

# Board of Registration in Midwifery: December Meeting Summary

## **Looking Ahead: Board Schedule and Continuity**

The board confirmed meeting dates from January through June 2025, continuing its standing schedule of the third Thursday of each month. The second half of the year will be revisited in the spring to allow flexibility as regulatory work progresses. Several members flagged unavoidable absences due to inpatient service and national conference commitments, with the understanding that occasional absences are expected and acceptable given the intensity of the work.

## **Licensing Regulations Move Forward**

A key milestone was reached with the board's approval of a licensing regulation amendment requested by the Commissioner's office. Unlike typical administrative review edits, the Commissioner requested additional clarifying language related to discipline standards and administrative procedures for temporary licensees—a common request when regulating a newly licensed profession.

The amendment clarifies:

- The legal standards temporary licensees are held to during the initial licensure period
- The statutory basis for discipline if concerns arise
- The application of Massachusetts administrative due process protections

Importantly, this language applies only to the temporary license period and will sunset once full licensure regulations are in effect. With this amendment approved, the regulation now moves into administrative review and then public hearing, keeping licensure implementation on track.

## **Reciprocity: Building a Fair and Functional Pathway**

The board spent significant time discussing licensure by reciprocity, recognizing that many early applicants will come from other states and that inequities already exist—particularly for internationally trained midwives whose credentials are not always recognized by national bodies.

Two complementary strategies are being developed:

1. Automatic reciprocity for states (and potentially countries) with substantially similar requirements
2. A standardized equivalency framework for jurisdictions not on the automatic list, ensuring decisions are consistent and defensible rather than ad hoc

Board members were asked to identify states they believe meet substantial equivalency and send recommendations to staff by early January. This groundwork is essential to allow automatic reciprocity processing as soon as the application portal goes live, which is currently anticipated for late January 2025.

## **Application Systems and an Innovative First**

Behind the scenes, staff reported steady progress on application development, including testing in January and concurrent work on fee regulations.

One notable innovation drew enthusiasm: controlled substance registration will be integrated directly into the licensure application. Applicants who wish to register will be guided seamlessly into the process, with information prepopulated and approvals issued simultaneously once the temporary license is granted. This streamlined approach eliminates duplicate data entry and is expected to become a model for other health professions.

## **Scope of Practice: Informed Refusal, Transfer, and Safety**

The most substantial discussion returned to the scope of practice regulation, particularly unresolved questions around what happens when a client refuses transfer of care beyond a midwife's scope.

Board members emphasized that informed choice must be balanced with:

- Clear limits of midwifery scope
- Protection for midwives in unsafe or untenable situations
- The reality that midwives cannot abandon clients mid-birth

Consensus is emerging around several principles:

- Emergency activation (e.g., calling EMS) should be clearly required in defined circumstances
- Midwives must be protected when refusing to provide care beyond their training or when personal safety is at risk
- Regulations should focus first on unstable or emergency situations, rather than attempting to codify every non-emergent scenario

At the same time, members cautioned against overly rigid rules that could fail to account for the diversity of real-life clinical contexts. The board agreed that core requirements must live in regulation, while more nuanced interpretation should be addressed through guidance documents that explain how standards are applied in practice.

Board members were asked to reflect further and submit proposed language to staff ahead of the January meeting.

## **Complaints, Investigations, and a Restorative Approach**

The board also began reviewing draft regulations governing complaints, investigations, and disciplinary actions. Board counsel emphasized that these regulations exist not to punish, but to ensure transparency, due process, and fairness—protecting both the public and licensees.

A strong theme emerged around the profession's commitment to restorative justice. While formal disciplinary processes must remain available when needed, the board expressed interest in prioritizing:

- Consent agreements
- Education and remediation
- Collaborative, non-punitive resolutions where appropriate

The board discussed how restorative principles could be embedded within the consent agreement framework and supplemented by guidance documents. Members volunteered to help draft language outlining what restorative accountability should look like in the Massachusetts midwifery context.

## **Correspondence and Community Voice**

The board acknowledged ongoing correspondence from midwives and the public, much of it raising substantive questions about scope, transfer, and standards of care. While staff appropriately handle administrative inquiries, several members emphasized the value of ensuring the board itself remains closely connected to the voices of the midwifery community—particularly given the relatively small size of the profession in Massachusetts.

## **What Happens Next**

Between now and January, board members will:

- Submit reciprocity recommendations to staff
- Reflect on and propose language related to informed refusal and transfer of care
- Begin shaping restorative justice principles for complaint resolution

The next board meeting is scheduled for Thursday, January 15, where these discussions will continue as licensure implementation accelerates.