

Senate Bill No. 1738

CHAPTER 158

An act to add Section 2746.52 to the Business and Professions Code, relating to nursing, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 11, 1996. Filed with
Secretary of State July 12, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1738, Wright. Nursing: nurse-midwives.

Existing law provides for the licensure and regulation of the practice of nurse-midwifery and provides that a nurse-midwife is not authorized to practice medicine and surgery by the provisions of this chapter.

This bill would provide that the certificate to practice nurse-midwifery authorizes the holder to perform and repair episiotomies, and to repair first-degree and second-degree lacerations of the perineum, in a licensed acute care hospital and a licensed alternate birth center, if certain conditions are met, including that these procedures be performed pursuant to protocols approved by various individuals.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 2746.52 is added to the Business and Professions Code, immediately following Section 2746.51, to read:

2746.52. Notwithstanding Section 2746.5, the certificate to practice nurse-midwifery authorizes the holder to perform and repair episiotomies, and to repair first-degree and second-degree lacerations of the perineum, in a licensed acute care hospital, as defined in subdivision (a) of Section 1250 of the Health and Safety Code, and a licensed alternate birth center, as defined in paragraph (4) of subdivision (b) of Section 1204 of the Health and Safety Code, but only if all of the following conditions are met:

(a) The supervising physician and surgeon and any backup physician and surgeon is credentialed to perform obstetrical care in the facility.

(b) The episiotomies are performed pursuant to protocols developed and approved by all of the following:

- (1) The supervising physician and surgeon.
- (2) The certified nurse-midwife.



(3) The director of the obstetrics department or the director of the family practice department, or both, if a physician and surgeon in the obstetrics department or the family practice department is a supervising physician and surgeon, or an equivalent person if there is no specifically identified obstetrics department or family practice department.

(4) The interdisciplinary practices committee, if applicable.

(5) The facility administrator or his or her designee.

(c) The protocols, and the procedures which shall be developed pursuant to the protocols, shall relate to the performance and repair of episiotomies and the repair of first-degree and second-degree lacerations of the perineum, and shall do all of the following:

(1) Ensure that all complications are referred to a physician and surgeon immediately.

(2) Ensure immediate care of patients who are in need of care beyond the scope of practice of the certified nurse midwife, or emergency care for times when the supervising physician and surgeon is not on the premises.

(3) Establish the number of certified nurse-midwives that a supervising physician and surgeon may supervise.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to authorize the performance and repair of episiotomies and the repair of first-degree and second-degree lacerations of the perineum by nurse-midwives, it is necessary that this act take effect immediately.

