

January 2026 – Board of Registration in Midwifery

Meeting Highlights & Key Takeaways

The January meeting of the Massachusetts Board of Registration in Midwifery focused on three major areas of progress: licensure by reciprocity, regulatory timeline updates, and finalizing core scope-of-practice regulations, with important discussion about how guidance documents will support midwives once licensure begins.

Below is a summary of the most relevant developments for Midwives in Massachusetts.

Licensure by Reciprocity: Framework Under Development

The Board and legal counsel outlined a structured, transparent approach to reciprocity for out-of-state midwives seeking Massachusetts licensure.

Key points:

- The Board is reviewing laws and regulations from other states to determine which have licensure schemes that are “*substantially similar*” to Massachusetts.
- Initial focus is on neighboring and high-volume states, including Maine and New York, with documentation of:
 - Which states license CPMs
 - Which states do not license CPMs at all (and therefore cannot participate in reciprocity)
- The goal is to avoid arbitrary or capricious decision-making by clearly documenting how and why reciprocity determinations are made.
- Some states may use different language (e.g., “good moral character” vs. felony disclosure), and the Board will assess whether these differences are *functionally equivalent*.
- An automatic reciprocity list may be created for certain states, while others may require individual review.
- The same general framework may later be used to assess educational pathways, including potential future consideration of CM-to-CPM pathways.

Regulatory Timeline: Nearing Public Hearing Phase

The Board shared an update on where the licensure regulations are in the administrative process.

Current status:

- Regulations have completed Department of Public Health (DPH) review
- They are now under review by Executive Office of Health and Human Services (EOHHS) and Administration & Finance (A&F)
- The process is approximately two-thirds to three-quarters complete
- Once final review is complete and *if no substantive changes are required*, regulations can move directly to public hearing

What to expect next:

- Public hearings require 21–28 days' notice
- Notices will be published through:
 - DPH website
 - The Massachusetts Register
 - Email notifications to interested parties: email midwifery@mass.gov
- Written and oral public comments will be accepted and reviewed by the Board
- Substantive changes after public comment would require another hearing; non-substantive edits would not

Licensing Applications: System Readiness

Board staff and legal counsel confirmed that the ELX online licensing system is being prepared in parallel with regulatory review.

Highlights:

- Initial and temporary licensure applications are largely built
- Remaining work focuses on integrating reciprocity pathways
- The system is designed so applications can go live immediately upon regulation publication

- The target “go-live” moment is the day regulations are officially published in the Register

This means licensure applications should open quickly once regulations are finalized, minimizing delays for midwives and employers.

Scope of Practice Regulations:

A significant portion of the meeting focused on finalizing the Scope of Practice regulation, which defines when midwives must recommend consultation or transfer of care.

Key themes:

- The statute limits licensed CPM practice to low-risk care, but there is no universal clinical definition of “low risk”
- The Board’s role is to define clear, defensible parameters while acknowledging the fluid nature of perinatal risk
- The regulation focuses on:
 - Required recommendations (consult or transfer)
 - Not on forcing transfers against client wishes
- Strong emphasis was placed on:
 - Informed consent and informed refusal
 - Documentation
 - Clear standards that protect both clients and midwives

Notable decisions:

- Alignment with national birth center standards on gestational age thresholds
- Clarification that emergency stabilization is always within scope, even when risk status changes
- Removal of detailed informed-refusal language from the regulation itself, with agreement that this belongs in guidance documents instead

The Scope of Practice regulation is now considered substantially complete and will be professionally formatted for Board review at the next meeting.

Guidance Documents: Next Phase of Work

The Board emphasized that regulations are the scaffolding, and guidance documents will provide the practical interpretation midwives need in real-world care.

Planned guidance topics include:

- Informed consent and informed refusal
- Transfer and consultation processes
- Standardized consents and protocols
- Clarifying how to apply regulations across different care settings

Board members and staff encouraged ongoing submission of draft ideas, examples, and priorities to support this next phase.

Investigations & Complaints: Introductory Review

The Board began reviewing draft regulations related to investigations, complaints, and disciplinary processes, including:

- How complaints are received and evaluated
- Differences between informal resolution, consent agreements, and formal disciplinary proceedings
- Emphasis on due process, transparency, and proportional responses

This discussion will continue at the February meeting.

Looking Ahead

- February 19, 2026: Next Board meeting
- Upcoming focus areas:
 - Final review of Scope of Practice formatting
 - Continued work on investigations and complaints regulations
 - Early development of guidance documents
 - Reciprocity materials entering Board packets