

**Chapter 18.50 RCW
MIDWIFERY**

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RCW 18.50.005 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

- (1) "Advanced registered nurse practitioner" means an advanced registered nurse practitioner licensed under chapter 18.79 RCW.
- (2) "Department" means the department of health.
- (3) "Secretary" means the secretary of health.
- (4) "Midwife" means a midwife licensed under this chapter.

(5) "Naturopath" means a naturopath licensed under chapter 18.36A RCW.

(6) "Physician" means a physician licensed under chapter 18.57 or 18.71 RCW.

(7) "Physician assistant" means a physician assistant licensed under chapter 18.71A RCW. [2022 c 289 § 1; 1991 c 3 § 102; 1987 c 467 § 1; 1981 c 53 § 2.]

Effective date—1981 c 53: "Sections 1, 2, 5, 6, 8, 9, 10, 11, and 13 through 17 of this act shall take effect January 15, 1982." [1981 c 53 § 19.]

RCW 18.50.010 Practicing midwifery defined—Gratuitous services—Duty to consult with physician. Any person shall be regarded as practicing midwifery within the meaning of this chapter who shall render medical aid for a fee or compensation to individuals during prenatal, intrapartum, and postpartum stages or to the individual's newborn up to two weeks of age or who shall advertise as a midwife by signs, printed cards, or otherwise. Nothing shall be construed in this chapter to prohibit gratuitous services. It shall be the duty of a midwife to consult with a physician whenever there are significant deviations from normal in either the gestational parent or the newborn. [2022 c 289 § 2; 2014 c 187 § 1; 1991 c 3 § 103; 1987 c 467 § 2; 1981 c 53 § 5; 1917 c 160 § 8; RRS § 10181. Formerly RCW 18.50.010, 18.50.030, part, and 18.50.090.]

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.020 License required. Any person who shall practice midwifery in this state after July 1, 1917, shall first obtain from the secretary a license so to do, and the said secretary is authorized to grant such license after examination of the applicant as hereinafter provided. [1991 c 3 § 104; 1917 c 160 § 1; RRS § 10174.]

RCW 18.50.030 Exemptions—Practice of religion—Treatment by prayer. This chapter shall not be construed to interfere in any way with the practice of religion, nor be held to apply to or regulate any kind of treatment by prayer. [1917 c 160 § 12; RRS § 10185. FORMER PART OF SECTION: 1917 c 160 § 8, part; RRS § 10181, part, now codified in RCW 18.50.010.]

Gratuitous services exempted: RCW 18.50.010.

RCW 18.50.032 Exemptions—Registered nurses and nurse midwives. Registered nurses and nurse midwives certified by the nursing care quality assurance commission under chapter 18.79 RCW shall be exempt from the requirements and provisions of this chapter. [1994 sp.s. c 9 § 704; 1981 c 53 § 10.]

Severability—Headings and captions not law—Effective date—1994 sp.s. c 9: See RCW 18.79.900 through 18.79.902.

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.034 Exemptions—Persons enrolled in midwifery programs. Nothing in this chapter shall be construed to apply to or interfere in any way with the practice of midwifery by a person who is enrolled in a program of midwifery approved and accredited by the secretary: PROVIDED, That the performance of such services is only pursuant to a regular course of instruction or assignment from the student's instructor, and that such services are performed only under the supervision and control of a person licensed in the state of Washington to perform services encompassed under this chapter. [1991 c 3 § 105; 1981 c 53 § 11.]

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.040 Candidates for examination—Application—Eligibility—Student midwife permits—License extensions. (1) Any person seeking to be examined shall present to the secretary, at least 45 days before the commencement of the examination, a written application on a form or forms provided by the secretary setting forth under affidavit such information as the secretary may require and proof the candidate has received a high school degree or its equivalent; that the candidate is 21 years of age or older; that the candidate has received a certificate or diploma from a midwifery program accredited by the secretary and licensed under chapter 28C.10 RCW, when applicable, or a certificate or diploma in a foreign institution on midwifery of equal requirements conferring the full right to practice midwifery in the country in which it was issued. The diploma must bear the seal of the institution from which the applicant graduated. Foreign candidates must present with the application a translation of the foreign certificate or diploma.

(2) The candidate shall meet the following conditions:

(a) Obtaining a minimum period of midwifery training for at least three years including the study of the basic nursing skills that the department shall prescribe by rule. However, if the applicant is a registered nurse or licensed practical nurse under chapter 18.79 RCW, or has had previous nursing education or practical midwifery experience, the required period of training may be reduced depending upon the extent of the candidate's qualifications as determined under rules adopted by the department. In no case shall the training be reduced to a period of less than two years.

(b) Meeting minimum educational requirements which shall include studying midwifery; obstetrics; neonatal pediatrics; basic sciences; reproductive anatomy and physiology; behavioral sciences; childbirth education; community care; obstetrical pharmacology; epidemiology; gynecology; family planning; genetics; embryology; neonatology; the medical and legal aspects of midwifery; nutrition during pregnancy and lactation; lactation; nursing skills, including but not limited to injections, administering intravenous fluids, catheterization, and aseptic technique; and such other requirements prescribed by rule.

(c) For a student midwife during training, undertaking the care of not less than 50 individuals in each of the prenatal, intrapartum, and early postpartum periods, but the same individuals need not be seen through all three periods. A student midwife may be issued a

permit upon the satisfactory completion of the requirements in (a), (b), and (c) of this subsection and the satisfactory completion of the licensure examination required by RCW 18.50.060. The permit permits the student midwife to practice under the supervision of a midwife licensed under this chapter, a physician, or a certified nurse-midwife licensed under the authority of chapter 18.79 RCW. The permit shall expire within one year of issuance and may be extended as provided by rule.

(d) Observing an additional 50 individuals in the intrapartum period before the candidate qualifies for a license.

(e) For candidates seeking a limited prescriptive license extension, completion of additional study and training requirements as prescribed by the department, in collaboration with the Washington medical commission and the midwifery advisory committee, in rule. Such rules shall provide requirements for:

(i) The number of additional obstetrical pharmacology training hours consistent with the training hours required for other similar prescribers; and

(ii) Additional training consistent with guidelines commensurate with other professions providing family planning and treating common prenatal and postpartum conditions and any other relevant sources.

(f) For candidates seeking a licensing extension to include medical devices and implants, completion of the requirements listed in (e) of this subsection and additional study and training requirements as prescribed by the department, in collaboration with the Washington medical commission and the midwifery advisory committee, in rule. Such rules shall provide requirements for:

(i) The minimum number of completed procedures under supervision;

(ii) Completing trainings as required by the device manufacturers or an equivalent; and

(iii) Additional training consistent with guidelines commensurate with other professions providing family planning and treating common prenatal and postpartum conditions and any other relevant sources.

(g) The license extensions referenced in (e) and (f) of this subsection do not apply to newborn care.

(3) Notwithstanding subsections (1) and (2) of this section, the department shall adopt rules to provide credit toward the educational requirements for licensure before July 1, 1988, of midwives who are not licensed in Washington, including rules to provide:

(a) Credit toward licensure for documented deliveries;

(b) The substitution of relevant experience for classroom time; and

(c) That experienced lay midwives may sit for the licensing examination without completing the required coursework.

The training required under this section shall include training in any birth setting with particular emphasis on learning the ability to differentiate between low-risk and high-risk pregnancies. [2022 c 289 § 3; 1994 sp.s. c 9 § 705; 1991 c 3 § 106; 1987 c 467 § 3; 1986 c 299 § 24; 1981 c 53 § 6; 1917 c 160 § 2; RRS § 10175.]

Severability—Headings and captions not law—Effective date—1994 sp.s. c 9: See RCW 18.79.900 through 18.79.902.

Effective date—1986 c 299: See RCW 28C.10.902.

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.045 Midwifery education programs—Accreditation. The secretary shall promulgate standards by rule under chapter 34.05 RCW for accrediting midwifery educational programs. The standards shall cover the provision of adequate clinical and didactic instruction in all subjects and noncurriculum matters under this section including, but not limited to, staffing and teacher qualifications. In developing the standards, the secretary shall be advised by and receive the recommendations of the midwifery advisory committee. [1991 c 3 § 107; 1981 c 53 § 7.]

RCW 18.50.050 Compliance with secretary's determination. Applicants shall comply with administrative procedures, administrative requirements, and fees determined by the secretary as provided by RCW 43.70.250 and 43.70.280. [1996 c 191 § 24; 1991 c 3 § 108; 1985 c 7 § 48; 1975 1st ex.s. c 30 § 51; 1917 c 160 § 3; RRS § 10176.]

Limitation on increases in midwifery fees: RCW 43.24.086.

RCW 18.50.060 Examinations—Times and places—Subjects—Issuance of license. (1) The secretary is hereby authorized and empowered to execute the provisions of this chapter and shall offer examinations in midwifery at least twice a year at such times and places as the secretary may select. The examinations shall be written and shall be in the English language.

(2) The secretary, with the assistance of the midwifery advisory committee, shall develop or approve a licensure examination in the subjects that the secretary determines are within the scope of and commensurate with the work performed by a licensed midwife. The examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery. All application papers shall be deposited with the secretary and there retained for at least one year, when they may be destroyed.

(3) If the examination is satisfactorily completed, the secretary shall issue to such candidate a license entitling the candidate to practice midwifery in the state of Washington. [1991 c 3 § 109; 1987 c 467 § 4; 1981 c 53 § 8; 1979 c 158 § 43; 1917 c 160 § 4; RRS § 10177.]

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.065 Credentialing by endorsement. (1) An applicant holding a credential in another state may be credentialed to practice in this state without examination if the secretary determines that the other state's credentialing standards are substantially equivalent to the standards in this state.

(2) The secretary shall write rules to bridge the gap between requirements of national certification of certified professional midwives and state requirements for licensure for licensed midwives. [2014 c 187 § 2; 1991 c 332 § 32.]

Application to scope of practice—Captions not law—1991 c 332: See notes following RCW 18.130.010.

RCW 18.50.102 License renewal. (1) A licensed midwife must renew the individual's license according to the following requirements:

- (a) Completion of a minimum of 30 hours of continuing education, approved by the secretary, every three years;
- (b) Proof of participation in a Washington state coordinated quality improvement program as detailed in rule;
- (c) Proof of participation in data submission on perinatal outcomes to a national or state research organization, as detailed in rule; and
- (d) Fees determined by the secretary as provided in RCW 43.70.250 and 43.70.280.

(2) The secretary shall write rules regarding the renewal requirements and the department's process for verification of the third-party data submission. [2022 c 289 § 4; 2014 c 187 § 3; 1996 c 191 § 25; 1991 c 3 § 110; 1985 c 7 § 49; 1981 c 53 § 13.]

Effective date—1981 c 53: See note following RCW 18.50.005.

Limitation on increases in midwifery fees: RCW 43.24.086.

RCW 18.50.105 Inform patient of qualifications of midwife—Form. The secretary, with the advice of the midwifery advisory committee, shall develop a form to be used by a midwife to inform the patient of the qualifications of a licensed midwife. [1991 c 3 § 111; 1981 c 53 § 12.]

RCW 18.50.108 Written plan for consultation, emergency transfer, and transport. Every licensed midwife shall develop a written plan for consultation with other health care providers, emergency transfer, transport of an infant to a newborn nursery or neonatal intensive care nursery, and transport of an individual to an appropriate obstetrical department or patient care area. The written plan shall be submitted annually together with the license renewal fee to the department. [2022 c 289 § 5; 1981 c 53 § 14.]

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.115 Administration of drugs and medications—Rules. (1) A midwife licensed under this chapter may obtain and administer prophylactic ophthalmic medication, postpartum oxytocic, vitamin K, Rho immune globulin (human), and local anesthetic and may administer such other drugs or medications as prescribed by a physician, an advanced registered nurse practitioner, a naturopath, or a physician assistant acting within the practitioner's scope of practice. A pharmacist who dispenses such drugs to a licensed midwife shall not be liable for any adverse reactions caused by any method of use by the midwife.

(2) A midwife licensed under this chapter who has been granted a limited prescriptive license extension by the secretary may prescribe, obtain, and administer:

- (a) Antibiotic, antiemetic, antiviral, antifungal, low-potency topical steroid, and antipruritic medications and therapies, and other

medications and therapies as defined in the midwifery legend drugs and devices rule for the prevention and treatment of conditions that do not constitute a significant deviation from normal in pregnancy or postpartum; and

(b) Hormonal and nonhormonal family planning methods.

(3) A midwife licensed under this chapter who has been granted an additional license extension to include medical devices and implants by the secretary may prescribe, obtain, and administer hormonal and nonhormonal family planning medical devices, as prescribed in rule.

(4) The secretary, after collaboration with representatives of the midwifery advisory committee, the pharmacy quality assurance commission, and the Washington medical commission, may adopt rules that authorize licensed midwives to prescribe, obtain, and administer legend drugs and devices in addition to the drugs authorized in this chapter. [2022 c 289 § 6; 2019 c 55 § 1; 2013 c 19 § 1; 1994 sp.s. c 9 § 707; 1991 c 3 § 112; 1987 c 467 § 6.]

Severability—Headings and captions not law—Effective date—1994 sp.s. c 9: See RCW 18.79.900 through 18.79.902.

RCW 18.50.126 Application of uniform disciplinary act. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter. [1987 c 150 § 31; 1986 c 259 § 75.]

Severability—1987 c 150: See RCW 18.122.901.

Severability—1986 c 259: See note following RCW 18.130.010.

RCW 18.50.130 "Certificate" and "license" synonymous. The words "certificate" and "license" shall be known as interchangeable terms in this chapter. [1917 c 160 § 11; RRS § 10184.]

RCW 18.50.135 Rules. The secretary shall promulgate rules under chapter 34.05 RCW as are necessary to carry out the purposes of this chapter. [1991 c 3 § 113; 1981 c 53 § 15.]

Effective date—1981 c 53: See note following RCW 18.50.005.

RCW 18.50.140 Midwifery advisory committee—Generally. The midwifery advisory committee is created.

The committee shall be composed of one physician who is a practicing obstetrician; one practicing physician; one certified nurse midwife licensed under chapter 18.79 RCW; three midwives licensed under this chapter; and one public member, who shall have no financial interest in the rendering of health services. The committee may seek other consultants as appropriate, including persons trained in childbirth education and perinatology or neonatology.

The members are appointed by the secretary and serve at the pleasure of the secretary but may not serve more than five years consecutively. The terms of office shall be staggered. Members of the committee shall be reimbursed for travel expenses as provided in RCW

43.03.050 and 43.03.060. [1994 sp.s. c 9 § 706; 1991 c 3 § 114; 1987 c 467 § 5; 1981 c 53 § 3.]

Severability—Headings and captions not law—Effective date—1994 sp.s. c 9: See RCW 18.79.900 through 18.79.902.

RCW 18.50.150 Midwifery advisory committee—Advice and recommendations. The midwifery advisory committee shall advise and make recommendations to the secretary on issues including, but not limited to, continuing education, mandatory reexamination, and peer review. [1998 c 245 § 6; 1991 c 3 § 115; 1981 c 53 § 4.]

RCW 18.50.160 Delegation to nurse. A licensed midwife may delegate to a registered nurse or a licensed practical nurse selected acts, tasks, or procedures that constitute the practice of midwifery but do not exceed the education of the nurse. [2014 c 187 § 4.]

RCW 18.50.170 Down syndrome—Parent information. A midwife who provides a parent with a positive prenatal or postnatal diagnosis of Down syndrome shall provide the parent with the information prepared by the department under RCW 43.70.738 at the time the midwife provides the parent with the Down syndrome diagnosis. [2016 c 70 § 2.]

RCW 18.50.900 Repeal and saving. All acts or parts of acts inconsistent with the provisions of this chapter may be and the same are hereby repealed: PROVIDED, This chapter shall not repeal the provisions of the vital statistics laws of the state, but shall be deemed as additional and cumulative provisions. [1917 c 160 § 10.]