required monthly reports.
6. **Third Risk Assessment (Post Dates).** Refer to Rules section 302.01 (3) and 303.01 (5). Between 41 weeks and 0/7 days and 42 weeks and 0/7 days of gestation, a third risk assessment is required. A documented plan for care beyond 42 weeks 0/7 days gestational age must be submitted to the ADH as a required incident report.
7. **Emergency Measures.** Refer to Rules section 400. Refers to emergency measures taken by the LLM when the attendance of a physician or CNM cannot be speedily secured. Unauthorized emergency measures must be reported by the LLM. Physician- or CNM-authorized emergency measures must be reported with documentation of the physician or CNM signed orders.
8. **Perinatal Hospitalization or Death.** Refer to Rules section 400.
  - a. Complications resulting in intrauterine fetal death, or maternal or newborn death within 48 hours of delivery must be reported to ADH within two (2) business days.
  - b. Maternal or newborn deaths that occur between two (2) through thirty (30) days of birth will be reported to ADH within 5 business days.
  - c. Maternal or newborn hospitalizations that occur within thirty (30) days of delivery must be reported to ADH within five (5) business days.

The above reports must be mailed monthly to ADH and postmarked no later than the 10<sup>th</sup> of each month to the following address:

Arkansas Department of Health  
Women's Health Section, Slot 16  
4815 W. Markham  
Little Rock, AR 72205



**ARKANSAS DEPARTMENT OF HEALTH  
LLM MONTHLY WORKSHEET**

<b>FOR ADH USE ONLY</b>	
DATE RECEIVED _____	BY FAX _____ BY MAIL _____
NO. CASELOAD PAGES _____	NO. INCIDENT REPORTS _____

LLM Name \_\_\_\_\_ Monthly Totals for Year \_\_\_\_\_

Enter the total number of events for each category for each month of the year. Enter 0 (zero) when there are no events in the month reporting. Attach this report form as a cover sheet to the Caseload and Birth Log and all related Incident Reports for the reporting month.

<u>MONTH</u>	<u>NEW CLIENTS</u>	<u>LEFT CARE Non-Medical Reason</u>	<u>LOST CONTACT</u>	<u>TRANSFER CARE for Medical Reason</u>	<u>NUMBER OF CONSULTS</u>	<u>NUMBER OF REFERRALS</u>	<u>TRANSPORTS Mother(M) Newborn(N) Both(B)</u>	<u>Hospitalized within 30 days of Delivery Mother(M) Newborn(N)</u>	<u>Number of Home Births</u>	<u>Number of Hospital Delivery</u>	<u>Number of Incident Reports</u>
<u>JANUARY</u>											
<u>FEBRUARY</u>											
<u>MARCH</u>											
<u>APRIL</u>											
<u>MAY</u>											
<u>JUNE</u>											
<u>JULY</u>											
<u>AUGUST</u>											
<u>SEPTEMBER</u>											
<u>OCTOBER</u>											
<u>NOVEMBER</u>											
<u>DECEMBER</u>											

A copy of the Caseload and Birth Log is submitted monthly listing all clients by 4 weeks of care and postmarked by the 10<sup>th</sup> of the following month. All required incidents that must be reported to the ADH shall be documented on the Incident Report Form in the month they occur and submitted with the Caseload and Birth Log. When necessary to change a name or date on the Caseload and Birth Log, draw a single line through the incorrect entry and write the correct entry beside it. Hospitalization of the mother/newborn within 30 days of delivery must be reported within 5 business days. Complications within 48 hours of delivery that result in death of mother, infant or fetus must be reported to the department within 2 business days. Maternal and/or newborn deaths that occur between 2-30 days of delivery must be reported to the ADH within 5 business days. Submit the Caseload and Birth Log and attachments by the 10<sup>th</sup> of the following month to: **Arkansas Department of Health, Women's Health Section, Slot 16, 4815 W. Markham, Little Rock AR 72205.**

**ARKANSAS DEPARTMENT OF HEALTH**  
LLM INCIDENT REPORT

FOR ADH USE ONLY			
Date Received			
By Mail		By Fax	
# of Report Pages			

**LLM Name:** \_\_\_\_\_  
**Apprentice Name:** \_\_\_\_\_  
**Date of Incident:** \_\_\_\_\_  
**Date of Report:** \_\_\_\_\_  
**Client Name:** \_\_\_\_\_ **EDD:** \_\_\_\_\_  
**Delivery/Birth Date:** \_\_\_\_\_  
**LLM Action:** Informed Refusal \_\_\_\_\_ Consult \_\_\_\_\_ Referral \_\_\_\_\_  
 Transfer \_\_\_\_\_ Transport \_\_\_\_\_ Third Risk Assessment (Post Dates) \_\_\_\_\_  
 Authorized Emergency Measures \_\_\_\_\_ Un-Authorized Emergency Measures \_\_\_\_\_  
**Other Incident:** Hospitalization of Mother/Newborn within 30 Days of Delivery \_\_\_\_\_  
 Unattended Home Birth \_\_\_\_\_ (Must report within 5 business days)  
 Maternal/Newborn Death within 48 hours Delivery \_\_\_\_\_ OR Within 2-30 days of Birth \_\_\_\_\_  
(Must report within 2 business days) (Must report within 5 business days)

**Describe** the Condition identified by the LLM and the Related History that led to the LLM's Action:

**CPM/MBC Informed Refusal Form**                      Date Signed: \_\_\_\_\_ List the Refused Requirement(s): \_\_\_\_\_

Consultants Name (Physician, CNM, or ADH Clinician): \_\_\_\_\_

Hospital \_\_\_\_\_ Address \_\_\_\_\_  
 Phone Number \_\_\_\_\_

Findings of Consultant:

Recommendations and Actions of Consultant of the Consultant (for authorized emergency measures attach signed MD/CNM orders):

LLM Plan of Care:

Outcome of Care. With delivery of the newborn, include the Method of Birth, Birth Weight, Apgars, any Complications:

In accordance with the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas the Incident Report must be mailed to ADH by the 10<sup>th</sup> of the month following the event; earlier reporting is required for certain events as noted in this form. Enclose the report with the corresponding Caseload and Birth Log for the month. Documentation of medical consults must be maintained in the client health record and made available upon request.

**ARKANSAS DEPARTMENT OF HEALTH**  
PRECEPTOR-APPRENTICE AGREEMENT FOR NARM PEP APPRENTICES

The preceptor must submit a signed Preceptor-Apprentice Agreement for each apprentice. The preceptor is responsible for the training of the apprentice and for supervision of the apprentice's performance as an assistant or primary midwife in the attainment of the required clinical experiences and demonstration of skills. The preceptor shall provide instruction prior to the performance of clinical skills, and shall sign off on the required clinical experiences and skills.

Should any Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify ADH immediately. An apprentice must not continue to perform under any preceptors unless a signed Preceptor-Apprentice Agreement is on file with ADH.

Apprentices shall follow all applicable Arkansas laws and these Rules.

Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).

Preceptors must meet all preceptor requirements of the North American Registry of Midwives (NARM).

**Apprentice Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_  
email: \_\_\_\_\_

**Preceptor Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_ email: \_\_\_\_\_  
Licensed by (state) \_\_\_\_\_ Date of expiration \_\_\_\_\_  
CPM number \_\_\_\_\_ Date of expiration \_\_\_\_\_ MBC:  Yes  No

I agree to provide training in all of the required clinical knowledge and skills, and to supervise by direct, on-site, supervision, all clinical experiences that will have my signature on the clinical documentation experience forms for:

Apprentice's signature \_\_\_\_\_ Date \_\_\_\_\_

Signature of Preceptor \_\_\_\_\_ Date \_\_\_\_\_





## **Appendix B. Transitional Provisions and Forms**

1. Transitional Apprentices
2. Preceptor-Apprentice Agreement for Transitional Apprentices
3. Apprentice Acquisition of Clinical Skills Form

## TRANSITIONAL APPRENTICES

Apprentices with active permits issued prior to the effective date of these Rules, henceforth referred to as “Transitional Apprentices”, will have three (3) years from the date these Rules take effect to successfully complete their apprenticeship and submit an application for lay midwifery licensure to ADH, and request approval to sit for the NARM written examination under the requirements listed in this Appendix. If they have not done so by that date, it will be necessary for the applicant to fulfill the requirements listed in Section 201 (Initial Licensure).

1. The apprentice must submit a signed Preceptor-Apprentice Agreement to ADH within thirty (30) days of signing for each preceptor under which the apprentice trains during the course of their apprenticeship. The ADH Preceptor-Apprentice Agreement form (found in this Appendix) or available on the ADH website) shall be used for this notification.
2. Should the Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify ADH immediately. An apprentice must not continue to perform under any preceptor(s) unless a new signed Preceptor-Apprentice Agreement is on file with ADH.
3. Preceptors must be an Arkansas-licensed midwife or certified nurse-midwife, or if outside of Arkansas, preceptors must be licensed by the state of residency as a direct-entry midwife or certified nurse midwife, or have a Certified Professional Midwife credential from the North American Registry of Midwives.
4. Any changes in the apprentice’s contact information must be provided to ADH by the apprentice within thirty (30) days of the status change.
5. Apprentices shall follow all applicable Arkansas laws and these Rules.
6. Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).
7. Permit Renewal

For those apprentices holding valid Apprentice Permits, on or before the effective date of these Rules, the permit must be renewed by the permit’s expiration date if necessary. Renewal will only occur upon application and favorable review by ADH. This review will assure that the lay midwife apprentice is acting under the supervision of the preceptor and in accordance with these Rules. The permit will be valid until three (3) years from the effective date of these Rules. If an apprentice has not obtained Arkansas licensure by that date, the applicant will no longer be considered a transitional apprentice and must follow the guidelines for licensure found in Section 201 (Initial Licensure).

To renew the permit, the Apprentice shall submit the following evidence at least sixty (60) days before the expiration date of the permit:

- a. A completed application (Appendix A).

- b. A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR). Approved CPR courses include courses that are approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- c. A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- d. Documentation of clinical experience for the time period covered for the current permit period. This includes progress made toward licensure for those years, i.e. number of antepartum (AP) visits conducted, labor managements and deliveries, newborn evaluations and postpartum examinations conducted under supervision.
- e. Verification of all current Preceptor-Apprentice relationships documented by a Preceptor-Apprentice Agreement form for each preceptor signed within 90 days of application submission.

## 8. Initial Licensure

Transitional apprentices who are approved by ADH to sit for, and who pass, the NARM written examination will be issued a license upon completion of all other requirements.

A transitional apprentice who receives licensure must go through NARM and become certified as a CPM in order to be eligible to renew their license at the end of their initial licensure period. License renewal will follow the procedures outlined in Section 202.

Once the CPM certification is received, a notarized copy of the certificate or a verification letter sent directly from NARM must be submitted to ADH within thirty (30) days of certification.

Eligibility requirements for approval for transitional apprentices to sit for the NARM written examination:

- a. A completed application.
- b. Additional documentation as follows:
  - i. A passport style and size photo of the applicant, head and shoulders, taken within sixty (60) days of the submission date of the application and attached to the application.

ii. A copy of one of the following documents that demonstrates the applicant is 21 years of age or older:

A. The applicant's birth certificate.

B. The applicant's U.S. passport, U.S. Driver's License or other state-issued identification document.

C. Any document issued by federal, state or provincial registrar of vital statistics showing age.

c. A copy of both sides of current certification in adult and infant cardiopulmonary resuscitation (CPR). Approved CPR courses include courses that are approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.

d. A copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Note: Only certification from courses which include a hands-on skills component are accepted. Online-only courses are not accepted. It is the responsibility of the licensee to ensure this certification is current at all times and documentation must be provided upon request.

e. Documentation of a high school diploma, or its equivalent, and documentation of the highest degree attained after high school. This documentation should include the name of the issuing school or institution and the date issued. Applicant's name must be the same as on the copy of the diploma or degree. If applicant's name is not the same, applicant must submit proof of name change with application.

f. Verification of professional health-related licensure in other jurisdictions may be requested by ADH.

## 9. Documentation of Practical Experience

Applicants for licensure must demonstrate competency in performing clinical skills during the antepartum, intrapartum, postpartum, and the immediate newborn periods. Each applicant must successfully complete an evaluation of clinical skills. The applicant must submit a statement that the following minimal practical experience requirements have been performed under the supervision of a physician, CNM, or LLM.

These forms should be submitted only after the applicant has a "pass" on each item, except for certain emergencies that may not occur during a preceptorship. The following required forms must be submitted:

- a. Clinical Experience Documentation for Births as a Primary Midwife form
- b. Preceptor Verification Form for LLM Application
- c. Documentation of Acquisition of Clinical Knowledge and Skills (completed by each Preceptor Midwife)
  - i. The applicant must attend a minimum of 20 births as an active participant.
  - ii. Functioning in the role of primary LLM under direct on-site supervision, the applicant must attend a minimum of an additional 20 births, of these:
    - A. A minimum of 10 must occur in an out-of-hospital setting and
    - B. A minimum of 3 must include at least 4 prenatal exams, birth attendance, the newborn exam, and 1 postpartum exam, each conducted personally by the applicant with direct supervision.
    - C. 75 prenatal exams, including 20 initial exams
    - D. 20 newborn exams
    - E. 40 postpartum exams
10. Licensing Examination
  - a. After the provisions listed above are satisfactorily completed, the applicant is eligible to take the NARM licensing exam.
  - b. Upon receipt of documentation that the applicant has passed the NARM examination the applicant is eligible to take the Arkansas Rules Examination, administered at ADH at least three (3) times each year.
  - c. The applicant shall provide proof of identity by a government-issued photographic identification card upon the request of the individual administering the test.
  - d. If an applicant scores eighty percent (80%) or higher correct answers on the Arkansas Rules Examination, ADH shall provide to an applicant a written notice of examination results and a license will be issued.

**ARKANSAS DEPARTMENT OF HEALTH**  
**PRECEPTOR-APPRENTICE AGREEMENT FOR TRANSITIONAL APPRENTICES**

The apprentice must submit a signed Preceptor-Apprentice Agreement for each preceptor under whom they train. The preceptor is responsible for the training of the apprentice and for supervision of the apprentice's performance as an assistant or primary midwife in the attainment of the required clinical experiences and demonstration of skills. The preceptor shall provide instruction prior to the performance of clinical skills, and shall sign off on the required clinical experiences and skills.

Should any Preceptor-Apprentice Agreement be terminated by either party, it is the responsibility of both parties to notify ADH immediately. An apprentice must not continue to perform under any preceptors unless a signed Preceptor-Apprentice Agreement is on file with ADH.

Apprentices shall follow all applicable Arkansas laws and these Rules.

Apprentices are required to comply with all provisions of HIPAA (Health Insurance Portability and Accountability Act).

**Apprentice Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_  
email: \_\_\_\_\_

**Preceptor Information (PRINT):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phones: (h) \_\_\_\_\_ (c) \_\_\_\_\_ email: \_\_\_\_\_  
Licensed by (state) \_\_\_\_\_ Date of expiration \_\_\_\_\_  
CPM number \_\_\_\_\_ Date of expiration \_\_\_\_\_ MBC:  Yes  No

If preceptor is not licensed in Arkansas, a notarized copy of state license or CPM certificate must be submitted or a verification letter sent by NARM directly to ADH.

I agree to provide training in all of the required clinical knowledge and skills, and to supervise by direct, on-site, supervision, all clinical experiences that will have my signature on the clinical documentation experience forms for:

Apprentice's signature \_\_\_\_\_ Date \_\_\_\_\_

Signature of Preceptor \_\_\_\_\_ Date \_\_\_\_\_

ARKANSAS DEPARTMENT OF HEALTH  
2. APPRENTICE PERMIT RENEWAL

**Renewed permits will be valid until three (3) years from the effective date of the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas.**

Last Name	First	Middle	Date of Birth	Date
<i>It is your responsibility to notify us of any change in name or address</i>			Social Security Number	
Address (include Street, City, State, Zip)			Home Phone (    )	Business Phone (    )
Mailing Address, if different from above			Other Phone (pager, etc.) (    )	Email Address
Current Health Related Licenses	State	License Number	Expiration Date	
Have you ever had a license revoked in any health-related field <b>since last application</b> ? <input type="radio"/> Yes <input type="radio"/> No If yes, specify _____ _____	Have you ever been convicted of a felony <b>since last application</b> ? <input type="radio"/> Yes <input type="radio"/> No If yes, specify _____ _____			

\_\_\_\_\_  
Signature of Applicant

Date

## **PROCEDURES FOR APPLYING FOR RENEWAL OF LAY MIDWIFERY APPRENTICE PERMIT For Transitional Apprentices**

Transitional Apprentices will have three (3) years from the effective date of the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas to successfully complete their apprenticeship and submit an application for lay midwifery licensure to ADH. If necessary, the apprentice permit may be renewed during this period and will be valid until three (3) years from the effective date of the Rules. The permit must be renewed by the permit's expiration date. All renewal requirements must be received by ADH at least 60 days before the permit's expiration date.

In order to be reviewed an application for renewal must be complete and accompanied by all supporting documentation.

**Type or print the application and review thoroughly before submitting. An incomplete application will delay processing.**

**All applicants must submit the following items before your application will be considered:**

- 1. Complete application form.
- 2. Copy of both sides of current certification in adult and infant cardiopulmonary resuscitation. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. Approved CPR courses include the American Heart Association and the American Red Cross. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- 3. Copy of both sides of current certification in neonatal resuscitation through a course approved by NARM. Only certifications from courses which include a hands-on component are accepted. Online-only courses are not accepted. It is the responsibility of the apprentice to ensure this certification is current at all times and documentation must be provided upon request.
- 5. Verification of all current Preceptor-Apprentice relationships documented by Preceptor-Apprentice Agreement forms for each preceptor signed within 90 days of application submission.
- 6. Notarized documentation of clinical experience for the time period covered for this licensing period. This includes progress made toward licensure that year, i.e. number of AP visits conducted, labor managements and deliveries, newborn evaluations and post-partum examinations conducted under supervision.

NOTE:

- Applicant's name must be the same on all documents or the applicant must submit proof of name change with application.
- A Preceptor-Apprentice Agreement form must be signed by each preceptor under which the apprentice trains during the course of the apprenticeship and sent to ADH by the apprentice within 30 days of signing. An apprentice shall submit written notice to ADH within 30 days after any change to the relationship with a preceptor.

**Mail all forms and attachments to:**

ARKANSAS DEPARTMENT OF HEALTH  
WOMEN'S HEALTH SECTION, SLOT 16  
4815 W. MARKHAM ST.  
LITTLE ROCK, AR 72205

LLM Apprentice Permit Renewal Application      Page 2 of 2  
DOCUMENTATION OF ACQUISITION OF CLINICAL KNOWLEDGE AND SKILLS FOR TRANSITIONAL  
APPRENTICES ONLY:

## **Instructions for the Documentation of Clinical Experiences**

All apprentices must have a Preceptor-Apprentice agreement on file with ADH for each preceptor under whom the apprentice trains. These preceptors are responsible for the training of the apprentice and for the required clinical experiences. Other midwives licensed in the state of Arkansas may sign for some of the clinical experiences.

The dates from the first assist to the final primary birth should encompass at least one year.

Preceptors are expected to sign the documentation forms at the time the skill is performed competently. Determination of “adequate performance” of the skill is at the discretion of the preceptor, and multiple demonstrations of each skill may be necessary. Documentation of attendance and performance at births, prenatals, postpartums, etc., should be signed only if mutually agreed that expectations have been met. Any misunderstanding regarding expectations for satisfactory completion of experience or skills should be discussed and resolved as soon as possible.

The preceptor is expected to provide adequate opportunities for the apprentice to observe clinical skills, to discuss clinical situations away from the clients, to practice clinical skills, and to perform the clinical skills in the capacity of a primary midwife, all while under the direct supervision of the preceptor. This means that the preceptor should be physically present when the apprentice performs the primary midwife skills. The preceptor holds final responsibility for the safety of the client or baby, and should become involved, whenever warranted, in the spirit of positive education and role modeling.

Twenty (20) of the 75 prenatal exams are required to be initial exams and include the midwife’s prenatal exam, initial interview and history (Appendix B, #9.c.).

Births as an Active Participant are births where the apprentice is being taught to perform the skills of a midwife. Charting, other skills, providing labor support, and participating in management discussions may all be done in Active Participant births in increasing degrees of responsibility. Catching the baby should be a skill that is taught towards the end of the active participant period, but not counted as a supervised primary. The apprentice does not have to perform all skills at every birth in this category, but should be present throughout labor and birth and should perform at least some skills at every birth. The apprentice should complete most of the active participant births before functioning as Primary Midwife under supervision.

Births as Primary Midwife under supervision means that the apprentice demonstrates the ability to perform all aspects of midwifery care to the satisfaction of the preceptor, who is physically present and supervising the apprentice’s performance of skills and decision making. Some skills at these births may be performed by the preceptor or other midwives/apprentices, but the catching of the baby, most skills, and labor management should be performed by the apprentice who is claiming the birth as a primary birth under supervision.

\*\*It is recommended that the apprentice make blank copies of all forms in the Application in the event that more space is needed for documentation of clinical experience, or when more preceptors are involved.

## Documentation of Acquisition of Clinical Knowledge and Skills

### Clinical Experience Documentation for Births as an Active Participant

\*see Preceptor-Apprentice Documentation Information prior to signing this form

Name of Apprentice \_\_\_\_\_

Client Initials	Assist at Initial Midwife Exam	Number of Additional Prenatals	Assist at Birth	Date of birth	Place of birth	Assist Newborn Exam	Number of Postpartum Exams	Supervising Midwife's Signature
Example	Yes	4	Yes	1/3/06	home	Yes	2	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
Minimum required			20					
Your numbers								

There are no minimum numbers for any clinicals except assisting at birth, however, it is expected that the supervising midwife will provide training both outside of and during the performance of these other clinicals. The apprentice should provide the number of clinical experiences at which she assisted for each client listed. More than twenty spaces are provided in case some clinicals are performed on clients for which the apprentice does not attend the birth. Put a "yes" or "no" in columns unless a number, date, or other information is required. Do not leave spaces blank. Place of birth: indicate home, birth center, or hospital. Transports may count as an assist if the apprentice assisted during labor at home or birth center prior to transport.

There may be a period of training where the apprentice observes but does not perform assistant activities at clinical experiences. Observations should not be documented as assists.

## Documentation of Acquisition of Clinical Knowledge and Skills

### Clinical Experience Documentation for Births as Primary Midwife

\*see Preceptor-Apprentice Documentation Information prior to signing this form

Name of Apprentice \_\_\_\_\_

Client Initials	Perform Initial Midwife Exam	Number of Additional Prenatals	Manage Labor and Birth	Date of birth	Place of birth	Perform Newborn Exam	Number of Postpartum Exams	Supervising Midwife's Signature
Example	Yes	8	Yes	1/3/06	home	Yes	2	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
Minimum required	20	55	20			20	40	
Your numbers								

The apprentice should provide the number of clinical experiences at which she assisted for each client listed. More than twenty spaces are provided in case some clinicals are performed on clients for which the apprentice does not attend the birth. Put a "yes" or "no" in columns unless a number, date, or other information is required. Do not leave spaces blank. For at least three clients, the apprentice should have provided a minimum of 4 prenatals, birth, newborn, and 2 postpartum exams. Place of birth code: please indicate home, birth center, or hospital. **Transports to the hospital may not count toward required primary births, but may be documented for prenatal exams, etc.**

## Documentation of Acquisition of Clinical Knowledge and Skills

Apprentice's name \_\_\_\_\_

The following skills must be documented by a qualified preceptor as being competently performed by the apprentice. **Performance of the skills includes a demonstration and/or verbal discussion of the knowledge implied by the performance of the skill. Please indicate "by discussion" if skill is not performed.**

The preceptor should **date and initial** each line of any skill she is verifying. More than one preceptor may sign in order to complete the form. All preceptors who sign should also be listed on the Preceptor Verification Form.

### General Skills

- Demonstrates use of universal health precautions relevant to midwifery care \_\_\_\_\_
- Demonstrates appropriate application of aseptic and sterile technique \_\_\_\_\_
- Demonstrates thorough and accurate documentation of care \_\_\_\_\_

### Pharmacology

Demonstrates knowledge of the benefits and risks of the following and refers for prescription and administration when indicated:

- Rh Immune Globulin (RhoGam) for an Rh negative mother \_\_\_\_\_
- Vitamin K & erythromycin for the newborn \_\_\_\_\_
- Pitocin \_\_\_\_\_
- Safe use, care, and transport of oxygen \_\_\_\_\_
- Prophylaxis for Group B Strep \_\_\_\_\_

Postpartum Rubella immunization when non-immune \_\_\_\_\_

### Antepartum

#### **Assessment Skills:**

- Basic health history/OB and gynecological history/family history \_\_\_\_\_
- Obtains diet history and provides nutritional education \_\_\_\_\_
- Obtains interval updates of medical history \_\_\_\_\_
- Evaluates general appearance \_\_\_\_\_
- Obtains weight and height \_\_\_\_\_
- Assesses maternal weight gain \_\_\_\_\_
- Vital signs: temp, pulse, respirations, blood pressure \_\_\_\_\_
- Urine testing for glucose, protein and nitrites \_\_\_\_\_
- Examination of the skin for color and appearance \_\_\_\_\_
- Examination of the pupils, whites and conjunctiva of the eyes \_\_\_\_\_
- Examination of the thyroid gland for enlargement \_\_\_\_\_
- Examination of lymph glands of the neck and underarm for enlargement \_\_\_\_\_
- Auscultates heart for rate and rhythm \_\_\_\_\_
- Auscultates lungs for abnormal breath sounds \_\_\_\_\_
- Percusses the costovertebral angle for pain \_\_\_\_\_
- Speculum examination of the vagina for color, discharge, leakage of fluid \_\_\_\_\_
- Identifies position, presentation, lie of fetus (Leopold's maneuvers) \_\_\_\_\_
- Assessment of Fetal Heart Rate auscultated by fetascope or doppler \_\_\_\_\_
- Identifies pelvic landmarks, assesses pelvis \_\_\_\_\_
- Measurement of fundal height \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Estimates fetal size \_\_\_\_\_  
Lower extremities for varicosities \_\_\_\_\_  
Edema of face legs and hands \_\_\_\_\_  
Determines estimated due date \_\_\_\_\_  
Assesses well-being \_\_\_\_\_

### **Intervention Skills:**

Evaluates knowledge of self- breast exam techniques \_\_\_\_\_  
Instruction of clean catch urine specimen \_\_\_\_\_  
Recognizes the indications for genetic counseling and refers as appropriate \_\_\_\_\_  
Understands and applies knowledge of good eating practices \_\_\_\_\_  
Evaluates and makes recommendations for discomforts of pregnancy \_\_\_\_\_  
Demonstrates knowledge and application of ADA Clinical Practice Recommendations for gestational diabetic screening and diagnosis \_\_\_\_\_  
Demonstrates knowledge of normal and abnormal of required prenatal screening tests \_\_\_\_\_  
\_\_\_\_\_  
Completes pre-delivery home visit \_\_\_\_\_  
Educates regarding home birth supplies \_\_\_\_\_

### **Identifies and takes appropriate action including consultation, referral, or immediate transport when indicated and according to LMW Protocols in the following Prenatal situations:**

Suspected abnormality on physical examination \_\_\_\_\_  
Size/Date discrepancy \_\_\_\_\_  
Elevated Blood Pressure Readings \_\_\_\_\_  
Abnormal Kick Count \_\_\_\_\_  
Abnormal weight gain or loss \_\_\_\_\_  
Abnormal Prenatal screening tests \_\_\_\_\_  
Symptoms of urinary tract infections \_\_\_\_\_  
Hyperemesis \_\_\_\_\_  
Abnormal Fetal Heart Rate Patterns \_\_\_\_\_  
Absence of Fetal Heart Rate \_\_\_\_\_  
Position other than vertex presentation \_\_\_\_\_  
Preterm labor \_\_\_\_\_  
Symptoms of Ectopic (Tubal )pregnancy \_\_\_\_\_  
Abnormal vaginal bleeding \_\_\_\_\_  
Prolonged or Premature rupture of membranes \_\_\_\_\_  
Post term pregnancy \_\_\_\_\_

### **Labor and Birth**

#### **Assessment Skills:**

Takes history relevant to labor \_\_\_\_\_  
Assesses effacement and dilation of cervix \_\_\_\_\_  
Assesses station of presenting part \_\_\_\_\_  
Assesses fetal lie, position, and descent \_\_\_\_\_  
Assesses uterine contractions for frequency, duration, and intensity \_\_\_\_\_  
At required intervals, monitors and assesses fetal heart rate during and between contractions \_\_\_\_\_  
\_\_\_\_\_  
Assesses food and fluid intake and output \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Assesses maternal well-being and responds appropriately:

Vital signs \_\_\_\_\_  
Emotional well being \_\_\_\_\_

Assesses labor progress \_\_\_\_\_

### **Intervention Skills:**

Demonstrates basic labor support skills and comfort measures \_\_\_\_\_

Uses maternal position changes to facilitate labor \_\_\_\_\_

Demonstrates perineal support and hand techniques for delivery \_\_\_\_\_

Demonstrates proficiency in assisting normal, spontaneous vaginal birth \_\_\_\_\_

Supports father and other family members \_\_\_\_\_

Organizes birth equipment \_\_\_\_\_

Follows sterile technique \_\_\_\_\_

**Identifies and takes appropriate action including consultation, referral or immediate transport when indicated and according to LMW Protocols in the following Intrapartum situations:**

Abnormal fetal heart rates/patterns \_\_\_\_\_

Prolapsed cord \_\_\_\_\_

Breech presentation and birth \_\_\_\_\_

Face presentation and birth \_\_\_\_\_

Multiple birth \_\_\_\_\_

Shoulder dystocia \_\_\_\_\_

Abnormal bleeding \_\_\_\_\_

Nuchal hand, arm, or cord \_\_\_\_\_

Edematous cervical lip \_\_\_\_\_

Rupture of membranes \_\_\_\_\_

Meconium stained fluids \_\_\_\_\_

Abnormal changes in vital signs (maternal) \_\_\_\_\_

Maternal dehydration and/or exhaustion \_\_\_\_\_

Prolonged labor in:

Primagravida \_\_\_\_\_

Multigravida \_\_\_\_\_

Abnormal progress of labor \_\_\_\_\_

Symptoms of Pre-eclampsia \_\_\_\_\_

Suspected fetal death \_\_\_\_\_

### **Postpartum Period**

#### **Assessment Skills**

Determines signs of placental separation \_\_\_\_\_

Assesses placenta for size, structure, completeness, cord insertion, and number of vessels, and color \_\_\_\_\_

Assesses uterus from birth throughout the immediate postpartum period for height, size, consistency, and retained clots \_\_\_\_\_

Identifies bladder distention and consults or refers if indicated \_\_\_\_\_

Assesses and estimates blood loss \_\_\_\_\_

Assesses lochia: amount, odor, consistency, color \_\_\_\_\_

Recognizes postpartum hemorrhage \_\_\_\_\_

Recognizes symptoms of shock \_\_\_\_\_

Assesses perineum and cervix for lacerations \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Identifies potential perineal infection or suture breakdown \_\_\_\_\_  
Identifies abnormal uterine size after delivery of placenta \_\_\_\_\_  
Identifies signs of uterine infection \_\_\_\_\_  
Identifies need for Family Planning counseling and refers as indicated \_\_\_\_\_

### Intervention Skills:

Appropriately assists with placental delivery \_\_\_\_\_  
Demonstrates competency in repair of 1<sup>st</sup> and 2<sup>nd</sup> degree perineal lacerations \_\_\_\_\_  
Demonstrates plan for referral for extensive lacerations \_\_\_\_\_  
Takes appropriate action for postpartum hemorrhage (fundal massage, bimanual compression, expression of clots, activating emergency transport plan) \_\_\_\_\_

\_\_\_\_\_

Demonstrates correct maternal positioning for treatment of shock and activates emergency transport plan \_\_\_\_\_

Instructs the mother on postpartum conditions requiring medical evaluation (i.e. excessive bleeding, increasing pain, severe headaches or dizziness or inability to void) \_\_\_\_\_

\_\_\_\_\_

Develops guidelines for emergency transport of mother or baby \_\_\_\_\_  
Performs maternal exam at 12-24 hours \_\_\_\_\_  
Performs Postpartum evaluation at 2-6 weeks \_\_\_\_\_

### Identifies and takes appropriate action including consultation, referral or immediate transport when indicated and according to LMW Protocols in the following Postpartum situations:

Abnormal uterine involution \_\_\_\_\_  
Maternal fever \_\_\_\_\_  
Signs of uterine infection \_\_\_\_\_  
Signs of breast infection \_\_\_\_\_  
Hemorrhage \_\_\_\_\_  
Third and fourth degree lacerations \_\_\_\_\_  
Signs and symptoms of shock \_\_\_\_\_  
Activates emergency transport plan \_\_\_\_\_

### Newborn Care

#### Assessment Skills:

Recognizes signs and symptoms of respiratory distress, possible infection, seizures or jaundice in newborns \_\_\_\_\_  
Determines APGAR scores at one and five minutes \_\_\_\_\_

#### Performs newborn assessment and evaluation to minimally include:

General appearance \_\_\_\_\_  
Alertness \_\_\_\_\_  
Flexion of extremities and muscle tone \_\_\_\_\_  
Sucking \_\_\_\_\_  
Palate: visualization and palpation \_\_\_\_\_  
Skin color, lesions, birthmarks, vernix, lanugo, and peeling \_\_\_\_\_  
Measurements of length, head and chest circumference \_\_\_\_\_  
Weight \_\_\_\_\_  
Head: molding, fontanelles, hematoma, caput, sutures \_\_\_\_\_  
Eyes: jaundice of whites, pupils, tracking, spacing \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Ears: positioning, responds to sound, appear patent \_\_\_\_\_  
Observe chest for symmetry \_\_\_\_\_  
Listen to and count heart rate and respirations \_\_\_\_\_  
Fingers and toes, normal structure and appearance, creases, prints \_\_\_\_\_  
Genitalia: normal appearance, testicle descent in males \_\_\_\_\_  
Takes and records temperature \_\_\_\_\_  
Takes and records femoral pulse \_\_\_\_\_  
Assesses baby for jaundice \_\_\_\_\_  
Gestational age assessment and refers for less than 36 weeks gestation \_\_\_\_\_  
Performs newborn exam at 24-48 hours \_\_\_\_\_

### Intervention Skills:

Assures that the baby's airway is clear, uses suction when indicated \_\_\_\_\_  
Promotes temperature regulation of newborn \_\_\_\_\_  
Supports the establishment of emotional bonds among the baby, mother, and family \_\_\_\_\_  
Cuts, clamps, and cares for cord \_\_\_\_\_  
Collects cord blood when indicated \_\_\_\_\_  
Documents administration of eye prophylaxis \_\_\_\_\_  
Performs or refers for the state required Newborn Screening test \_\_\_\_\_  
Completes Infant Hearing Loss Screening Form \_\_\_\_\_  
Educates mother/parents regarding cord care \_\_\_\_\_  
Assists mother in establishing breastfeeding \_\_\_\_\_  
Provides breastfeeding instruction information \_\_\_\_\_  
Instructs mother in normal and abnormal feeding patterns \_\_\_\_\_  
Assists with breastfeeding positioning and milk expression \_\_\_\_\_

### Identifies and takes appropriate action including consultation ,referral or immediate transport when indicated and according to LMW Protocols in the following Newborn situations:

Apgar score of less than 5 at one minute or 7 at 5 minutes \_\_\_\_\_  
Jaundice at 0-24 hours \_\_\_\_\_  
Meconium staining on the skin \_\_\_\_\_  
Abnormal heart rate \_\_\_\_\_  
Birth weight less than 5 lbs or greater than 10 lbs \_\_\_\_\_  
Abnormal voiding or stool pattern \_\_\_\_\_  
Temperature over 100 or less than 97.7 \_\_\_\_\_  
Abnormal cry \_\_\_\_\_  
Abnormal feeding patterns (vomiting, poor suck, lethargy) \_\_\_\_\_  
Jaundice at 24-48 hours \_\_\_\_\_  
Abnormal respiratory pattern (tachypnea or apnea) \_\_\_\_\_  
Signs of bleeding (i.e. petechia, bruises) \_\_\_\_\_  
Rupture of membranes more than 24 hours before birth \_\_\_\_\_

### Education and Counseling Skills

#### Interaction, Support and Counseling Skills:

Understands and applies principles of informed choice \_\_\_\_\_  
Exhibits communication skills with women, peers, other health care providers \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Functions as women's advocate during pregnancy, birth, and postpartum period \_\_\_\_\_  
Assesses maternal support system \_\_\_\_\_  
Consults with other health care professionals regarding problems \_\_\_\_\_

### Basic Prenatal Education

Understands and can demonstrate knowledge of:  
Emotional and physical changes during pregnancy and postpartum \_\_\_\_\_  
Signs of labor \_\_\_\_\_  
Fetal development \_\_\_\_\_  
Preparing home and family members for birth, as is culturally relevant \_\_\_\_\_  
Preparation for breastfeeding \_\_\_\_\_  
Effects of smoking, drugs, and alcohol consumption \_\_\_\_\_  
Signs and symptoms that necessitate an immediate call to the midwife \_\_\_\_\_  
Preparation for the postpartum period \_\_\_\_\_  
Exploration of fears, concerns, and psycho-social status with family, as appropriate \_\_\_\_\_  
Benefits of exercise \_\_\_\_\_  
Sexuality education appropriate to pregnancy and postpartum \_\_\_\_\_  
Information about required prenatal tests and lab work \_\_\_\_\_  
Circumcision information, as culturally appropriate \_\_\_\_\_  
Information regarding eye prophylaxis \_\_\_\_\_  
Information regarding vitamin K \_\_\_\_\_  
Information regarding the LLM Newborn Care Kit provided by ADH \_\_\_\_\_  
Information regarding the state required PKU for newborn screening \_\_\_\_\_  
Information regarding the Newborn Screening test \_\_\_\_\_  
Information regarding Screening for Infant Hearing Loss \_\_\_\_\_

### Record Keeping and Forms

Demonstrates knowledge on completion of the Birth Certificate \_\_\_\_\_  
Demonstrate knowledge on completion of the Acknowledgement of Paternity Affidavit \_\_\_\_\_  
Demonstrate knowledge of LLM Caseload and Birth Log and ADH submission requirements \_\_\_\_\_  
Demonstrate knowledge of Incident Report and ADH submission requirements \_\_\_\_\_  
Understand components of Emergency Back-up Plans \_\_\_\_\_  
Understand components of LLM Disclosure Form \_\_\_\_\_  
Understand the LLM record keeping requirements \_\_\_\_\_  
Understand the ADH record audit requirements \_\_\_\_\_  
Understand requirements for CLIA certification to perform laboratory tests \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

By signing this form for the Documentation of Acquisition of Clinical Knowledge and Skills, I recognize that I have completed the orientation process for each of the skills listed. I have demonstrated knowledge, understanding and competency in the skills and procedures as verified thru demonstration or discussion by my supervising preceptor(s). I have demonstrated knowledge of and adherence to the Rules Governing the Practice of Licensed Lay Midwifery in Arkansas.

\_\_\_\_\_  
Signature of Preceptor

\_\_\_\_\_  
date

**\*Notarize here if you are an Apprentice applying for the Lay Midwife License**

**Notary seal for verification of preceptor's signature:**

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
date signed

\_\_\_\_\_  
date of expiration

## Documentation of Acquisition of Clinical Knowledge and Skills

### Preceptor Verification Form for LLM Application

All apprentices must have a Preceptor-Apprentice agreement on file with the Department of Health for each preceptor under whom they train. Preceptors are responsible for the training of the apprentice and for the majority of the required clinical experiences. Other midwives licensed in the state of Arkansas may sign for some of the clinical experiences and skills. If any preceptor not licensed in the state of Arkansas is also a signer of any clinical experiences or skills, that preceptor must have a Preceptor-Apprentice Agreement on file with ADH. The following information must be filled out for any preceptor who signs any portion of the Application as documentation of clinical experiences or skills. Preceptors must be licensed in a state as a licensed midwife or CNM, or must have the credential Certified Professional Midwife (CPM). Number of births listed below means the number supervised for THIS APPRENTICE, not the total experience of the supervising midwife. Fill out all lines for documentation of clinical experiences, indicating zero if none supervised, before signing.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM:  Yes  No CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

## Documentation of Acquisition of Clinical Knowledge and Skills

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_  
Licensed in which state? \_\_\_\_\_ License number \_\_\_\_\_  
CPM? \_\_\_\_\_ CPM # \_\_\_\_\_ date of expiration \_\_\_\_\_  
Dates of supervision \_\_\_\_\_ to \_\_\_\_\_  
Number of births supervised as assistant \_\_\_\_\_ number primary \_\_\_\_\_  
Number PRIMARY: initials \_\_\_\_\_, prenatals \_\_\_\_\_, newborns \_\_\_\_\_, postpartums \_\_\_\_\_  
Signature of Preceptor \_\_\_\_\_

## **Appendix C. CEU Calculations**

## CEU CALCULATIONS

CALCULATIONS FOR NUMBER OF CEUS REQUIRED FOR LLM RENEWAL OF LICENSE BASED ON ALL BEING RENEWED IN AUGUST EVERY 3 YEARS.

Months since license was issued	Number of CEUs required
36	30 hours
35	29 hours
34	28 hours
33	27 hours
32	27 hours
31	26 hours
30	25 hours
29	24 hours
28	23 hours
27	23 hours
26	22 hours
25	21 hours
24	20 hours
23	19 hours
22	18 hours
21	17 hours
20	17 hours
19	16 hours
18	15 hours
17	14 hours
16	13 hours
15	12 hours
14	11 hours
13	10 hours
12	10 hours
11	9 hours
10	8 hours
9	7 hours
8	6 hours
7	5 hours
6	4 hours
5	3 hours
4	3 hours
3	2 hours
2	1 hours
1	0 hours