

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1259/1dn
MDK:kmg:kjf

February 6, 2002

Representative Lasee:

I don't think that this amendment accomplishes your intent. Although it defines the practice of nurse-midwifery to include home births, it does not affect the prohibition under current law that the practice of nurse-midwifery may take place only in a health care facility approved by the board of nursing. A home is not a health care facility. Further, based on the plain meaning of the term, I don't think that the board can promulgate rules that define "health care facility" to include a home.

As an alternative, you could amend the bill so that home births are allowed only if the board promulgates rules that allow home births. Please let me know if you want to pursue this option.

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