

HOUSE BILL NO. 95

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ALLARD

Introduced: 2/12/25

Referred: Health and Social Services, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to midwives and the practice of midwifery; relating to apprentice**
2 **midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of**
3 **Licensed Midwives; relating to the Board of Licensed Midwives; extending the**
4 **termination date of the Board of Certified Direct-Entry Midwives; relating to insurance;**
5 **and providing for an effective date."**

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
8 to read:

9 LEGISLATIVE INTENT. It is the intent of the legislature to preserve the right of
10 women to deliver children at home with licensed midwives, to remove obstacles for safe
11 deliveries outside of hospitals, to ensure quality care of pregnant women and the children they
12 deliver, and to guarantee that the practice of midwifery by a licensed midwife is covered by
13 insurance regardless of the location where the care is received.

1 * **Sec. 2.** AS 08.01.010(17) is amended to read:

2 (17) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives
3 (AS 08.65.010);

4 * **Sec. 3.** AS 08.02.110(a), as amended by sec. 1, ch. 44, SLA 2024, is amended to read:

5 (a) An acupuncturist licensed under AS 08.06, an audiologist or speech-
6 language pathologist licensed under AS 08.11, a behavior analyst licensed under
7 AS 08.15, a person licensed in the state as a chiropractor under AS 08.20, a
8 professional or associate counselor licensed under AS 08.29, a dentist under AS 08.36,
9 a dietitian or nutritionist licensed under AS 08.38, a massage therapist licensed under
10 AS 08.61, a marital and family therapist licensed under AS 08.63, a medical
11 practitioner or osteopath under AS 08.64, a **licensed** [DIRECT-ENTRY] midwife
12 [CERTIFIED] under AS 08.65, a registered or advanced practice registered nurse
13 under AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under
14 AS 08.80, a physical therapist or occupational therapist licensed under AS 08.84, a
15 psychologist under AS 08.86, or a clinical social worker licensed under AS 08.95,
16 shall use as professional identification appropriate letters or a title after that person's
17 name that represents the person's specific field of practice. The letters or title shall
18 appear on all signs, stationery, or other advertising in which the person offers or
19 displays personal professional services to the public. In addition, a person engaged in
20 the practice of medicine or osteopathy as defined in AS 08.64.380, or a person
21 engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels
22 other persons in relation to human health or disease and uses the letters "M.D." or the
23 title "doctor" or "physician" or another title that tends to show that the person is
24 willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the
25 letters or title by adding the appropriate specialist designation, if any, such as
26 "dermatologist," "radiologist," "audiologist," "naturopath," or the like.

27 * **Sec. 4.** AS 08.02.130(j)(1), as amended by sec. 2, ch. 44, SLA 2024, is amended to read:

28 (1) "health care provider" means

29 (A) an audiologist or speech-language pathologist licensed
30 under AS 08.11; a behavior analyst licensed under AS 08.15; a chiropractor
31 licensed under AS 08.20; a professional or associate counselor licensed under

AS 08.29; a dental hygienist licensed under AS 08.32; a dentist licensed under AS 08.36; a dietitian or nutritionist licensed under AS 08.38; a naturopath licensed under AS 08.45; a marital and family therapist licensed under AS 08.63; a physician licensed under AS 08.64; a podiatrist, osteopath, or physician assistant licensed under AS 08.64; a **licensed** [DIRECT-ENTRY] midwife [CERTIFIED] under AS 08.65; a nurse licensed under AS 08.68; a dispensing optician licensed under AS 08.71; an optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist or occupational therapist licensed under AS 08.84; a psychologist or psychological associate licensed under AS 08.86; or a social worker licensed under AS 08.95;

(B) a physician licensed in another state; or

(C) a member of a multidisciplinary care team who is licensed in another state;

* **Sec. 5.** AS 08.03.010(c)(8) is amended to read:

(8) Board of Certified Direct-Entry Midwives (AS 08.65.010) - June 30, **2031** [2025];

* **Sec. 6.** AS 08.03.010(c)(8), as amended by sec. 5 of this Act, is amended to read:

(8) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives (AS 08.65.010) - June 30, 2031;

* **Sec. 7.** AS 08.64.370 is amended to read:

Sec. 08.64.370. Exceptions to application of chapter. This chapter does not apply to

(1) officers in the regular medical service of the armed services of the United States or the United States Public Health Service while in the discharge of their official duties;

(2) a physician or osteopath licensed in another state who is asked by a physician or osteopath licensed in this state to help in the diagnosis or treatment of a case, unless the physician is practicing under AS 08.02.130(b);

(3) the practice of the religious tenets of a church;

(4) a physician in the regular medical service of the United States

Public Health Service or the armed services of the United States volunteering services without pay or other remuneration to a hospital, clinic, medical office, or other medical facility in the state;

(5) a person who is a licensed [CERTIFIED AS A DIRECT-ENTRY] midwife [BY THE DEPARTMENT] under AS 08.65 while engaged in the practice of midwifery whether or not the person accepts compensation for those services;

(6) a physician licensed in another state who, under a written agreement with an athletic team located in the state in which the physician is licensed, provides medical services to members of the athletic team while the athletic team is traveling to or from or participating in a sporting event in this state.

* **Sec. 8.** AS 08.65.010(a) is amended to read:

(a) There is established the Board of Licensed [CERTIFIED DIRECT-ENTRY] Midwives.

* **Sec. 9.** AS 08.65.010(b) is amended to read:

(b) The board consists of five members appointed by the governor subject to confirmation by the legislature in joint session. Members serve for staggered terms of four years, and, except as provided in AS 39.05.080(4), each member serves until a successor is appointed and qualified. The board consists of

(1) three [TWO] members who are licensed [CERTIFIED IN THIS STATE AS DIRECT-ENTRY] midwives;

(2) [,] one member who is either a

(A) physician licensed by the State Medical Board in this state who has an obstetrical practice or has specialized training in obstetrics; or

(B) [, ONE] certified nurse midwife licensed by the Board of Nursing in this state; [,] and

(3) one public member.

* **Sec. 10.** AS 08.65.030 is amended to read:

Sec. 08.65.030. Duties and powers of board. (a) The board shall

(1) review applications for a license to engage in the practice of midwifery to determine whether the applicant satisfies the requirements of AS 08.65.050 [EXAMINE APPLICANTS AND ISSUE CERTIFICATES TO THOSE

1 APPLICANTS IT FINDS QUALIFIED];

2 (2) [ADOPT REGULATIONS ESTABLISHING CERTIFICATION
3 AND CERTIFICATE RENEWAL REQUIREMENTS;

4 (3)] issue permits to apprentice [DIRECT-ENTRY] midwives;

5 **(3)** [(4)] hold hearings and order the disciplinary sanction of a person
6 who violates this chapter or a regulation of the board;

7 **(4)** [(5)] supply forms for applications, licenses, permits,
8 [CERTIFICATES,] and other papers and records;

9 **(5)** [(6)] enforce the provisions of this chapter and adopt regulations
10 necessary to make the provisions of this chapter effective;

11 **(6)** [(7) APPROVE CURRICULA AND ADOPT STANDARDS FOR
12 BASIC EDUCATION, TRAINING, AND APPRENTICE PROGRAMS;

13 (8) PROVIDE FOR SURVEYS OF THE BASIC DIRECT-ENTRY
14 MIDWIFE EDUCATION PROGRAMS IN THE STATE AT THE TIMES IT
15 CONSIDERS NECESSARY;

16 (9) APPROVE EDUCATION, TRAINING, AND APPRENTICE
17 PROGRAMS THAT MEET THE REQUIREMENTS OF THIS CHAPTER AND OF
18 THE BOARD, AND DENY, REVOKE, OR SUSPEND APPROVAL OF THOSE
19 PROGRAMS FOR FAILURE TO MEET THE REQUIREMENTS;

20 (10)] adopt regulations establishing

21 **(A) licensing requirements that are in accordance with**
22 **national licensing standards;**

23 **(B) license renewal requirements; and**

24 **(C)** practice requirements for **licensed** [CERTIFIED DIRECT-
25 ENTRY] midwives under **AS 08.65.140(a)** [AS 08.65.140].

26 (b) The board may

27 **(1) adopt regulations requiring** [BY REGULATION REQUIRE
28 THAT] a **licensed** [CERTIFIED DIRECT-ENTRY] midwife **to** undergo a uniform or
29 random period of peer review to ensure the quality of care provided by the **licensed**
30 [CERTIFIED DIRECT-ENTRY] midwife;

31 **(2) approve curricula and adopt standards for basic education,**

1 **training, and apprentice programs; and**

2 **(3) approve education, training, and apprentice programs that**
 3 **meet the requirements of this chapter and of the board, and deny, revoke, or**
 4 **suspend approval of those programs for failure to meet the requirements.**

5 * **Sec. 11.** AS 08.65.030 is amended by adding a new subsection to read:

6 (c) The board may not adopt a regulation that

7 (1) requires a person to have a nursing degree to be licensed under this
 8 chapter;

9 (2) requires a licensed midwife to practice midwifery under the
 10 supervision of, or in collaboration with, another health care provider or a health care
 11 facility;

12 (3) requires a licensed midwife to enter into an agreement, whether
 13 written, oral, or in another form, with another health care provider or a health care
 14 facility; or

15 (4) limits the location where a licensed midwife may practice
 16 midwifery.

17 * **Sec. 12.** AS 08.65.050 is amended to read:

18 **Sec. 08.65.050. Qualifications for license.** The board shall issue a **license**
 19 [CERTIFICATE] to practice [DIRECT-ENTRY] midwifery to a person who

20 (1) **holds a valid certified professional midwife certificate issued by**
 21 **a nationally recognized midwife organization that is recognized by the board;**

22 **(2)** applies on a form provided by the board;

23 **(3)** [(2)] pays the fees required under AS 08.65.100;

24 **(4)** [(3)] furnishes evidence satisfactory to the board that the person
 25 has not engaged in conduct that is a ground for imposing disciplinary sanctions under
 26 AS 08.65.110;

27 **(5)** [(4)] furnishes evidence [SATISFACTORY] to the board that the
 28 person has completed a course of **midwifery** study and supervised clinical experience;
 29 the study and experience must be of at least **two years'** [ONE YEAR'S] duration; **and**

30 **(6)** [(5)] successfully completes the **national midwifery** examination
 31 required by the board.

1 * **Sec. 13.** AS 08.65.080 is amended to read:

2 **Sec. 08.65.080. Renewal.** A license [CERTIFICATE] issued under
 3 AS 08.65.050 [OR 08.65.070] expires on a date determined by the board and may be
 4 renewed every two years upon payment of the required fee and the submission of
 5 evidence satisfactory to the board that the licensed [CERTIFIED DIRECT-ENTRY]
 6 midwife **holds a valid certified professional midwife certificate issued by a**
 7 **nationally recognized midwife organization that is recognized by the board,** has
 8 met the continuing education requirements of the board, has demonstrated continued
 9 practical professional competence under regulations adopted by the board, and has not
 10 committed an act that is a ground for discipline under AS 08.65.110.

11 * **Sec. 14.** AS 08.65.080 is amended by adding a new subsection to read:

12 (b) A person who was issued a license to practice midwifery by the board
 13 because the person held a valid certificate to practice direct-entry midwifery under
 14 AS 08.65.050 or former AS 08.65.070 on the day before the effective date of this
 15 section may renew that license in accordance with (a) of this section as (a) of this
 16 section read on the day before the effective date of sec. 13 of this Act, but is otherwise
 17 subject to this chapter.

18 * **Sec. 15.** AS 08.65.090 is amended to read:

19 **Sec. 08.65.090. Apprentice [DIRECT-ENTRY] midwives.** (a) The board
 20 shall issue a permit to practice as an apprentice [DIRECT-ENTRY] midwife to a
 21 person who satisfies the requirements of AS 08.65.050(2) - (4) [AS 08.65.050(1) - (3)]
 22 and who has been accepted into a program of education, training, and apprenticeship
 23 approved by the board under AS 08.65.030 **and that prepares the apprentice for the**
 24 **national midwifery examination.** A permit application under this section must
 25 include information the board may require. The permit is valid for a term of two years
 26 and may be renewed in accordance with regulations adopted by the board.

27 (b) An apprentice [DIRECT-ENTRY] midwife may perform all the activities
 28 of a licensed [CERTIFIED DIRECT-ENTRY] midwife if supervised in a manner
 29 prescribed by the board **in regulation** [BY

30 (1) A CERTIFIED DIRECT-ENTRY MIDWIFE WHO HAS BEEN
 31 LICENSED AND PRACTICING IN THIS STATE FOR AT LEAST TWO YEARS

1 AND HAS ACTED AS A PRIMARY OR ASSISTANT MIDWIFE AT 50 OR
 2 MORE BIRTHS SINCE THE DATE THE CERTIFIED DIRECT-ENTRY MIDWIFE
 3 WAS FIRST LICENSED;

4 (2) A CERTIFIED DIRECT-ENTRY MIDWIFE WHO HAS BEEN
 5 LICENSED FOR AT LEAST TWO YEARS IN A STATE WITH LICENSING
 6 REQUIREMENTS AT LEAST EQUIVALENT IN SCOPE, QUALITY, AND
 7 DIFFICULTY TO THOSE OF THIS STATE AT THE TIME OF LICENSING, HAS
 8 PRACTICED MIDWIFERY FOR THE LAST TWO YEARS, AND HAS ACTED
 9 AS A PRIMARY OR ASSISTANT MIDWIFE AT 50 OR MORE BIRTHS SINCE
 10 THE DATE THE CERTIFIED DIRECT-ENTRY MIDWIFE WAS FIRST
 11 LICENSED;

12 (3) A PHYSICIAN LICENSED IN THIS STATE WITH AN
 13 OBSTETRICAL PRACTICE AT THE TIME OF UNDERTAKING THE
 14 APPRENTICESHIP; OR

15 (4) A CERTIFIED NURSE MIDWIFE LICENSED BY THE BOARD
 16 OF NURSING IN THIS STATE WITH AN OBSTETRICAL PRACTICE AT THE
 17 TIME OF UNDERTAKING THE APPRENTICESHIP].

18 * **Sec. 16.** AS 08.65.110 is amended to read:

19 **Sec. 08.65.110. Grounds for discipline, suspension, or revocation of license**
 20 **[CERTIFICATION].** The board may impose a disciplinary sanction on a person
 21 holding a **license** [CERTIFICATE] or permit under this chapter if the board finds that
 22 the person

23 (1) secured a **license** [CERTIFICATE] or permit through deceit, fraud,
 24 or intentional misrepresentation;

25 (2) engaged in deceit, fraud, or intentional misrepresentation in the
 26 course of providing professional services or engaging in professional activities;

27 (3) advertised professional services in a false or misleading manner;

28 (4) has been convicted of a felony or other crime that affects the
 29 licensee's ability to continue to practice competently and safely;

30 (5) intentionally or negligently engaged in or permitted the
 31 performance of client care by persons under the **licensed** [CERTIFIED DIRECT-

ENTRY] midwife's supervision that does not conform to minimum professional standards regardless of whether actual injury to the client occurred;

(6) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board;

(7) continued to practice after becoming unfit due to

(A) professional incompetence;

(B) failure to keep informed of current professional practices;

(C) addiction or severe dependency on alcohol or other drugs

that impairs the ability to practice safely; or

(D) physical or mental disability; or

(8) engaged in lewd or immoral conduct in connection with the delivery of professional service to clients.

* **Sec. 17.** AS 08.65.120(a) is amended to read:

(a) When the board [IT] finds that a person holding a license [CERTIFICATE] or permit under this chapter is guilty of an offense under AS 08.65.110, the board, in addition to the powers provided in AS 08.01.075, may impose the following sanctions singly or in combination:

(1) permanently revoke the license [A CERTIFICATE] or permit [TO PRACTICE];

(2) suspend the license [A CERTIFICATE] or permit for a determinate period of time;

(3) censure the [A] person [HOLDING A CERTIFICATE OR PERMIT];

(4) issue a letter of reprimand;

(5) place the [A] person [HOLDING A CERTIFICATE OR PERMIT] on probationary status and require the person to

(A) report regularly to the board on [UPON] matters involving the basis of probation;

(B) limit practice to those areas prescribed;

(C) continue professional education until a satisfactory degree of skill has been attained in those areas determined by the board to need

1 improvement;

2 (6) impose limitations or conditions on the practice of the [A] person
3 holding the license [A CERTIFICATE] or permit.

4 * **Sec. 18.** AS 08.65.120(d) is amended to read:

5 (d) The board may reinstate a license [CERTIFICATE] or permit that has
6 been suspended or revoked if the board finds after a hearing that the applicant for the
7 reinstatement is able to practice with reasonable skill and safety.

8 * **Sec. 19.** AS 08.65.140 is amended to read:

9 **Sec. 08.65.140. Required practices.** The board shall adopt regulations
10 regarding the practice of [DIRECT-ENTRY] midwifery. At a minimum, the
11 regulations must require that a licensed [CERTIFIED DIRECT-ENTRY] midwife

12 (1) [RECOMMEND, BEFORE CARE OR DELIVERY OF A
13 CLIENT, THAT THE CLIENT UNDERGO A PHYSICAL EXAMINATION
14 PERFORMED BY A PHYSICIAN, PHYSICIAN ASSISTANT, OR ADVANCED
15 PRACTICE REGISTERED NURSE WHO IS LICENSED IN THIS STATE;

16 (2)] obtain informed consent from a client before onset of labor;

17 (2) [(3)] comply with AS 18.15.150 regarding taking of blood samples,
18 AS 18.15.200 regarding screening of phenylketonuria (PKU), AS 18.50.160 regarding
19 birth registration, AS 18.50.230 regarding registration of deaths, AS 18.50.240
20 regarding fetal death registration, and regulations adopted by the Department of
21 Health concerning prophylactic treatment of the eyes of newborn infants [;

22 (4) NOT KNOWINGLY DELIVER A WOMAN WITH CERTAIN
23 TYPES OF HEALTH CONDITIONS, PRIOR HISTORY, OR COMPLICATIONS
24 AS SPECIFIED BY THE BOARD].

25 * **Sec. 20.** AS 08.65.140 is amended by adding a new subsection to read:

26 (b) A licensed midwife may practice midwifery without

27 (1) being under the supervision of, or collaborating with, another
28 health care provider or a health care facility; or

29 (2) entering into a written or other form of agreement with another
30 health care provider or a health care facility.

31 * **Sec. 21.** AS 08.65.150 is amended to read:

Sec. 08.65.150. Prohibited practices. Except as provided in AS 08.65.170, a person who is not licensed [CERTIFIED] under this chapter as a licensed [DIRECT-ENTRY] midwife may not practice midwifery for compensation.

* **Sec. 22.** AS 08.65.160 is amended to read:

Sec. 08.65.160. License [CERTIFICATION] required if designation used.

A person who is not licensed [CERTIFIED] under this chapter, [OR] whose license [CERTIFICATION] is suspended or revoked, or whose license [CERTIFICATION] has lapsed [,] who knowingly uses in connection with the person's name the [WORDS OR] letters "L.M.," the words "Licensed Midwife," ["C.D.M., "CERTIFIED DIRECT-ENTRY MIDWIFE,"] or other letters, words, or insignia indicating or implying that the person is licensed [CERTIFIED] as a licensed [DIRECT-ENTRY] midwife by this state or who in any way, orally or in writing, directly or by implication, knowingly holds out as being licensed [CERTIFIED BY THE STATE] as a licensed [DIRECT-ENTRY] midwife in this state is guilty of a class B misdemeanor. **In this section, "knowingly" has the meaning given in AS 11.81.900.**

* **Sec. 23.** AS 08.65.170 is amended to read:

Sec. 08.65.170. Exclusions. This chapter does not apply to a person who is licensed as

(1) [WHO IS LICENSED AS] a physician in this state;

(2) an advanced practice registered [WHO IS LICENSED AS A CERTIFIED] nurse [MIDWIFE] by the Board of Nursing in this state.

[(3) REPEALED]

(4) REPEALED]

* **Sec. 24.** AS 08.65.180 is amended to read:

Sec. 08.65.180. Responsibility for care. If a licensed [CERTIFIED DIRECT-ENTRY] midwife seeks to consult with or refer a patient to a licensed physician, the responsibility of the physician for the patient does not begin until the patient is physically within the physician's care.

* **Sec. 25.** AS 08.65.190(1) is amended to read:

(1) "board" means the Board of Licensed [CERTIFIED DIRECT-ENTRY] Midwives;

1 * **Sec. 26.** AS 08.65.190(3) is amended to read:

2 (3) "practice of midwifery" means providing necessary supervision,
3 health care, preventative measures, and education to women during pregnancy, labor,
4 and the first postpartum year [PERIOD]; providing preconception care; conducting
5 deliveries on the midwife's own responsibility; providing immediate postpartum care
6 of the newborn infant, well-baby care for the infant through the age of six [FOUR]
7 weeks, and preventative measures for the infant; identifying physical, social, and
8 emotional needs of the newborn and the woman; arranging for consultation, referral,
9 and continued involvement of the midwife on a collaborative basis when the care
10 required extends beyond the scope of practice of the midwife; providing direct
11 supervision of student and apprentice midwives; and executing emergency measures
12 in the absence of medical assistance, as specified in regulations adopted by the board.

13 * **Sec. 27.** AS 08.65.190 is amended by adding new paragraphs to read:

14 (4) "health care facility" has the meaning given in AS 18.35.399;

15 (5) "health care provider" has the meaning given in AS 09.65.300(c);

16 (6) "licensed midwife" means a midwife who is licensed under this
17 chapter to practice midwifery;

18 (7) "midwife" means a person who practices midwifery;

19 (8) "preconception care" means health care that identifies and treats a
20 person's biomedical, behavioral, and social risk factors to maximize the person's
21 conception health and pregnancy outcomes during the person's reproductive years.

22 * **Sec. 28.** AS 09.65.300(c)(1), as amended by sec. 15, ch. 44, SLA 2024, is amended to
23 read:

24 (1) "health care provider" means a physician, physician assistant,
25 dentist, dental hygienist, osteopath, optometrist, chiropractor, registered nurse,
26 practical nurse, advanced practice registered nurse, naturopath, physical therapist,
27 occupational therapist, marital and family therapist, psychologist, psychological
28 associate, behavior analyst, assistant behavior analyst, licensed clinical social worker,
29 athletic trainer, licensed [CERTIFIED DIRECT-ENTRY] midwife, licensed
30 professional counselor, or licensed associate counselor;

31 * **Sec. 29.** AS 11.41.470(1) is amended to read:

(1) "health care worker" includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, **licensed** [CERTIFIED DIRECT-ENTRY] midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, [MIDWIFE,] nurse, occupational therapist, occupational therapy assistant, osteopath, naturopath, physical therapist, physical therapist assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position;

* **Sec. 30.** AS 18.20.095(e)(2) is amended to read:

(2) "licensed staff member" means a person who is employed by the hospital to provide direct patient care and who is licensed or certified in the state as a physician or physician assistant under AS 08.64, **licensed** [DIRECT-ENTRY] midwife under AS 08.65, nurse or nurse aide under AS 08.68, or physical therapist or occupational therapist under AS 08.84;

* **Sec. 31.** AS 18.50.165(b) is amended to read:

(b) The registrar shall distribute copies of the form prepared under (a) of this section to each hospital in the state, to each physician in the state whose practice includes attendance at births, to each certified nurse midwife and **licensed** [CERTIFIED DIRECT-ENTRY] midwife in the state, and to each other interested person in the state who requests copies of the form.

* **Sec. 32.** AS 21.36.090(d), as amended by sec. 21, ch. 44, SLA 2024, is amended to read:

(d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56, a person may not practice or permit unfair discrimination against a person who provides a service covered under a group health insurance policy that extends coverage on an expense incurred basis, or under a group service or indemnity type contract issued by a health maintenance organization or a nonprofit corporation, if the service is within the scope of the provider's occupational license. In this subsection, "provider" means a state licensed physician, physician assistant, dentist, osteopath, optometrist, chiropractor, advanced practice registered nurse, pharmacist, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, licensed professional

counselor, licensed associate counselor, **licensed** [CERTIFIED DIRECT-ENTRY] midwife, or dental hygienist holding an advanced practice permit.

* **Sec. 33.** AS 21.42.347(d) is amended by adding a new paragraph to read:

(3) "home birth" means the delivery of a child in the home setting.

* **Sec. 34.** AS 21.42.347 is amended by adding a new subsection to read:

(e) A health care insurer who provides coverage for the costs of childbirth shall provide coverage for the costs of home birth services, including prenatal care, delivery, and postpartum care of both mother and infant, provided by a licensed midwife who is acting within the scope of the practice of midwifery under AS 08.65.

* **Sec. 35.** AS 21.42.355 is amended by adding new subsections to read:

(c) If a health care insurance plan or an excepted benefits policy or contract provides indemnity for the cost of preconception care or services of a physician provided to women during pregnancy, childbirth, and the period after childbirth up to one year, indemnity in a reasonable amount shall also be provided for the cost of a midwife licensed under AS 08.65 who provides the same services. Indemnity may be provided under this subsection only if the licensed midwife is practicing as a licensed midwife within the scope of the license.

(d) If a health care insurance plan or an excepted benefits policy or contract provides for furnishing preconception care or those services required of a physician in the care of women during pregnancy, childbirth, and the period after childbirth up to one year, the contract shall also provide that a midwife licensed under AS 08.65 may furnish those same services instead of a physician. Services may be provided under this subsection only if the licensed midwife is practicing as a licensed midwife in accordance with the regulations adopted under AS 08.65.030(b)(2), and the services provided are within the scope of practice of the license.

(e) In this section, "preconception care" has the meaning given in AS 08.65.190.

* **Sec. 36.** AS 21.84.335(b)(15) is amended to read:

(15) **AS 21.42.355(a) and (b)** [AS 21.42.355];

* **Sec. 37.** AS 25.20.055(a) is amended to read:

(a) When a birth occurs to an unmarried woman in a hospital or en route to a

hospital to which the woman is later admitted, the hospital shall ensure that a staff member

(1) meets with the woman before release from the hospital;

(2) attempts to meet with the father of the unmarried woman's child, if possible;

(3) presents to the mother and, if possible, the father, a pamphlet or statement regarding the rights and responsibilities of a natural parent; the Department of Health shall prepare this pamphlet and distribute copies of it to each hospital in the state, to each physician in the state whose practice includes attendance at births, to each certified nurse midwife and **licensed** [CERTIFIED DIRECT-ENTRY] midwife in the state, and to other interested persons in the state who request copies;

(4) provides to the mother and, if possible, the father, all forms, statements, or agreements necessary to voluntarily establish a parent and child relationship, including an acknowledgment of paternity form prepared under AS 18.50.165;

(5) on request of the mother and father, assists the father in completing specific forms, statements, or agreements necessary to establish a parent and child relationship between the father and the child; and

(6) on request of the mother and father, mails a completed voluntary acknowledgment of paternity form to the state registrar for filing under AS 18.50.165.

* **Sec. 38.** AS 25.20.055(b) is amended to read:

(b) When a birth occurs to an unmarried woman who is not in a hospital for the birth nor admitted to a hospital immediately after the birth, and the birth is attended by a physician, certified nurse midwife, or **licensed** [CERTIFIED DIRECT-ENTRY] midwife, the physician, certified nurse midwife, or **licensed** [CERTIFIED DIRECT-ENTRY] midwife shall perform the duties described in (a)(2) - (6) of this section or ensure that an agent performs those duties.

* **Sec. 39.** AS 44.62.330(a)(36) is amended to read:

(36) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives;

* **Sec. 40.** AS 47.07.900(13) is amended to read:

(13) "midwife services" means services within the practice of

1 midwifery, as defined in AS 08.65.190, that are performed by a **licensed** [CERTIFIED
 2 DIRECT-ENTRY] midwife, and miscellaneous fees, other than facility fees, for birth
 3 kits, oxygen, and other ancillary expenses necessary for a birth attended by a **licensed**
 4 [CERTIFIED DIRECT-ENTRY] midwife;

5 * **Sec. 41.** AS 47.20.320(d) is amended to read:

6 (d) A hospital or other health facility, clinical laboratory, audiologist,
 7 physician, registered or advanced practice registered nurse, **licensed** [CERTIFIED
 8 DIRECT-ENTRY] midwife, officer or employee of a health facility or clinical
 9 laboratory, or an employee of an audiologist, physician, or registered or advanced
 10 practice registered nurse is not criminally or civilly liable for furnishing information in
 11 good faith to the department or its designee under this section. The furnishing of
 12 information in accordance with this section is not a violation of AS 08 or AS 18 or
 13 regulations adopted under AS 08 or AS 18 for licensees under those statutes.

14 * **Sec. 42.** AS 08.65.060 and 08.65.070 are repealed.

15 * **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to
 16 read:

17 TRANSITION: CONTINUATION OF BOARD. Each member of the Board of
 18 Certified Direct-Entry Midwives, as that board is constituted under AS 08.65.010, as that
 19 section read on the day before the effective date of sec. 9 of this Act, shall serve on the Board
 20 of Licensed Midwives, established by AS 08.65.010, as amended by secs. 8 and 9 of this Act,
 21 for the remainder of the member's term under AS 08.65.010, as that section read on the day
 22 before the effective date of sec. 9 of this Act, and until the member's successor is appointed
 23 by the governor and confirmed by the legislature under AS 08.65.010(b), as amended by sec.
 24 9 of this Act.

25 * **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to
 26 read:

27 TRANSITION: CURRENT DIRECT-ENTRY MIDWIVES, MIDWIVES LICENSED
 28 BY CREDENTIALS, AND APPRENTICE MIDWIVES. (a) Notwithstanding AS 08.65.050,
 29 as amended by sec. 12 of this Act, the Board of Licensed Midwives shall issue a license to
 30 practice midwifery to a person who held a valid certificate to practice direct-entry midwifery
 31 issued under AS 08.65.050 on the day before the effective date of sec. 12 of this Act. The

1 license to practice midwifery expires on the expiration date of the certificate to practice
2 direct-entry midwifery.

3 (b) Notwithstanding the repeal of AS 08.65.070 by sec. 42 of this Act, the Board of
4 Licensed Midwives shall issue a license to practice midwifery to a person who held a valid
5 certificate to practice direct-entry midwifery issued under AS 08.65.070 on the day before the
6 effective date of sec. 42 of this Act. The license to practice midwifery expires on the
7 expiration date of the certificate to practice direct-entry midwifery.

8 (c) Notwithstanding AS 08.65.090, as amended by sec. 15 of this Act, the Board of
9 Licensed Midwives shall issue a permit to practice as an apprentice midwife to a person who
10 held a valid permit to practice as an apprentice direct-entry midwife issued under
11 AS 08.65.090 on the day before the effective date of sec. 15 of this Act.

12 * **Sec. 45.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 **RETROACTIVITY.** Section 5 of this Act is retroactive to June 30, 2025.

15 * **Sec. 46.** Section 45 of this Act takes effect immediately under AS 01.10.070(c).

16 * **Sec. 47.** Section 5 of this Act takes effect June 30, 2025.

17 * **Sec. 48.** Except as provided in secs. 46 and 47 of this Act, this Act takes effect
18 September 1, 2025.