**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**502 BOARD OF COMPLEMENTARY HEALTH CARE PROVIDERS**

**Chapter 6-B: STANDARDS RELATING TO CERTIFIED MIDWIVES’ PRESCRIPTIVE AUTHORITY, AND SCOPE OF PRACTICE**

**Summary**: This chapter describes standards by which a certified midwife may prescribe, obtain and administer drugs and medical devices.

**1. Authority to prescribe, obtain and administer**

1. A certified midwife may prescribe, administer, or recommend nonprescription medication without limitation, subject only to the limitations of the midwife’s professional knowledge and the standards of care applicable to the midwifery profession.
2. At the time of initial application, the applicant must submit evidence of current education related to pharmacology.
   1. Pharmacology content shall include:
3. Applicable federal and state laws;
4. Prescription writing;
5. Drug selection, storage, dosage, route and administration techniques;
6. Drug interactions, side effects, and adverse effects;
7. Information resources; and
8. Clinical application of pharmacology related to midwifery scope of practice.
   1. A certified midwife who holds prescriptive authority in another U.S.

jurisdiction must submit evidence of the following:

1. A minimum of 200 hours of clinical and prescriptive practice within the preceding two years; and
2. A minimum of 45 contact hours (or three credits) of pharmacology equivalent to the requirements set forth in Section B(1).
   1. If the applicant has not prescribed drugs within the past two years, the applicant shall provide evidence of satisfactory completion of 15 contact hours of pharmacology within the two years prior to the date of the application submission.
   2. If the applicant has not prescribed drugs within the past five years, the applicant shall provide evidence of satisfactory completion of 45 contact hours (or three credits) of pharmacology within the two years prior to the date of the application submission.
   3. The board may restrict, deny, suspend or revoke authority to prescribe, obtain, and administer drugs for violations of 32 MRSA chapter 113-B or evidence of abuse of such authority.
3. Abuse of prescriptive authority constitutes conduct derogatory to midwifery standards and is defined as prescribing, obtaining, or administering drugs:
4. For conditions beyond the certified midwife’s scope of practice or inconsistent with current accepted evidence-informed clinical practice;
5. For other than therapeutic or prophylactic purposes;
6. To individuals who are not clients or patients of the certified midwife or who are not within the midwife’s certification scope of practice; or
7. In an unsafe manner or without adequate instructions to clients or patients according to acceptable and prevailing standards of practice.

**2. Requirements for authorized prescription**

1. In addition to the required client and drug information, a prescription or e-prescription shall include the date, printed name, legal form of signature, specialty category, business address, and telephone number of the prescribing certified midwife.
2. Prescriptions may be for medical appliances, devices, or legend or over-the-counter drugs.
3. Drugs in the formulary may be prescribed, administered, or distributed in combination, in accordance with recognized standards of practice.
4. Any product name drug may be prescribed, administered, or distributed provided the generic name or category for the drug is in the formulary.
5. The certified midwife shall comply with all applicable laws and rules in prescribing, administering, and distributing drugs, including compliance with the labeling requirements and all other applicable requirements of the Maine Board of Pharmacy.
6. For the administration, and distribution of controlled substances under Schedules III-V, the certified midwife shall comply with the requirements in the Code of Federal Regulations, 21 CFR Chapter II, Sections 1301, 1304.03, and 1304.04.

**3. Certified Midwife Formulary**

1. Certified midwives are authorized to prescribe, obtain, possess, and administer the following drugs and devices:
2. Over-the-counter drugs;
3. Medical appliances and devices;
4. Drugs related to the scope of practice defined by the midwife’s certification; and
5. Drugs prescribed off label according to common and established standards of practice.
6. A Drug Enforcement Administration number is required to prescribe scheduled drugs.

**4. Distribution of drug samples**

1. Certified midwives may receive prepackaged complimentary samples of drugs included in the formulary for prescription writing and may distribute these samples to clients.
2. Distribution of drug samples shall be in accordance with U.S. Drug Enforcement Administration laws, regulations, and guidelines.

**5. Scope of practice**

1. Certified midwife. The certified midwife provides only health care services for which the certified midwife is educationally and clinically prepared and for which competency has been maintained. The certified midwife is authorized to function to the full extent of the midwife’s education, training, and competency within the population focus and scope of practice defined by the national professional and standard-setting organization for midwives certified by the national midwifery certification board.
2. Certified midwives primarily practice in hospitals, clinics, and offices, and may

practice in birth centers, homes, and emergency care settings. Certified midwives may consult, refer, or transfer to licensed allopathic or osteopathic physicians, or other licensed health professionals as necessary for the client’s health or safety in accordance with professional judgment.

1. Such health care services for which the certified midwife is independently

responsible and accountable include:

1. Primary health care services for women from adolescence to beyond menopause;
2. Primary health care of the newborn up to age 28 days; Primary maternity care, including preconception care, care during pregnancy, labor, and childbirth, including acting as the first assistant at cesarean, and the postpartum period;
3. Ordering, performing, and interpreting medical laboratory and radiology testing, and obtaining equipment and supplies for the safe practice of midwifery;
4. Provision of gynecological and family planning services and treatment of sexually transmitted infections in clients and their sexual contacts.

STATUTORY AUTHORITY:

32 MRS §§ 12503, 12537(2), (3), (4) and (5)

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