

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 8672

1415 SHESS RETIREMENT PACKAGE - MIDWIFERY 9/5

# MEMORANDUM

State of Alaska

TO: Jay S. Hammond  
Governor

DATE: February 4, 1982

FILE NO:

TELEPHONE NO: 465-4100

FROM: Ronald O. Skoog *JRS*  
Commissioner  
Department of Fish and Game

SUBJECT: Request for  
Legislation  
Fish and Game  
Retirement

The recent failure of HB 121 is of continuing consequence to the Department of Fish and Game. The bill contained a provision (Section 54) which would have provided continuing peace officer retirement coverage to this Department's employees in the case of their transfer or promotion within the Department. Although I do not agree with the Department of Law's interpretation of the existing law in regard to the promotional positions, the Department of Fish and Game appears forced to accept the implementation of that interpretation by the Department of Administration.

The effect of the regulations being promulgated is that any employee presently covered by "peace officer retirement benefits" can retain that coverage only if he remains in his present position or moves to another position that can be determined as qualifying. Of particular problem are an array of supervisory and other positions that probably would not qualify under the intended "qualification regulations." Most of these we want to fill with experienced personnel from within the Department. Instead it is quite likely that none of these positions will be sought by existing employees presently in the peace officer's retirement system for fear of losing that benefit. Recruitment will continue, of course, but will be limited to "newcomers", who lack the experience of managing fish and wildlife in Alaska and lack experience in this Department.

I doubt the Legislature ever intended to design a retirement system that would divide one Department into two groups, while maintaining the same retirement system uniformly in other Departments. The 1976 amendment was proposed by this Administration and enacted by the Legislature in an effort to overcome that problem. However, if the Department of Law's interpretation of the present law is to be followed, I believe it necessary that Section 54 of SCSCSHB 121, or similar language, be proposed to and enacted by the Legislature.

Governor Hammond

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February 4, 1982

I propose that the following language--taken directly from Section 54--to be added to AS 29.35.680(32):

"A person holding a position as a 'qualified employee of the Department of Fish and Game' shall continue to be treated as a peace officer under AS 39.35 until that person:

(1) terminates employment with the Department of Fish and Game before eligibility for or appointment to retirement or disability; or

(2) elects to irrevocably relinquish peace officer status under AS 39.35.527."

I urge you to seek this necessary amendment.

cc: Keith Specking  
Wilson L. Condon  
William R. Hudson  
Division Directors  
Section Chiefs

THE 17TH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. CR 917  
 Title An Act Relating to Retirement Benefits... (PERS)... and Providing for an Effective Date  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Administration - Division of Retirement & Benefits  
 Program Category Affected Centralized Administrative Services  
 BRU, Program, or Subprogram(s) Affected Retirement & Benefits  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
100 RETIREMENT BENEFITS		(228.0)	(506.5)	(838.3)	(1,231.4)	(1,694.7)
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(228.0)	(506.5)	(838.3)	(1,231.4)	(1,694.7)

FUNDING (Thousands of Dollars)

GENERAL FUND	(186.7)	(414.8)	(686.6)	(1,008.5)	(1,386.0)
FEDERAL FUNDS	(10.5)	(23.3)	(38.6)	(56.6)	(78.0)
VETERAN'S FUND	.5	(1.0)	(1.7)	(2.5)	(3.4)
FISH & GAME FUND	(1.4)	(3.0)	(5.0)	(7.4)	(10.1)
HIGHWAY FUND	(3.0)	(6.6)	(10.9)	(16.0)	(22.0)
AIRPORT FUND	(4.6)	(14.7)	(24.3)	(35.7)	(48.1)
CAPITAL FUND	(19.3)	(43.1)	(71.2)	(104.7)	(144.1)
PERS					

POSITIONS NONE

FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section 1)

- Provision to provide PERS service credit for certain Marine transportation service is estimated to cost \$4,000 per year.
- Cost savings as a result of curtailing peace officer coverage within the Department of Fish and Game are estimated at \$232,000 in FY 83 and increasing in subsequent years.

IV. DATE February 23, 1982 PREPARED BY Paul B. Arnold  
 AGENCY Division of Retirement & Benefits  
 Original: Legislative Finance PHONE 325-2460  
Budget and Management  
 Prime Sponsor (First Legislator Named) Robert H. Keefe  
 Office of the Governor (Keith Conklin)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SB 568  
 Title American Legion and VFW Participation in the PERS and Group Insurance  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Administration - Division of Retirement and Benefits  
 Program Category Affected Labor Services  
 BRU, Program, or Subprogram(s) Affected 02-96-8-01-01 (PERS)  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
**EXPENDITURES** (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		0	0	0	0	0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 STATE TRS MATCHING						
100 BENEFITS						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
VETERAN'S FUND						
FISH & GAME FUND						
HIGHWAY FUND						
AIRPORT FUND						
CAPITAL FUND						
PERS						
TRS						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

For administrative purposes, The American Legion, Department of Alaska, Inc., and the Department of Alaska Veterans of Foreign Wars will be treated in the same manner as other participating governmental units, resulting in no fiscal impact.

Because of the small number of employees involved, there would be no perceptible impact on the group insurance premium rate for the overall governmental unit group.

IV. DATE 6/25/81 PREPARED BY Paul G. Arnold, Director  
 AGENCY Division of Retirement & Benefits  
 PHONE 465-4461  
 Original: Legislative Finance  
 cc: Budget and Management  
 Pnne Sponsor (First Legislator Named) Representative Elison  
 Office of the Governor (Keith Specking)



# THE AMERICAN LEGION

DEPARTMENT OF ALASKA  
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Senator NEG  
Box 1073, Sitka, AK 99829

FLOYD R. JOHNSON  
Department Adjutant Service Officer  
235 East 8th Avenue, Anchorage, AK 99501

November 20, 1981

Senator Vic Fischer, Chairman  
Senate State Affairs Committee  
221 East 7th Avenue #204  
Anchorage, Alaska 99501

Dear Senator Fischer:

The Alaska State Legislature has for many years provided funding for the salaries of the American Legion Service Officer and salaries for the clerical back up. In addition several Legislators have introduced bills authorizing employees of the American Legion and Veterans of Foreign Wars to participate in the State PERS and Insurance Programs on at least two separate occasions starting back in 1977.

Veterans Services is a State responsibility which the Legislature, many years ago, felt would be best served by the Service Officers of the two veterans organizations rather than the establishment of another agency with State wide offices. (Most Cost Effective).

We were asked to amend our By-Laws and Articles of Incorporation to reflect participation in PERS and the State Insurance program. This was accomplished June 16-18, 1977, in Sitka, Alaska, copy enclosed.

The number of full time employees, who would be qualified to participate, totals six (6), two Service Officers, two Assistant Service Officers and two clerical. (3 Legion and 3 Veterans of Foreign Wars).

In addition we are subject to all State Regulations and are audited by the Governors Office and Legislative Affairs. In effect we are State Employees as far as all the rules and regulations but are not permitted to participate in the benefits package.

Your favorable consideration is requested.

Sincerely

Floyd R. Johnson  
Department Service Officer  
The American Legion

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 589  
Title An act relating to earlier service for PERS members  
Requested by \_\_\_\_\_ Date: \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement and Benefits  
Program Category Affected LEGOP Services  
BRU, Program, or Subprogram(s) Affected 02-88-8-31-01-01 (PERS)  
(Note: If more than one budget component is affected, separate line item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 STATE TRS MATCHING						
100 BENEFITS		248.1	248.1	248.1	248.1	248.1
TOTAL		248.1	248.1	248.1	248.1	248.1

FUNDING (Thousands of Dollars)

GENERAL FUND		203.2	203.2	203.2	203.2	203.2
FEDERAL FUNDS		11.4	11.4	11.4	11.4	11.4
FEDERATION'S FUND		.5	.5	.5	.5	.5
FISH & GAME FUND		1.5	1.5	1.5	1.5	1.5
HIGHWAY FUND		3.2	3.2	3.2	3.2	3.2
AIRPORT FUND		7.2	7.2	7.2	7.2	7.2
CAPITAL FUND		21.1	21.1	21.1	21.1	21.1
PERS						
TRF						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- It is estimated that 325 people will qualify for additional service credit under this bill.
- It is estimated that the average claimant will receive an additional 14 months service credit.

DATE 6/20/81 PREPARED BY Paul R. [Signature]  
AGENCY Division of Retirement and Benefits  
PHONE 850-3330  
Copies: Legislative Finance  
Budget and Management  
Public Information (Legislative Office) Senator Pay  
Office of the Treasurer (North Building)

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT.

1981, 1982

BILL LOGS



Official Business

# Alaska State Legislature

Senate

Committee on State Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

1981

Bill Log

#	TITLE	Rec'd	Hearings	Ill	Out
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B I L L   L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 4	relating to health care services and coverage of services of nurse midwives under insurance laws of state	1-14-81	1-21-81
SB 18	relating to special education	1-14-81	2-11-81
SB 22	authorizing supplemental state aid for retirement of school construction debt	1-14-81	.
SB 23	increasing state aid to school districts under the public school foundation program	1-14-81	5-4-81
SB 32	relating to financing of education, establishing education endowment fund, amending public school foundation program, repealing public school fund	1-14-81	.
SB 33	making special appropriations to Alaska education endowment fund	1-14-81	.
SB 41	relating to premarital blood test	1-14-81	2-16-81
SB 52	relating to school board members and members of Board of Education	1-14-81	
SB 55	establishing Legislative Regional Educational Attendance Area Budget Oversight Committee	1-14-81	.
SB 56	making a special appropriation to Legislative Regional Educational Attendance Area Budget Oversight Committee	1-14-81	.
SB 64	relating to labor relations between school boards and other public employers and their employees	1-14-81	1-26-81
SB 69	making driver improvement course mandatory for young drivers who receive driving demerit points	1-14-81	undgs
SB 88	making special appropriation to scholarship revolving loan fund	1-15-81	2-9-81
SB 89	amending child protection laws	1-15-81	3-19-81
SB 94	making a special appropriation for a swimming pool at Bartlett High School	1-19-81	3-4-81
SB 96	requiring legis. approval before a community or second class city which is part of a regional educational attend. area may become city school district	1-19-81	.
SB 99	prohibiting discrimination in education in the state	1-19-81	2-3-81
SB 100	relating to mentally ill persons	1-19-81	3-31-81
SB 101	relating to Teachers' Retirement System	1-20-81	4-10-81
SSCR 1	disapproving Executive Order 50	1-26-81	and

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B I L L   L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 105	establishing Alaska Native Child Welfare Task Force	1-26-81	4-20-81
SB 106	making special appropriation for operations of Alaska Native Child Welfare Task Force	1-26-81	4-20-81
SB 119	relating to provision for adequate housing for teachers in public schools in rural areas	1-29-81	4-15-81
SB 120	amending the undergraduate and graduate scholarship loan program	1-29-81	3-16-81
SB 126	relating to labor relations involving teachers and school districts	1-30-81	3-2-81
SB 130	relating to exemption of religious postsecondary educational institutions from AS 14.48	2-2-81	5-4-81
SB 131	extending certain benefits to permanently and totally disabled	2-2-81	
SB 136	relating to practice of optometry	2-3-81	4-8-81
SB 139	making a special appropriation to Dept. of Health and Social Services for 2 positions at Fairbanks Northern regional laboratory	2-3-81	2-12-81
SB 144	authorizing employees of Alaska Fed. of Teachers to participate in teachers' retirement system	2-4-81	2-25-81
SB 152	changing term of office for members of Board of Regents of the U of A	2-4-81	
SJR 14	proposing an amendment to State Constitution re term of office for members of Board of Regents of the U of A	2-4-81	
SB 173	relating to state aid for school construction	2-11-81	
SB 181	relating to child support and changing Rule 56 of Alaska Rules of Civil Procedure	2-16-81	1-20-81
SB 184	making special appropriations for medical evacuations at Koyzebue Public Health Service Hospital and Norton Sound Hospital	2-16-81	
SCR 11	relating to conflicts between foster parents and social workers	2-17-81	
SB 198	making special appropriation to University of Alaska for construction of dormitory and family housing units at Anchorage	2-23-81	
SB 199	relating to retirement benefits under teachers' retirement system	2-23-81	
SB 203	making supplemental appropriations to Dept. of Education	2-23-81	4-20-81
SB 211	making special appropriation for construction of a school at Sand Point	2-24-81	4-16-81
SB 215	making special appropriation to the University of Alaska for medical research	2-25-81	3-12-82

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B I L L   L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 217	relating to parole of offenders; continuing the existence of the Board of Parole	2-16-81	.
SB 225	exempting Alaska Pioneers' Homes from requirement of obtaining certificate of need as a health care facility	3-2-81	3-11-81
SSSB 69	making a driver improvement course mandatory for certain drivers who receive driving demerit points	3-4-81	3-16-81
SB 237.	professional licensing and regulation of the practice of medicine	3-4-81	4-15-81
SB 238	relating to the practice of nursing	3-4-81	4-13-81
SB 230	establishing an Older Alaskans Commission	3-4-81	see HB17
SB 242	establishing the Alaska student leadership development fund	3-5-81	3-27-81
SB 243	making an appropriation to the Dept. of Ed. for Alaska student leadership development fund	3-5-81	3-27-81
SB 246	establishing the agricultural education fund	3-6-81	
SB 247	making special appropriation to Dept. of Natural Resources for the agricultural education fund	3-6-81	
SB 251	relating to membership and responsibility of Mental Health Fund Advisory Board	3-9-81	
SB 254	relating to Alaska state educational incentive grant program	3-9-81	4-22-81
SB 255	making a special appropriation to Dept. of Ed. Alaska Commission on Postsecondary Education	3-9-81	4-22-81
SB 256	repealing requirement that person must be licensed nursing home administrator	3-9-81	6/8/81
SB 259	making a supplemental appropriation to Dept. of Health & Social Services, Div. of Pub. Health	3-9-81	.
SB 265	making a special appropriation to Dept. of Health & Social Services for intensive care air ambulance unit	3-10-81	.
SB 169	relating to displaced homemakers	3-11-81	see HB26
SB 270	relating to academic proficiency examinations for students in state public schools	3-12-81	.
SB 271	establishing a tuition waiver fund	3-12-81	
SB 272	making a special appropriation to the tuition waiver fund	3-12-81	
SB 274	relating to licensing of practitioners of naturopathic healing	3-12-81	CS 3-17-82
SB 284	repealing provisions of law re selection of textbooks	3-13-81	

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B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 176	Providing for establishment of rental housing assistance programs for teachers	3-16-81	
SB 301	Establishing the Alaska cooperative scholarship program	3-18-81	5-22-81
SB 306	Redesignating University of Alaska's college extension service	3-18-81	
CSSSHB 17	Establishing an Older Alaskans Commission	3-18-81	4-9-81
CSHB 26	Relating to displaced homemakers	3-18-81	4-2-81
CSHB 110	Relating to WICHE student exchange program	3-19-81	4-13-81
SB 309	Making suppl. appropriation to Dept. of Admin., public defender agency, board of parole	3-19-81	5-11-81
SE 310	Establishing Alaska state scholarship program	3-19-81	
SB 313	Making special approp. to the Dept. of Health and Social Services, Division of Adult and Aging Services	3-20-81	4-29-81
SB 320	Relating to training for certificated employees of borough or city school districts	3-24-81 <sup>CS</sup>	2-22-82
SB 324	Relating to nonretention of teachers	3-24-81	
SB 325	Relating to education of certain exceptional children	3-24-81	4-13-81
SB 326	Making special appropriation to the Dept. of Health & Social Services for education and training of certain exceptional children	3-24-81	4-13-81
SB 327	Relating to parole of offenders; continuing the existence of the Board of Parole	3-24-81 <sup>CS</sup>	2-26-82 CS
SB 338	Establishing an asbestos health hazard program	3-26-81	4-27-81
SB 339	Making special appropriations for an asbestos health hazard program	3-26-81	4-31-81
SB 344	Making special approp. for construction and improvement of shelters for victims of domestic violence and sexual assault	3-27-81	5-13-81
SB 345	Relating to prescription and administration of dimethyl sulfoxide (DMSO)	3-27-81	
SB 348	Relating to standardized tests to determine admission to institutions of higher education	3-31-81	
SB 363	Relating to ownership and operation of the Nome-Beltz School	4-1-81	
SB 364	Relating to course articulation guide covering courses offered in community colleges, univ.	4-1-81	
SB 365	Relating to special education	4-1-81	5-4-81

B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 367	Transferring facilities of the Chukchi Community College from UA to the Northwest Arctic Regional Education Attendance Area	4-1-81	.
SB 371	Making special approp. to Dept. of Trans. & Public Facilities for various capital improvement projects for SW Regional Ed. Attendance Area Schools	4-1-81	.
SB 376	Making special approp. for construction of school facilities in Lake and Peninsula Reg. Educational Attendance Area	4-2-81	.
SB 377	Making special approp. to City of Bethel for family shelter	4-2-81	.
SCR 23	Requesting State Bd. of Ed. to require study of Alaska history & government in schools	4-3-81	.
SSSB 344	Making special approps. to various municipalities for const. & improve. of shelters for victims of domestic violence and sexual assault	4-7-81	5-13-81
SB 395	Relating to governance of rural education attendance areas	4-7-81	5-25-81
SB 396	Making special approp. for const. and equipping of headquarters library in Anchorage	4-7-81	4-27-81
SB 398	Making special approp. for pilot ed. project	4-7-81	.
SB 399	Relating to adoption	4-7-81	5-25-81
SB 403	Making special approp. to Dept. of Ed. for a veterans outreach program	4-8-81	.
SCR 24	Extending life of the REAA Budget Oversight Committee	4-10-81	.
SB 412	Making special appropriation for new construction & improvements for Dillingham Schools	4-10-81	.
SB 417	Relating health insurance for residents of the State	4-10-81	.
SB 419	Making special appropriations for school const. renovation, improvement & maintenance in school districts	4-14-81	.
SB 435	Making special appropriation for a grant to the Yukon-Kuskokwim Corp. for dental disease prevention program	4-15-81	.
SB 428	Making a special approp. to Dept. of Trans. & Public Facilities for construction of a high school in Napakiak	4-14-81	.
SB 437	Relating to confidential communications between students and teachers	4-16-81	.
SB 441	Making a special appropriation for construction and improvement of Kuspuuk REAA sch. facilities	4-16-81	.
SB 444	Making special appropriation for dental program for blind & disabled, low-income adults, etc.	4-16-81	.

B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 450	Making supplemental appropriation to City of Bethel for construction of Bethel Child Care Center	4-16-81	5-11-81
SB 451	Making special appropriation to City of Kwethluk for renovation of Kwethluk Children's Home	4-16-81	
SB 452	Making special appropriation to City of Bethel for the Bethel Prematernal Home	4-16-81	
SB 454	Making special appropriation to Bristol Bay Borough for construction of health clinic for Naknek	4-16-81	
SB 460	Making special appropriation for Lake and Peninsula REAA budget overruns	4-16-81	
SB 463	Establishing Alaska State Teachers College	4-16-81	
SCR 26	Relating to nursing home residents and designating Nursing Home Week	4-20-81	4-27-81
SB 474	Making special appropriations to Dept. of Ed. for Bering Straits REAA and Northwest Arctic REAA	4-20-81	
SB 485	Permitting the videotaping of testimony of young victims of sexual assault or sexual abuse of a minor	4-20-81	5-8-81
SB 486	Making special appropriation to DOT to correct fire and life safety deficiencies in REAA schools	4-20-81	
SB 487	Relating to compulsory education	4-20-81	
SB 488	Directing the Board of Regents to establish a general endowment	4-20-81	4/8/81
SB 489	Making a special appropriation to the Board of Regents of the University of Alaska as a general endowment	4-20-81	4/8/81
SB 397	Establishing a Fishery Industrial Technology Center	4-21-81	
HB 263	Making an appropriation to the U. of A. for the Fishery Industrial Technology Center	4-21-81	5-6-81
CSHB 262(Fin)	Establishing a Fishery Industrial Technology Center as part of the U. of A.	4-21-81	5-6-81
SB 335	Making special appropriation to Dept. of C.&RA for Alaska Native Foundation 1981 summer enrichment program	4-22-81	
SB 497	Making special appropriations to U of A for law school in Anchorage	4-22-81	
SB 498	Making special appropriation for village + nook tramways & boardwalks in Lower Kuskokwim REAA	4-22-81	
SB 499	Making special appropriation for capital improvements to Eek Elementary School	4-22-81	

B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 506	Making a special appropriation to Platinum for operating costs of phase II of Platinum health clinic	4-23-81	
SB 507	Making a special appropriation to Dept. of Commerce & Economic Development for development of a Yukon-Kuskokwim fur trapping institute	4-23-81	
<del>SB 514</del> <i>Club</i>	<del>Relating to a municipal training and internship program</del>	4-24-81	4-28-81
SB 515	Establishing an educational brokerage program	4-24-81	
SB 516	Making special appropriation to the Dept. of Ed. for an educational brokerage program	4-24-81	
SB 521	Extending state aid for hospitals to specialized hospitals	4-27-81	5-6-81
SB 522	Establishing a program of scholarship grants to college graduates	4-27-81	
CSHB 510 (HESS) am	Relating to State Board of Parole	4-27-81	5-6-81
SB 526	Relating to teachers' retirement system	4-28-81	
SB 528	Making special appropriation for RuralCAP for operating expenses for the Headstart program	4-28-81	
CSSSHB 41 (Fin)	Relating to health of residents of the state	4-30-81	
SB 540	Making a special appropriation to Dept. of C&RA for a Western Alaska teacher center at St. Marys	5-4-81	
SSSB 35	Making special appropriations to Dept. of C&RA for 1981 summer enrichment programs	5-5-81	
SB 551	Making a special appropriation for payment of outstanding debts of Southcentral Regional Resource Center	5-5-81	
SB 553	Making a special appropriation to the Dept. of Health and Social Services for professional assistance for the chronically handicapped	5-7-81	
CSHB 330 (Fin)am	Relating to payment of costs of services for pregnant women	5-8-81	5-20-81
CSHB 358	Making supplemental appropriations to the Dept. of Health and Social Services and Dept. of Labor, and amending 80-81 gen. approp. Act	5-8-81	5-11-81
SSSB 488	Directing Board of Regents of U. of A. to establish a general endowment	5-11-81	
SB 558	Relating to care and confinement of prisoners	5-11-81	5-25-81
HCR 26	Appointing Richard Dauenhauer Poet Laureate of Alaska	5-11-81	5-20-81
CSHB 28	Relating to youth hostels	5-11-81	5-20-81

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B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
HB 29	Making a special approp. to Dept. of Commerce & Economic Development for youth hostel revolving loan fund	5-11-81	5-20-81
CSHB 34	Requiring course transferability guide covering courses offered in postsecondary institutions	5-11-81	Waived 5-12-82
SB 564	Making a special appropriation for Association of Village Council Presidents	5-13-81	
CSHB 176 (HESS) am	Relating to temporary relief assistance	5-13-81	5-27-81
CSHB 174 (FIN)	Relating to aid to families with dependent children	5-13-81	5-18-81
HB 92	Relating to library assistance grants	5-15-81	5-27-81
CSHB 298 (FIN)	Making appropriations to the University of Alaska	5-15-81	5-25-81
HB 532	Providing for the award of visitation rights of grandparents	5-15-81	5-29-81
CSHB 130 (FIN) am	Making special appropriations to establish programs to deal with post-traumatic stress disorders	5-20-81	5-29-81
CSHB 91 (FIN) am	Relating to domestic violence, sexual assault, and crisis intervention and prevention program	5-21-81	5-29-81
CSHB 313	Relating to Alaska Fisheries Center and appropriations to that center	5-21-81 <sup>es</sup>	4-14-82
CSSSB 43 (Fin.)	Relating to child care facilities and child care assistance	5-22-81	waived 6-2-81
CSHB 131	Increasing state aid for health facilities and hospitals	5-22-81	6-1-81
SB 575	Making a special appropriation to the Dept. of Education	5-22-81	
HB 55	Relating to regulation and licensing of veterinarians	5-26-81	5-29-81
SB 577	Relating to driver education in the public schools in the state	5-26-81	
SB 578	Making a special appropriation to Dept. of Ed. for driver education support program in public schools	5-26-81	
SR 10	Relating to review of capital expenditures of hospitals	5-27-81	6-1-81
SB 580	An act relating to the prevention and treatment of drug abuse	5-28-81	
SB 581	Relating to certain leaves of absence for teachers	5-29-81	
CSHB 279	Relating to school construction and transferring the administration of the school construction grant program from the DOT & Public Facilities to the Dept. of Education	6-3-81	6/5/81

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B I L L   L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 601	Relating to days in session in public schools	6-16-81	
SB 602	Affording students and teachers in public schools an opportunity to recite pledge of allegiance at beginning of each school day	6-16-81	
SB 603	Relating to regional resource centers	6-17-81	6/2/82
HCR 24	Extending the life of the Rural Education Attendance Area Budget Oversight Committee	6-21-81	6/23/81
SB 615	Establishing a School of Medicine and teaching hospital in the U of A at Anchorage and providing limitation on expenditures for design and construction	1-11-82 <sup>PS</sup>	3-22-82
SB 616	Making a special appropriation to the U of A for design and construction of phase 1 of a School of Medicine and teaching hospital	1-11-82 <sup>CS</sup>	3-22-82
SB 617	Making special appropriations to the U of A for various capital projects	1-11-82	3-3-82
SB 618	Making a special appropriation to the Un of A for central arts and sciences facility at Anchorage	1-11-82	
SB 619	Making a special appropriation to the U of A for a school of Law	1-11-82	
SB 622	Making a special appropriation to the University of Alaska for a student residential complex for the U of A Anchorage	1-11-82	
SB 631	Changing the term of office for members of the Board of Regents of the U of A	1-11-82	
SB 633	Work performed by prisoners in state institutions	1-11-82	2-24-82
SB 634	Community work as a sentence for a violation of misdemeanor or as a condition of probation	1-11-82	
SB 635	Liability of public employees for an injury resulting from a determination relating to probation or parole	1-11-82 <sup>CS</sup>	2-24-82
SB 638	Community work experience program for persons who receive aid to families with dependent children	1-11-82	
SB 639	Establishing a drug abuse grant program	1-11-82	
SB 640	Making a special appropriation to the office of alcoholism and drug abuse grant program and providing for an effective date	1-11-82	
SB 643	Establishing the education endowment fund	1-11-82	
SB 644	Making a special appropriation to the Dept of Revenue for the education endowment fund and the Alaska Permanent Fund	1-11-82	

BILL NO.	TITLE	DATE IN	DATE OUT
SB 649	education	1-12-82	1-18-82
SB 650	licensing of homes, group homes, nurseries and institutions	1-12-82	3-2-82
SB 651	state payment for child care costs for foster homes	1-12-82	2-22-82
SB 656	Percentage of participation in a medical hospital or dental services corporation	1-13-82	
SB 657	Sp approp '1 of A for acquisition of land for expansion of Anchorage campus	1-14-82	3-3-82
SB 660	sp app Dept HSS for Jordan Creek Birth Center	1-15-82	2/3/82
SB 661	providing military service credit is membership service for purposes of teacher's retirement system	1-15-82	
SB 664	sentencing of persons convicted of driving while intoxicated	1-15-82	
SB 667	Adult preparatory education	1-19-82	
SB 668	Resolution of impasses in public employee collective bargaining	1-19-82	CS-3-31-82
SB 186	Adopting Interstate corrections compact	1-20-82	2/3/82
SP 671	Licensing of certain chiropractors without examination	1-22-82	3-24-82
SB 673	Vision and hearing screening in public schools	1-26-82	
SB 674	Sp approp for vision and hearing screening program	1-26-82	
SB 681	Increasing the amount of a loan which may be made from the temperate social activities revolving loan fund	1-26-82	
SB 682	Sp approp to temperate social activities revolving loan fund	1-26-82	
CSHB 575	Jud) culpable mental states prescribed as elements of criminal assaults	1-28-82	
SB 691	sp approp for payment as a grant to the Fairbanks North Star Borough for Fairbanks Memorial Hospital expansion	1-28-82	5-8-82
SB 694	Domestic Violence	1-29-82	
SB 695	making a special appropriation to the University of Alaska for planning for the Northern engineering research facility at Fairbanks	1-29-82	3-3-82
SB 696	relating to reports concerning veterans who may have been exposed to biological or radiologic warfare	1-29-82	
SB .98	State reimbursement of health facilities for medical assistance provided to needy persons	1-29-82	CS 3-15-82
SB 708	making a special appropriation to the Dept. of Health & Social Services for payment as a grant to Alaska Medivac system, Inc.	2-2-82	

B I L L L O G 11

BILL NO.	TITLE	DATE IN	DATE OUT
SB 711	making a special appropriation to the Dept. of Revenue for deposit to the mental health fund	Feb. 3, 82	3-3-82
SB 710	state trust funds and their administration	Feb. 3, 82	(CS) 3-3-82
SB 723	Child custody	Feb. 5, 82	
SB 722	making a spec. approp to the Dept. of Ed. for a computer network study	Feb. 5, 82	
SB 719	providing that the Dept. of Ed. conduct a computer network study	Feb. 5, 82	3-31-82
SB 720	authorizing state asst. for the purchase of com by school districts.	Feb. 5, 82	CS 3-31-82
SB 721	making a special appropriation to the Dept. of ed. to assist in the purchase of computers for the school districts of the state.	Feb. 5, 82	CS 3-31-82
SB 722	<i>appropriation for SB 719</i>		
SB 717	Health Education	Feb. 5, 82	3-31-82
SB 718	making a special appropriation to the scholarship revolving loan fund.	Feb. 5, 82	
SSHB 621 am	issuance of certificates of birth for persons born outside the United States and adopted by Alaska residents	2/5/82	
SB 726	medical and psychological assistance to victims of sexual assault	2/8/82	
SB 734	Student Loans	2-9-82	
SSSB 638	work experience program for persons who receive aid to families with dependent children	2-9-82	
SB 737	making a spec. approp. to the Dept. of HSS to be used to combat the causes and effect. of birth defects	2-10-82	3/10/82
SB 747	Relating to Midwifery	2-11-82	
SB 754	Health planning and development	2-15-82	
SB 760	adding amendments to statutory references to the National Health Planning and Resources Development Act of 1974	2-15-82	
SB 777	providing for a legislative professional staff loan prog.	2-16-82	
SB 792	relating to the licensing of clinical social workers	2-16-82	
SB 767	relating to the membership of the Alaska Commission on Postsecondary Education	2-16-82	CS 3-24-82
SB 763	establishing for a grant fund for emergency maintenance of a school facility.	2-16-82	
SB 764	making special appropriations to the Dept. of Trans. & Public Facilities for a Pioneers Home in Juneau	2-16-82	
SB 761	providing for display of a licensee's blood group on a driver's license.	2-16-81	
SB 786	services for children establishing a council on Early Childhood and repealing statutes to the Office of Child Custody	2-16-82	
SB 782	relating to the financing of rural health facility and maintenance	2-16-82	

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B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 781	providing free tuition and fees for certain veterans and dependents of certain veterans of the armed forces of the United States	2-17-82	ES 3-24-82
SB 773	relating to protection of the elderly	2-17-82	
SB 770	increasing the instructional unit allotment under the public school foundation program for Yakutat City School District	2-17-82	
SCR 42	training for para-professional educators	2-17-82	
SB 799	establishing the senior Alaskans volunteer enterprises program	2-17-82	
SB 805	teacher tenure	2-17-82	
SB 808	making a special appropriation to the Dept. of Education for upgrading Bureau of Indian Affairs educational fac. to meet state codes	2-17-82	
SJR 1	amendments to the Constitution of the St. of AK relating to dedication of revenues to the Alaska public school fund	2-22-82	
SB 817	medical assistance for needy persons	2-22-82	CS 4-6-82
SB 822	relating to the practice of dentistry; continuing the existence of the Board of Dental Examiners	3-1-82	CS 3-19-82
SB 823	regulation of the practice of psychology and continuing the existence of the Board of Psychologist and Psychological Associate Examiners	3-1-82	3-17-82
HB 597	SALE OF FOOD	3-1-82	4-8-82
HB 633	Prohibiting personal recognizance release when the offense charged is a violent crime.	3-2-82	5-18-82
SB 95	requiring regional school board members to be elected from sections.	3-3-82	3-31-82
SB 829	extending the existence of the Alaska Commission on the Status of Women	3-3-82	4-5-82
SCR 45	Requesting the Legislative Budget & Audit Committee to establish a task force to study an education endowment fund	3-5-82	4-7-82
CSHB 683(HESS)	am		
	term of office for members and to the powers of the Board of Regents of the University of Alaska.	3-5-82	
SB 848	school construction	3-10-82	
SB 847	Regional Education Attendance Areas	3-10-82	
SB 844	creation of the Mt. Edgecumbe Regional Education Attendance Area	3-10-82	
SB 852	abolishing the temperate social activities revolving loan fund	3-12-82	
SB 858			
SB 860	licensing of child care facilities and certification of pre-elementary school programs	3-15-82	4-21-82
	Creating a Dept. of Corrections	3-16-82	
CSHB 114(PIN)	office of alcoholism and drug abuse in the Dept. of Health & Social Services	3-25-82	
SB 552	teachers-public employees-judicial and Nat. Guard benefits	3-25-82	4-15-82

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B I L L \* L O G

SENATE HESS - PAGE THIRTEEN

(1982)

BILL NO.	TITLE	DATE IN	DATE OUT
SCR 51	Establishment of a Committee on Employment and Productivity as part of the University of Alaska	3-29-82	4-14-82
SB 868	Providing a Committee on Employment and Productivity as part of the University of AK	3-30-82	4-14-82
CSHB 812 (FIN)	Making a special appropriation to the Dept. of Education to enable freshmen to attend Mount Edgecumbe High School	4-12-82	
CSHB 695(R15)	am establishing the Vocational Education and Employment TRAINING TASK FORCE	4-11-82	CS/ 4-28-82
CSHB 696(R15)	MAKING A SPECIAL APPROPRIATION TO THE VOCATIONAL EDUCATIONAL & EMPLOYMENT TRAINING TASK FORCE, OFFICE OF THE GOVERNOR	4-19-82	4-28-82
CSHB 357 (Rules)	am Public Assistance	4-20-82	5-10-82
CSHB 844 (HESS)	am Financing of rural health facility improvements and maintenance	4-20-82	5-3-82
SB 891	issuance of g. o. bonds in the amount of \$38, 000,000 for cost of construction & improvements to hospital facilities	4-20-82	CS/ 4-23-82
SB 893	issuance of g.o. bonds in the amount of \$38,00,000 for paying cost of University of Alaska and school district construction & improvement projects	4-20-82	CS/ 4-23-82
CSHB 112 (Jud)	am age limits under Title 4 Alcoholic Beverage:	4-21-82	5-18-82
SR 26	requesting the governor to direct the commissioner of the HSS to prepare a job training and work exp. prog. for AFDC recipients	4-21-82	4-23-82
SCR 55 HB	Blue Ribbon Commission on Status of Mt Edgecumbe	4-20-1982	4-28-82



B I L L L O G  
HOUSE RESOLUTIONS IN COMMITTEE

BILL NO.	TITLE	DATE IN	DATE OUT
HJR 6	MIA monument	2-18-81	3-3-81
CSHJR 11	"Recognizing the service of Vietnam war veterans and calling on the federal government to establish programs benefiting those veterans."	3-20-81	4-28-81
HJR 42	"Requesting the United States Congress and the executive branch of the United States Government to initiate studies to provide proposals to alleviate the effect of time zones on presidential elections."	4-21-81	4-28-81
CSHJR 32 (Jud)am	"Proposing an amendment to the Constitution of the State of Alaska relating to membership of the Commission on Judicial Qualifications."	4-24-81	referral waived 4-27-81
HCR 28	"Relating to installation of curb ramps at intersections for handicapped and elderly persons."	5-18-81	5-19-81
CSHCR 3(SA)	Proposing an amendment to the uniform rules relating to conference committees and free conference committees.	5-18-81	referral waived 6-2-81
HJR 46	"Relating to the reduction of the cost-of living allowance paid to federal employees in Alaska."	5/20/81	5-29-81
HJR 17 am	Relating to an amendment to the Constitution of the United States which would require that total federal appropriations not exceed total <del>XXXXX</del> estimated federal revenues in a fiscal year in the absence of a national emergency.	6-22-81	6-23-81

B I L L L O G

SENATE BILLS ONLY

BILL NO.	TITLE	DATE IN	DATE OUT
X SB 1	"An Act amending provisions of law relating to the new Capital Site Planning Commission; and providing for an effective date."	1-14-81	
+ SB 10	" An Act repealing the law relating to expenditures for relocation of the state capital; and providing for an effective date."	1-14-81	
X SB 13	"An act making special appropriations for capital improvements for projects for which general obligation bonds were approved by the voters at the 1980 general election; and providing for an effective date. "	1-14-81	
X SB 21	"An Act making a special appropriation to the Alaska permanent fund; and providing for an effective date. "	1-14-81	
X SB 34	"An Act making a special appropriation to the Department of Transportation and Public Facilities for capital improvements at the Fairbanks International Airport; and providing for an effective date. "	1-14-81	<i>referral waived 3/3/81</i>
X SB 37	"An Act relating to international airport revenue bonds. "	1-14-81	<i>referral waived 3/3/81</i>
X SB 45	"An Act relating to bonds of contractors for public buildings or works. "	1-14-81	
X SB 54	"An Act relating to the Alaska National Guard and Naval Militia; and providing for an effective date. "	1-14-81	3-10-81
+ SB 59	"An Act relating to collective bargaining; and providing for an effective date. "	1-14-81	
X SB 66	"An Act providing for royalty oil premium payments to state residents; and providing for an effective date. "	1-14-81	
X SB 67	"An Act making a special appropriation for royalty oil premium payments; and providing for an effective date. "	1-14-81	
X SB 68	"An Act making a special appropriation to the Alaska Permanent Fund; and providing for an effective date. "	1-14-81	
X SB 72	"An Act relating to veterans and public records."	1-15-81	3-3-81
X SB 73	"An Act classifying murder in the first degree as a capital felony, and establishing sentencing procedures for capital felonies."	1-15-81	
X SB 74	REFERRAL WAIVED		
X SB 81	"An Act repealing the campaign contribution tax credit for individuals; and providing for an effective date. "	1-16-81	
X SB 86	"An Act relating to expenditure of state money; and providing for an effective date. "	1-16-81	2-12-81

B I L L L O G

SENATE BILLS ONLY

BILL NO.	TITLE	DATE IN	DATE OUT
X SB 90	"An Act relating to privacy and public information; and changing Rule 65 of the Alaska Supreme Court Rules of Civil Procedure. "	1-16-81	3-3-8
X SB 92	"An Act relating to veterans' guardianship. "	1-16-81	
X SB 93	"An Act relating to the decentralization of the executive branch of the state government; and providing for an effective date. "	1-16-81	
X SB 97	"An Act naming the North Slope Haul Road after James Dalton. "	1-19-81	1-27-81
X SB 98	"An Act relating to the naming of highways, vessels, marine facilities, and public works constructed by the state; and providing for an effective date. "	1-19-81	1-27-81
X SB 104	"An Act relating to veteran's preference in state employment."	1-26-81	
X SB 110	"An Act making a special appropriation to DOTPF for a senior citizens' building in Chugiak; and providing for an effective date. "	1-27-81	
X SB 112	"An Act relating to the relocation of the state capital; and providing for an effective date. "	1-28-81	
X SB 2	"An Act making a special appropriation to the New Capital Site Planning Commission for planning relocation of the state capital; and providing for an effective date."	1-29-81	
X SB 118	"An Act naming the North Slope haul road after Walter Hickel."	1-29-81	C
X SB 124	"An Act relating to a state office complex at Anchorage; and providing for an effective date."	1-30-81	2-12-81
X SB 121	"An Act authorizing credited service under the public employees' retirement system for certain firemen."	1/20-81	2-12-81
X SB 133	"An Act relating to memorials to Alaskan veterans; and providing for an effective date."	2-2-81	2-12-81 2-12-81
X SB 134	"An Act making a special appropriation to the Dept. of Transportation and Public Facilities for construction of a memorial to Alaskan veterans; and providing for an effective date."	2-2-81	2-12-81
X SB 136	"An Act making a special appropriation for construction of a lodge in Russian Jack Park; and providing for an effective date."	2/3/81	referral waived 3-2-81

B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
X SB 143	"An Act allowing retirement credit for the unused sick leave of an employee of a political subdivision or public organization participating in the public employees' retirement system."	2/4/81	
A SB 145	"An Act providing for free resident hunting and sport fishing licenses for disabled veterans."	2/4/81	5-14-81
X SB 146	"An Act relating to veterans' burial allowances."	2/4/81	5-14-81
L SB 147	"An Act providing for exemption of the residence of a disabled veteran from levy and collection of real property taxes and authorizing reimbursement to municipalities for revenues lost by operation of the exemption; and providing for an effective date."	2/4/81	5-14-81
X SB 165	"An Act relating to constitutional conventions; and providing for an effective date."	2/9/81	3-3-81
X SB 167	"An Act relating to the Alaska Public Offices Commission; and providing for an effective date."	2/9/81	5-6-81
X SB 170	"An Act making special appropriations to the Dept. of Admin. for capital expenses related to telecommunications; and providing for an effective date."	2/10/81	4-28-81 as amended
A SB 174	"An Act making a supplemental appropriation to the Alaska Power Authority for the power production cost assistance program; and providing for an effective date."	2/11/81	2-24-81
L SB 175	"An Act adopting a code of ethics for state officials and state employees; establishing a State Ethics Commission; repealing AS 39.50; and providing for an effective date."	2/11/81	Replaced w/ Sponsor Sub 4-21-81
ASB 183	"An Act exempting physicians from financial disclosure requirements of AS 39.50; and providing for an effective date."	2-16-81	
ASB 186	"An Act adopting the Interstate Corrections Compact; and providing for an effective date."	2-17-81	3-10-81
XSSSB 175	"An Act relating to a standard of conduct for public employees; establishing a State Ethics Commission; and providing for an effective date."	4-21-81	



B I L L L O G

SENATE STATE AFFAIRS

BILLS REFERRED TO COMMITTEE

2-23-81

BILL NO.	TITLE	DATE IN	DATE OUT
X SB 193	"An Act amending the State Personnel Act (AS 39.25); and providing for an effective date."	2-20-81	5-14-81
X SB 194	"An Act relating to nepotism in state employment; and providing for an effective date."	2-20-81	
K SB 195	" An Act limiting the adjustment of retirement benefits; and providing for an effective date."	2-20-81	
X SB 196	"An Act relating to the membership of the Public Employees Retirement Board."	2-20-81	
X SB 197	"An Act applying the Administrative Procedures Act (AS 44.62) to the adoption of regulations by state retirement systems."	2-20-81	
X SB 202	"An Act making a special appropriation to the Municipality of Anchorage for the South Fork Volunteer Fire Department; and providing for an effective date."	2-23-81	Referred 3-2-81 Waved
SJR 11	"Relating to the operation of a manned weather station by the National Weather Service at Unalakleet."	2-23-81	
SB 227	"An Act designating programs and activities for review and termination under AS 44.66; and providing for an effective date."	3-2-81	4-2-81
SB 231	"An Act relating to Housing Authorities."	3-4-81	4-14
SB 232	"An Act making a special appropriation to ASHA, senior citizen housing development and construction fund for planning, developing, financing, and constructing senior citizen housing; and providing for an effective date."	3-4-81	4-14
SB 233 ASB 233	" An Act establishing the senior citizen housing development and construction fund; and providing fo an effective date."	3-4-81	4-14
SB 234 SASB 234	"An Act establishing the family and handicapped development and construction fund; and providing for an effective date."	3-4-81	4-14
SB 235	"An Act making a special appropriation to the ASHA, family and handicapped housing development and construction fund for planning, developing, financing, and constructing housing for families and handicapped persons; and providing for an effective date."	3-4-81	4-14
SB 248	"An Act relating to equal employment opportunity in the executive branch of state government; and providing for an effective date,"	3-6-81	4-28?
SB 257	"An Act relating to natural gas: establishing the Alaska Natural Gas Industrial Development Authority, and authorizing the authority to issue revenue bonds to finance construction of a plant to condition natural gas; and repealing the Alaska Gas Pipeline Financing Authority."	3-9-81 M-5-5-81	5-14-81

B I L L L O G

SENATE BILLS IN COMMITTEE

BILL NO.	TITLE	DATE IN	DATE OUT
✓ SB 262 SSSB 262	"An Act relating to the Alaska National Guard and Alaska Naval Militia; and providing for an effective date."	3-10-81	
✓ SB 296	"An Act prohibiting the sale of certain general obligation bonds; and providing for an effective date."	3-17-81	
✗ SB 299	"An Act relating to elections."	3-18-81 ( <del>3-18-81</del> )	5-6-81
✓ SB 307	"An Act making a supplemental appropriation to the Department of Public Safety for costs of the contract with the Public Safety Employees Association; and providing for an effective date."	3-18-81	referred waived 3-25-81
✓ SB 315 SSSB 315	"An Act providing for the establishment of the Alaska Veterans and Pioneers Memorial Museum Commission; and providing for an effective date."	3-20-81 replaced by SS 5-8-81	5-14-81
✓ SB 316 SSSB 316	"An Act making a special appropriation to the Office of the Governor for the Alaska Veterans and Pioneers Memorial Museum Commission; and providing for an effective date."	3-20-81 replaced by SS 5-8-81	5-14-81
✓ SB 311	"An Act relating to senior citizen housing and amending the housing development revolving loan fund; and providing for an effective date"	3-20-81	4-14-81
✓ SB 312	"An Act making a special appropriation to the Department of Community and Regional Affairs, senior citizens housing development fund, to develop senior citizen housing; and providing for an effective date."	3-20-81	4-14-81
✓ SB 323	"An Act making a supplemental appropriation to the Dept. of Public Safety to pay Bristol Bay charter and operations costs; and providing for an effective date."	3-24-81	4-14-81
✓ SB 321	"An Act amending ch. 50, SLA 1980, to transfer among certain appropriations made by that Act; and providing for an effective date."	3-24-81	moved from SA 4-1-81
SB 333	"An Act authorizing earlier organization of the legislature."	3-25-81	
SB 334	"An Act making a special appropriation to the Alaska Capital City Development Corporation; and providing for an effective date."	3-25-81	
SB 336	"An Act relating to a standard of conduct for public officials and employees; establishing a State Ethics Commission; and providing for an effective date."	3-26-81	
SB 351	"An Act relating to donations of personal leave and providing for an effective date."	3-31-81	referred waived 4-30-81
SB 352	"An Act making a special appropriation to the Department of Public Safety for emergency medical services; and providing for an effective date."	3-31-81	referred waived 4-27-81

B I L L L O G

SENATE BILLS

BILL NO.	TITLE	DATE IN	DATE OUT
✓ SB 356	"An Act relating to temporary service credit with the public employees' retirement system; and providing for an effective date."	3-31-81	
✓ SB 360	"An Act relating to the investment of the public employees' and teachers' retirement funds; and providing for an effective date."	3-31-81	
✓ SB 362	"An Act making a supplemental appropriation to the Office of the Governor, State Commission for Human Rights for additional operating expenses for the fiscal year ending June 30, 1981; and providing for an effective date."	3-31-81	4-14-81
✓ SB 297	"An Act making special appropriations for capital projects for which general obligation bonds have been authorized but not issued and for defeasance of outstanding general obligation bonds; and providing for an effective date."	4-1-81	
✓ SB 361	"An Act making a special appropriation to the Department of Administration for payment of liabilities of the public employees' and teachers' retirement funds; and providing for an effective date."	3/31/81	
✓ SB 375 SSSB 375	"An Act relating to the appointment and commission of commissioned officers or commanders of units of the armed forces as notaries public; and providing for an effective date."	4/2/81 <i>repealed w/ SS 375</i>	5-11-81 Moved to 4-14-81 CRA
✓ SB 385	"An Act making an appropriation to the Department of Community and Regional Affairs for an office in Dillingham for the division of local government assistance; and providing for an effective date."	4/2/81	4-14-81 CRA
✓ SB 394	"An Act allowing service credit under the teachers' retirement system for service in the Peace Corps."	4/7/81	
✓ SB 400	"An Act relating to the public employee's retirement system."	4/8/81	CS (Ret) 6-7-81
✓ SB 402	"An Act relating to credited service under the public employees' retirement system for active military service."	4/8/81	
✓ SB 405	"An Act making a special appropriation to the Department of Education, Alaska State Council on the Arts, for grants for Alaskan culture and arts programs and projects; and providing for an effective date."	4/8/81	9-14-81
○ SB 407	"An Act making a special appropriation to the Alaska Capital City Development Corporation; and providing for an effective date."	4/9/81	5-8-81 w/drawn by sponsor
○ SB 408	"An Act relating to the Alaska State Housing Authority; transferring the authority from the Department of Commerce and Economic Dev't to the Department of Community and Regional Affairs; and changing the composition of the board of the authority."	4/10/81	5-8-81 w/drawn by sponsor

B I L L L O G

SENATE BILLS

BILL NO.	TITLE	DATE IN	DATE OUT
✓ SB 409	"An Act directing the Dept. of Community and Regional Affairs to conduct a study of housing needs for senior citizens and persons of low and moderate income; and providing for an effective date."	4/10/81	4-28-81
✓ SB 410	"An Act making a special appropriation to the Dept. of Community and Regional Affairs for a statewide housing study; and providing for an effective date."	4/10/81	4-28-81
SB 414.	"An Act establishing a state-operated Small Contractor Surety Bonding Corporation; and providing for an effective date."	4/10/81	
SB 415	"An Act relating to contracting and procurement procedures, and competitive bidding under the Fiscal Procedures Act."	4/10/81	
SB 423	"An Act relating to allocations for projects financed by general obligation bonds; and providing for an effective date."	4/15/81	referral waived 4/16/81
SB 426	"An Act making a special appropriation to the Legislative Affairs Agency for a legislative information office and teleconference center at Naknek; and providing for an effective date."	4/14/81	waived 4-20-81
SB 471	"An Act relating to retroactive contributions to the public employees retirement system; and providing for an effective date."	4-20-81	
SB 472	"An Act providing that territorial employees can become members of the public employees' retirement system; and providing for an effective date."	4-20-81	waived 4-22-81
SB 492	"An Act making a special appropriation to the Alaska Power Authority for the Kuskokwim Native Association for village electrification projects; and providing for an effective date."	4-21-81	waived 4-22-81
SB 494	"An Act making an appropriation to the Dept. of Community and Regional Affairs for the Association of Village Council Presidents housing authority; and providing for an effective date."	4-21-81	waived 4-22-81
SB 495	"An Act relating to interest on public construction contract payments."	4-21-81	
SB 512	"An Act relating to the registration of motor vehicles; and providing for an effective date."	4-24-81	waived 4-27-81
SB 530 SB 520	"An Act relating to payment for accrued personal and terminal leave; and providing for an effective date."	4-28-81 4-27-81	4-15-81
SB 538	"An Act relating to bonuses for veterans who were declared prisoners of war or who are missing in action."	5-4-81	
SB 549	"An Act making a special appropriation to the Dept. of Administration for the construction of permanent state trooper housing statewide; and providing for an effective date."	5-5-81	

B I L L L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 550	"An Act making an appropriation to the Office of the Governor, State Commission for Human Rights; and providing for an effective date."	5-5-81	<u>5-12-81</u>
SB 556	"An Act establishing the Veterans Committee as a permanent interim committee of the legislature; and providing for an effective date."	5-8-81	
SB 557	"An Act relating to teachers', public employees', judicial and national guard benefits; and providing for an effective date."	5-11-81	
SB 565	"An Act relating to loans made by the Alaska Housing Finance Corporation and to loans made to veterans; and providing for an effective date."	5-14-81	referral waived 6-2-81
SB 568	"An Act authorizing participation by the American Legion, Dept. of Alaska, Inc., and the Dept. of Alaska Veterans of Foreign Wars of the United States in group insurance policies and in the public employees' retirement system."	5-15-81	
SB 569	"An Act relating to Administrative Regulations."	5-18-81	5-19-81
SB 585	"An Act relating to the relocation of the capital."	6-3-81	
SB 586	"An Act relating to relocation of the state capital; repealing and reenacting the law enacted by the Initiative popularly known as the 'FRANK Initiative' to provide for the determination of the costs of capital relocation."	6-3-81	expressed 5-16
SB 587	"An Act relating to expenditure of money for state government facilities in the state capital."	6-3-81	
SB 589	"An Act relating to credit for earlier service for certain members of the public employees' retirement system; and providing for an effective date."	6-5-81	
SB 591	"An Act relating to the Alaska permanent fund."	6/8/81	
SSSB 488	"An Act directing the Board of Regents of the University of Alaska to establish a general endowment and providing for an effective date."	6-9-81	waived referral 6-10-81
SSSB 489	"An Act making a special appropriation to the Board of Regents of the University of Alaska as a general endowment and providing for an effective date."	6-9-81	waived referral 6-10-81
SB 604	"An Act designating January 15 of each year as 'Martin Luther King Day'."	6-17-81	9-11-82

B I L L   L O G

BILL NO.	TITLE	DATE IN	DATE OUT
SB 18	"Relating to the duties of the Alaska Statehood Commission."	6/23/81	<i>pulled from committee 6-23-81</i>



B I L L L O G

SENATE RESOLUTIONS IN COMMITTEE

BILL NO.	TITLE	DATE IN	DATE OUT
SJR 26	"Relating to the foreign policy of the United States."	3-20-81	
SJR 27	"Requesting the federal government to increase its efforts to account for American servicemen still missing in Southeast Asia."	3-20-81	4-28-81
SJR 29	"Requesting the United States Postal Service to construct a new post office building for Dillingham."	4/8/81	4-28-81
SJR 31	Requesting the United States government to honor the unidentified dead from the Vietnam war at the Tomb of the Unknown Soldier in the national cemetery at Arlington, Virginia.	4/14/81	5-12-81
SJR 32	Supporting the government of the United States of America in honoring United States military personnel who served in the Vietnam war with a suitable memorial in the District of Columbia.	4/14/81	4-28-81
SJR 34	"Supporting the Economic Recovery Plan of President Reagan."	4-20-81	4-28-81
SJR 38	"Requesting Congress to appropriate money to the Small Business Administration as authorized in P.S. 93-217."	4-24-81	referred wanted 4-27-81
SCR 28	"Calling for erection of a suitable memorial to honor veterans of all wars involving the United States on the site presently occupied by 'Nimbus'."	4-24-81	
SR 7	Requesting the Governor to proclaim a Declaration of War on Crime in Alaska.	4/28/81	5-12-81
SJR 40	Relating to the need for Congressional hearings on Arctic science policy.	4-30-81	5-12-81
SJR 41	Requesting the U.S. Army to relinquish the Known Distance Rifle Range land to the BLM so that it may be available for state selection.	5-1-81	5-12-81
SJR 42	Relating to the proposed Olympic Training Site in Anchorage.	5-1-81	5-12-81
SJR 44	Opposing the reestablishment of the House Un-American Activities Committee. AND HOW!!!!	5-6-81	5-12-81
SJR 51	Requesting the President of the United States to designate Haines, Alaska, as the official home of the American bald eagle and the official city for the celebration of the bicentennial of the selection of the bald eagle as the official symbol of the United States of America.	5-13-81	

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## Home Delivery and Neonatal Mortality in North Carolina

Claude A. Burnett III, MD, MPH; James A. Jones, MPH; Judith Rooks, CNM, MS, MPH;  
Chong Hwa Chen, MS; Carl W. Tyler, Jr, MD; C. Arden Miller, MD

• Neonatal mortality is examined by place and circumstances of delivery in North Carolina during 1974 through 1976 with attention given to home delivery. Planned home deliveries by lay-midwives resulted in three neonatal deaths per 1,000 live births; planned home deliveries without a lay-midwife, 30 neonatal deaths per 1,000 live births; and unplanned home deliveries, 120 neonatal deaths per 1,000 live births. The women whose babies were delivered by lay-midwives were screened in county health departments and found to be medically at low risk of complication, despite having demographic characteristics associated with high-risk of neonatal mortality. Conversely, the women delivered at home without known prenatal screening or a trained attendant had low-risk demographic characteristics but experienced a high rate of neonatal mortality. Planning, prenatal screening, and attendant-training were important in differentiating the risk of neonatal mortality in this uncontrolled, observational study.

(JAMA 1980;244:2741-2746)

SUMMARY reports of state vital statistics have traditionally classified births as occurring in-hospital and out-of-hospital. Fetal and infant mortality has also been reported using this differentiation. Being the best that is generally available, such information has been quoted in defending the argument that in-hospital delivery is safer than out-of-hospital delivery. However, with increasing

interest in home delivery, the places and circumstances of delivery should be more precisely classified before attributing mortality risks to them. This article provides an analysis of neonatal mortality in North Carolina during 1974 through 1976, with attention given to the places and circumstances that characterized out-of-hospital deliveries.

In North Carolina, the proportion of infants born at home has declined from 76% in 1940, to less than 1% in 1975 (Figure). With this shift to hospital delivery, maternal mortality fell from 50/10,000 live births in 1940 to 3/10,000 live births in 1975, a decline of 94%. Neonatal mortality also declined 61%, from 23/1,000 live births in 1940 to 12/1,000 live births in 1975. Neonatal mortality remained more than 40 times that of maternal mortality in 1975, despite nearly universal hospitalization for childbirth.

Most of the medical profession

advocates hospital delivery and views home delivery as a regressive step that would reverse the historical improvement in the safety of childbirth. Most women choose to deliver in a hospital where physicians are able to intervene effectively in emergencies, many of which cannot be anticipated with even the best prenatal care. However, an increasing number of women prefer delivery at home in order to be among familiar people and surroundings, to avoid the perceived risks of highly technical medical care, and to reduce cost.

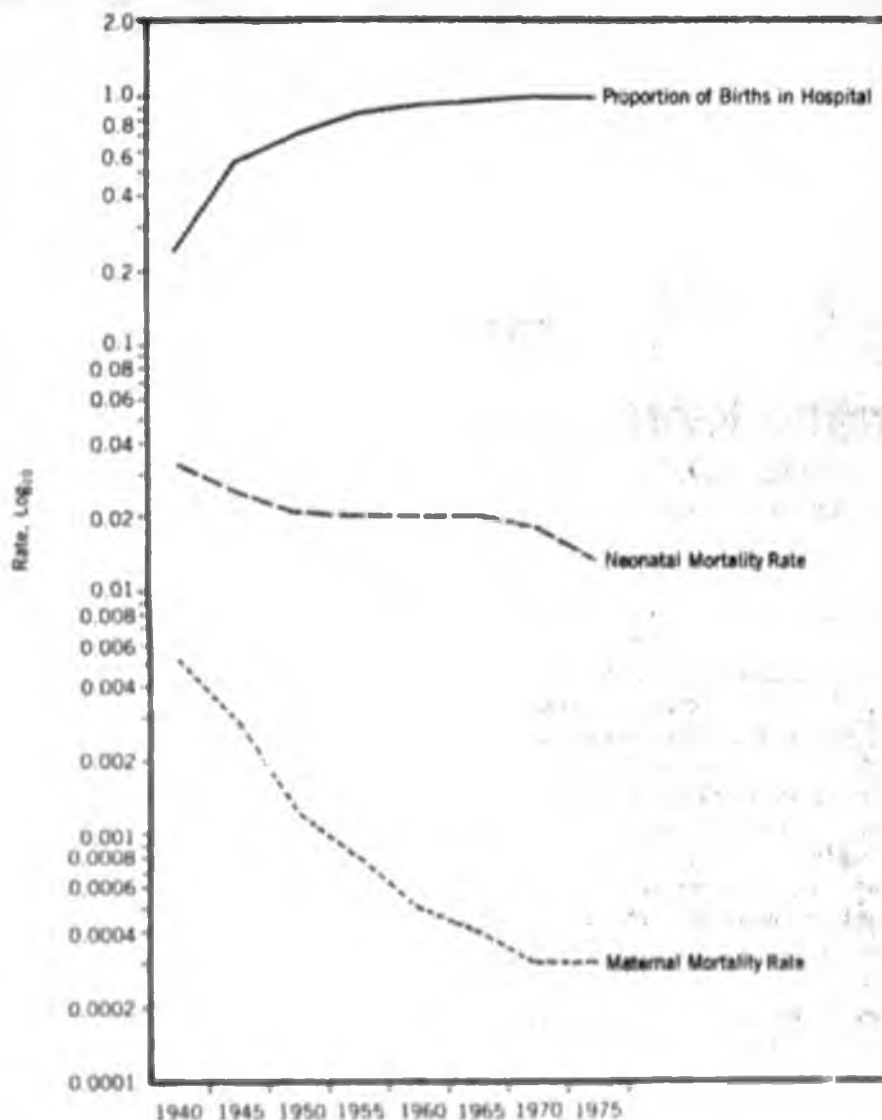
Lay-midwives legally attend home deliveries in some counties of North Carolina. The practice of these lay-midwives is regulated by county health departments. Prenatal care involving physician-supervised screening for risk factors must be provided by the health department for each patient, and every home delivery by a lay-midwife must be approved in advance as low risk. Since 1964, no lay-midwife has been initially certified to practice in any North Carolina county. Those lay-midwives still practicing are gradually being phased out; 25 were issued a required yearly permit in 1974, eighteen in 1975, and fifteen in 1976.

### MATERIALS AND METHODS

This study used neonatal death rates as a measure of the risk associated with the place and circumstances of birth. Vital records of live births and neonatal deaths registered in North Carolina for 1974 through 1976 constituted the initial source

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Reprint requests to Northeast Health District, 468 N. Milledge Ave., Athens, GA 30601 (Dr. Burnett).



Proportion of births in hospital, neonatal mortality rate, and maternal mortality rate, North Carolina, 1940 to 1978

of information. Birth records were coded as occurring in a hospital, in a clinic or office, enroute to a hospital, or at home. Infant death records are routinely linked with their corresponding birth records in North Carolina, making it possible to determine mortality by birth characteristics.

To estimate the risk of neonatal mortality associated with the circumstances of home delivery, the 1,296 home deliveries occurring in North Carolina during 1974 through 1978 were classified by both their planning status and the attendant present. If a home delivery was chosen and a healthy infant anticipated, it was classified as planned.

Emphasis was placed on determining the planning status of those home deliveries that resulted in neonatal death. Microclassification of a small number of these deaths would have had a notable effect on reported neonatal mortality rates. Therefore, these deaths were indi-

vidually reviewed by examination of the birth and death certificates as well as by discussion with county health department staff and, when necessary, the attendant at the home delivery.

Two simplifying assumptions were made in classifying all home deliveries by planning status. We assumed that all home deliveries attended by a lay-midwife were planned. This assumption was justified for two reasons. First, for a lay-midwife to receive a permit to attend a home delivery, a pregnant woman had to be approved by a health department as being at low risk of complications. This was considered evidence of careful planning. Second, a lay-midwife would probably not attend an unplanned home delivery and report it on the birth certificate because of the risk of permit revocation.

Our second assumption was that home deliveries of infants weighing 2,000 g or less at birth and not attended by a lay-midwife were precipitate and unplanned.

There were 51 such deliveries. There may have been planned but were classified as unplanned. However, no such assumption was made in the classification of the neonatal deaths that followed home delivery. Therefore, any classification error introduced by the second assumption would have increased the apparent neonatal mortality rate of home deliveries classified as planned and not attended by a lay-midwife, and decreased the apparent neonatal mortality rate of home deliveries classified as unplanned.

In June 1978, birth certificate copies of the remaining unclassified home deliveries were sent to the health department of the county of residence of the mother. A brief questionnaire accompanied each certificate requesting that health department staff determine the reason for home delivery and identify the attendant present. Four reasons for home delivery were provided: precipitate, intended, failure to plan for health care, and unknown. Field work by county health department staff was necessary when no detailed record described the circumstances of the birth.

## RESULTS

**Births Associated With Home Delivery.**—Table 1 shows a classification of all 1,296 home deliveries for 1974 through 1978. Seventy-two percent of home deliveries were classified as planned. Of these, 768 were attended by lay-midwives and were assumed to be planned; 166 were classified by questionnaire as "intended" and were therefore considered planned. Of the 166 home deliveries classified as "intended," 57% occurred by preference, 26% were for economic reasons, 8% were for religious reasons, and 9% were for other or unknown reasons.

Nineteen percent of home deliveries were classified as unplanned. The 51 infants born at home, attended by other than a lay-midwife, and weighing 2,000 g or less were assumed to be precipitate, unplanned home deliveries. An additional 199 were classified by questionnaire as either "precipitate" or "failure to plan for health care" and were also considered unplanned.

**Neonatal Deaths Associated With Home Delivery.**—The planning status of the home deliveries that resulted in neonatal death is shown in Table 2. Of the 36 neonatal deaths associated with home delivery during the three years, six (17%) followed planned home delivery, and 30 (83%) followed unplanned home delivery.

	No.	%
Planned	934	72
Lay midwife (assumed planned)	768	
Classified by questionnaire	166	
Unplanned	250	19
Birth weight $\leq 2,000$ g (assumed unplanned)	51	
Classified by questionnaire	199	
Unknown	112	9
Total	1,296	100

\*North Carolina, 1974 through 1976

Six neonatal deaths occurred following planned home delivery. In three instances, a trained attendant was not present; in three others, delivered by lay-midwives, death was attributed to congenital anomalies.

Two of the 30 unplanned home deliveries resulting in death were classified as "unplanned—no alternative." Allegedly, one mother, who delivered a 2,800-g infant at eight months, went to a hospital but was turned away for lack of funds. The other, who delivered a 1,400-g infant at seven months, reportedly had been told not to go to the hospital without payment in hand. We concluded that these home deliveries were not intended.

Five of the 30 unplanned home deliveries resulting in death were classified as "unplanned—suspected homicide or neglect." Three involved unwed teenaged mothers charged with homicide. Of the two remaining deaths, one infant was found drowned in a canal and the other was grossly neglected. These home deliveries were judged to be either precipitate or intended without preparation for a healthy infant.

**Neonatal Mortality Rates Associated With Home Delivery.**—Home deliveries, without regard to their planning status, were associated with a neonatal mortality rate of 30 per 1,000 live births. However, when subdivided by their planning status (Table 2), a different picture emerged. The neonatal mortality of planned home deliveries was 6/1,000, while that of unplanned home deliveries was 120/1,000. The relative risk of unplanned home deliveries was 20 times that of planned home deliveries.

The planning status of 112 home

	Deaths, No. (%)	Births	Rate†
Planned	6 (17)	934	6
Infant normal	3 (8)		
Congenital anomaly	3 (8)		
Unplanned	30 (83)	250	120
Precipitate	23 (84)		
No alternative	2 (6)		
Suspected homicide or neglect	5 (14)		
Total	36 (100)	1,184	30

\*North Carolina, 1974 through 1976

†Neonatal deaths per 1,000 live births

	Deaths	Births	Rate†
Home—planned, attendant physician	0	55†	0
Home—planned, attendant lay-midwife	3	768	4
Hospital	2,805	242,245	12
Clinic or office	16	949	16
Home—planned, attendant not physician or lay-midwife	3	100‡	30
Enroute	12	177	68
Home—unplanned	30	250‡	120
Total	2,806	244,544	12

\*North Carolina, 1974 through 1976

†Neonatal deaths per 1,000 live births

‡Excludes 112 home deliveries with unknown planning status and 11 planned home deliveries with unknown attendant

deliveries remained unknown following the questionnaire survey. If these had been planned, the neonatal mortality rate of planned home deliveries would still have been 6/1,000. If all of these home deliveries had been unplanned, the neonatal mortality rate of unplanned home deliveries would have been 83 rather than 120 per 1,000.

The effect of possible classification error introduced by the assumption that the home deliveries of 51 infants weighing 2,000 g or less and not attended by a lay-midwife were precipitate and unplanned can be similarly examined. If all 51 home deliveries had been planned, the neonatal mortality rate of planned home deliveries would still have been 6/1,000; the neonatal mortality rate of unplanned home deliveries would have been 151/1,000.

Table 3 shows all neonatal deaths for the three-year period by place and circumstances of delivery, in rank order from the lowest to the highest neonatal mortality rate. The 112 home deliveries with unknown planning status and 11 planned home deliveries with an unknown attendant are not included in the births column or in the denominators of the neonatal mortality rates. The rates ranged

from zero neonatal deaths for planned home deliveries attended by a physician, to 120 neonatal deaths per 1,000 unplanned home deliveries. Planned home deliveries, prenatally screened as low risk and attended by lay-midwives, were associated with a neonatal mortality rate of 4/1,000 live births. However, all three deaths following delivery by lay-midwives were associated with congenital anomalies and may not have been preventable.

Hospital deliveries, including high-risk pregnancies and low-birth-weight infants, were associated with a neonatal mortality rate of 12/1,000 live births. After excluding infants weighing 2,000 g or less at birth, the neonatal mortality rate for hospital deliveries was 7/1,000, while that for lay-midwife home deliveries remained 4/1,000. This difference was not statistically significant.

Three groups of home deliveries can be distinguished from Table 3: (1) unplanned, (2) planned without known medical screening and without a trained attendant; and (3) planned, selected based on medical screening, and with at least a minimally experienced attendant (grouping home deliveries by physicians and lay-midwives together). Group 1 had 4 times (95% confidence limits 1.4 to 11.4) the

	Home Lay-Midwife, %	All Deliveries, %	Neonatal Mortality Rate† All Deliveries
Age, yr			
<20	40	24	14
20-24	34	35	11
25+	26	41	10
Race			
White	4	69	10
Nonwhite	96	31	15
Marital status			
Married	56	84	10
Unmarried	44	16	16
Education, yr			
<12	69	36	14
12	29	42	10
>12	2	22	9
Prenatal visits			
0-2	5	3	65
3-7	68	19	28
8+	27	78	6
Birth weight, g			
≤2,000	0	3	265
2,001-2,500	8	5	24
2,501-3,000	20	18	6
>3,000	74	74	2
N	467	159,333	

\*Home deliveries by lay midwives vs all deliveries, and neonatal mortality rate for all deliveries North Carolina, 1975 through 1976.

†Neonatal deaths per 1,000 live births.

neonatal mortality rate of group 2. Group 2 had 8 times (95% confidence limits, 2.2 to 31.3) the neonatal mortality rate of group 3.

**Lay-Midwife Deliveries.**—Table 4 compares the maternal characteristics of the 467 women delivered by lay-midwives with all 159,333 deliveries occurring in North Carolina during 1975 and 1976. The table also shows the neonatal mortality rate for all deliveries relative to maternal characteristics. The distributions for the demographic variables of age, race, marital status, and education reveal a preponderance of mothers in high-risk categories among lay-midwife home deliveries compared with all deliveries. The women attended by lay-midwives were more likely to be young, black, unmarried, and less educated than the average woman who delivered in the state. Despite their high-risk demographic profile, these women had a relatively low-risk medical profile. None of their infants weighed 2,000 g or less, and their neonatal mortality rate was one third that for all deliveries.

**Planned Home Deliveries Without a Trained Attendant.**—Contrasted with women delivered by lay-midwives, women who delivered without a trained attendant had a low-risk

demographic profile: 5% were younger than 20 years, 78% were white, 90% were married, and 48% were educated beyond high school. While they were at high risk with respect to prenatal care (38% with two or less prenatal visits), their deliveries were at low risk with respect to infant birth weight (only 2% of the infants weighing 2,000 g or less). Even with these favorable characteristics, their neonatal mortality rate was eight times that of lay-midwife home deliveries.

#### COMMENT

This study showed that the outcome of delivery varied importantly by both the place and circumstances of delivery. In-hospital vs out-of-hospital classification does not adequately group births by risk of neonatal mortality. Even more specific designation of the place of birth does not suffice to describe risk. Deliveries occurring at home ranged from lowest to highest risk of neonatal mortality depending on planning and the attendant present.

Medically selected women delivered at home by lay-midwives were at high demographic but low medical risk. The screening process carried out through physician-supervised prena-

tal care at local health departments was apparently effective.

In contrast, planned home deliveries without known medical screening and without a trained attendant resulted in high neonatal mortality despite their low-risk demographic profile. Having less prenatal care and not having a trained attendant at delivery appears to have lessened the demographic advantage for this group and predisposed their infants to higher mortality.

Unplanned home deliveries were associated with neonatal mortality even higher than deliveries en route to the hospital, although the difference was not statistically significant. After analyzing 100 consecutive cases of unattended home deliveries in England, Fraser<sup>1</sup> concluded that "while precipitate labour is an important factor, inadequate preparation and instruction of the patient are the commonest causes" of unattended home delivery.

Adequate prenatal care and provision of care appropriate to medical risk has been repeatedly associated with lower neonatal mortality. Montgomery<sup>2</sup> and later Levy et al<sup>3</sup> showed that a nurse-midwife program, which emphasized prenatal care for a medically underserved population, was associated with a notable decline in neonatal mortality followed by a sharp rise after discontinuation of the program. Zackler et al<sup>4</sup> have reported that a maternal and infant care project, which provided prenatal care to girls who conceived when they were younger than 15 years, was associated with lower neonatal mortality compared with a population that did not receive project services. In large-scale studies of vital statistics data, Kessler et al<sup>5</sup> in New York and Dott and Fort<sup>6</sup> in Louisiana found that adequate prenatal care was associated with less risk of low birth weight and neonatal mortality.

Several limitations of this study suggest cautious interpretation of its findings. Inferences regarding the safety of home births should await prospective controlled studies. Potential deficiencies of this study include the following: home delivery practices in North Carolina were not necessarily representative of practices in other states; there was a small number of neonatal deaths in the study; there

were possible errors in classifying the true place and circumstances of birth; underreporting of home births and neonatal deaths may have occurred.

Two factors restricted the scope of this study. First, home deliveries and hospital deliveries attended by nurse-midwives were not represented, but are an increasing proportion of deliveries in other states.<sup>1</sup> Second, lay-midwives practicing in North Carolina during the study were initially certified in 1964 or before and had at least ten years' experience with home deliveries.

Despite including all births in a three-year period, the number of home deliveries in this study remained small. There were so few neonatal deaths that the neonatal mortality rates of subgroups of home deliveries could be substantially altered by the addition or reclassification of several neonatal deaths. The findings need testing where home delivery is more common.

Retrospective classification of birth regarding intent to deliver in the place and circumstances in which delivery actually occurred is difficult at best. Intended home deliveries followed by neonatal death may have

been misclassified as precipitate and unplanned. Women who chose home delivery but developed a problem during labor may have gone to the hospital to deliver. Hospitals are appropriately the intended place for most high-risk deliveries. This fact confounds comparison of the neonatal mortality of hospital and home deliveries.

Some home births may not have been reported to state registrars, especially if the infant died. Possibly such underreporting was more frequent in planned home deliveries when a preventable death caused guilt feelings. However, because lay-midwives need a permit for each home delivery and have a reputation to maintain, such underreporting is probably less likely than for home deliveries that did not come to the attention of the health department before delivery.

In conclusion, there has been a dramatic shift from home to hospital delivery in the last 40 years in North Carolina. The potential risk of delivery at home may be unacceptable to most women. However, some women still prefer or economically need an alternative to a high cost physician-

hospital delivery. Indeed, cost and preference accounted for more than three fourths of the reasons for the dangerous planned home deliveries not attended by a physician or lay-midwife.

Poor women in some rural areas are still experiencing high levels of preventable neonatal mortality because of lack of medical attention. To extend adequate prenatal and delivery services to these women, economically realistic alternatives should be developed before existing traditional services are phased out. For prenatally screened low-risk women, delivery by a trained nurse-midwife under physician supervision, perhaps in a birthing center with hospital backup, may have a cost advantage over physician-hospital delivery without unacceptable risk of maternal or neonatal mortality. Whatever program a community develops, monitoring the quality of prenatal care, adequately identifying high-risk pregnancies, and training competent birth attendants all require the knowledge, expertise, and support of the medical community.

#### References

1. Fraser A. Uninspected home confinement. *Br Med J* 1969;2:644-649.
2. Montgomery T. A case for nurse-midwives. *Am J Obstet Gynecol* 1969;105:309-313.
3. Levy B, Wilkinson P, Marine W. Reducing neonatal mortality rate with nurse-midwives. *Am J Obstet Gynecol* 1971;109:609.

4. Zackler J, Andelman B, Bauer F. The young adolescent as an obstetric risk. *Am J Obstet Gynecol* 1969;108:305-312.
5. Kennner D, Singer J, Kalk C, et al. Infant death: An analysis by maternal risk and health care. *Int Med Natl Acad Sci* 1972;50:13-18.
6. Dettl A, Fort A. The effect of availability

and utilization of prenatal care and hospital services on infant mortality rates. *Am J Obstet Gynecol* 1975;123:854-860.

7. Rooks J. *Nurse-Midwifery in the United States 1976-1977*. Washington, DC, American College of Nurse-Midwives, 1978, pp 29, 40-41.

# DIRECTORY FOR PARENTS

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## READ NATURAL CHILDBIRTH FOUNDATION, INC.

1300 H. Eliseo Drive, Suite 102  
Greenbrae, California 94904

*This group promotes the philosophies of Grantly Dick Read, M.D., through childbirth classes for expectant parents and offers assistance to anyone wanting to become familiar with the Read teachings.*

## U.S. CONSUMER PRODUCT SAFETY COMMISSION

Washington, D.C. 20207  
800-493-2937

*By calling the above toll-free number anytime, you can get information on safety standards for cribs, toys, and other accessories for children. Or contact the area office in your own major city.*

## PARENTS WITHOUT PARTNERS

7901 Woodmont Avenue  
Bethesda, Maryland 20814

*This organization describes itself as "directed toward raising children in a single parent home."*

## C/SEC, INC.

## CESAREAN/SUPPORT, EDUCATION AND CONCERN

66 Christopher Road  
Waltham, Massachusetts 02154

*This group offers emotional and physical support plus education to parents who have had Cesarean births, as well as addresses of Cesarean support groups in other states.*

# INTERNATIONAL CHILDBIRTH EDUCATION ASSOCIATION, INC.

## RESOURCE AND REFERENCE LIST

This list has been compiled for use of ICEA Province/State Coordinators. Inclusion on this list does not indicate ICEA endorsement of an organization, service or product.

### Nearest ICEA Member/Member Group

Parents Centras Australia  
Andree Robertson  
148 Hereford Street  
Forest Lodge 2037, NSW, Australia

Naissance-Renaissance  
891 des Erables CP 2363  
St. Nicholas-Est, P.Q., Canada  
G0S 3L0

### ICEA Service/Committee

C.E.A. (Childbirth Education Association)  
Sydney  
84 Tambourine Bay Road  
Land Cove 2066

C.E.A. Melbourne  
Pam Farfor  
17 Albert Street  
Brighton 3186

### BIRTH CENTER AND HOME BIRTH ORGANIZATIONS

Australian Homebirth Association  
Ms. Libby Jenkins  
41 Cutlack Street  
Evatt, Act., Australia 2617

Home Oriented Maternity Experience  
(HOME)  
811 New York Avenue  
Takoma Park, Washington, D.C. 20012

### CHILDBIRTH PREPARATION-EDUCATION

International Childbirth Education  
Association, Inc. (ICEA)  
P.O. Box 20882  
Milwaukee, WI 53220

American Society for Psycholprophylaxis  
in Obstetrics (ASPO)  
1411 K Street NW Suite 200  
Washington, D.C. 20005

Childbirth Without Pain Parent Leagues  
(CWPLL)  
P.O. Box 233  
Dana Point, CA 92629

American Academy of Husband Coached  
Childbirth (AAHCC)  
P.O. Box 6224  
Sherman Oaks, CA 91413

National Childbirth Trust  
9 Queensborough Terrace, Bayswater  
London, W2 3TB England

Mothercraft Society  
37 Heath Street West  
Toronto, Ontario Canada  
M4V 1T3

Cesareans/Support, Education and  
Concern (C/SEC)  
18 Maynard Road  
Dedham, MA 02026

National Association of Parents and  
Professionals for Safe Alternatives  
in Childbirth (NAPSAC)  
Rt. 1, Box 300  
Marble Hill, MD 63764

Maternity Center Association  
48 East 92nd Street  
New York, NY 10028

American College of Nurse Midwives  
1012 14th Street NW # 801  
Washington, D.C. 20005

Campaign Association for the Legalization  
of Midwifery  
c/o 2210 West 12th Avenue  
Vancouver, B.C. Canada  
V6K 2N6

Midwives Association  
Pam Hayes  
Crown St. Hospital  
Paddington Australia 2021

Association for Childbirth at Home, Inc.  
(ACHI)  
18706 Monte Cristo  
Cerritos, CA 90701

ACHI  
RR #2  
Calumet, P.O. Canada

Women & Children First  
(Interested in setting up a Birth Center)  
Pam Ladden  
62 Hyde Road  
Hunters Hill, Australia 2110

American College of Home Obstetrics  
664 North Michigan Avenue, Suite 800  
Chicago, IL 60611

Birth at Home League  
4010 West 90th Street  
Prairie Village, KS 66207

Holistic Childbirth Institute  
1677 10th Avenue  
San Francisco, CA 94122

Toronto Home Birth Group  
Prunella Lane  
430 Heath Street East  
Toronto, Ontario Canada  
M4C 1B5

#### BREASTFEEDING

La Leche League International, Inc. (LLLl)  
9616 Minneapolis Avenue  
Franklin Park, Illinois 60131

La Leche League Canada  
Box 11, Postal Station Z  
Toronto, Ontario Canada  
M5N 2Z3

Ligue La Leche du Canada  
C.P. 118, Succursale Laval Ouest  
Laval, P.Q. Canada  
H7R 5B7

Parents Centres Australia  
Shonagh Moore  
Box 234 Glebe Australia 2037

Nursing Mothers Australia  
99 Burwood Road  
Hawthorn, Australia 3122

#### NUTRITION

Montreal Diet Dispensary  
2182 Lincoln Avenue  
Montreal, Quebec Canada  
H3H 1J3

Society for the Protection of the  
Unborn through Nutrition (SPUN)  
17 North Walsh Avenue, Suite 603  
Chicago, IL 60607

Dr. John Quoyte (Paediatrician)  
Medical Director  
Tresillian Nursing Homes  
32 Grosvenor Street  
Sydney, Australia 2000

#### FERTILITY CONTROL

United Infertility  
P.O. Box 73  
Scarsdale, NY 10583

National Family Planning Federation  
of America  
Suite A  
1721 Massachusetts Ave. NW  
Washington D.C. 20005

Planned Parenthood - World Population  
(International Office)  
810 7th Avenue  
New York, NY 10019

Planned Parenthood (la federation pour la  
planning des naissances)  
1226 A rue Wellington Street  
Ottawa Ontario Canada  
K1Y 3A1

Family Planning Resource Center  
Family Planning Division,  
Health and Welfare Canada  
Suite 658  
Brooke Claxton Building  
Ottawa, Canada K1A 1B5

Ms. Colette Parr  
Family Planning Association of NSW  
161 Broadway  
Australia 2007

Serena  
55 Parkdale  
Ottawa, Ontario Canada

Couple to Couple League  
P.O. Box 11084  
Cincinnati, OH 45211

A Book, *Natural Family Planning*  
\$1.50 by Dr. John Billings from:  
The Liturgical Press  
Collegeville, MN 56321

Resolve  
P.O. Box 474  
Belmont, MA 02178  
(infertility problems)

#### PARENTING AND OTHER SERVICE ORGANIZATIONS

Canadian Association for Young  
Children (L'Association Canadienne pour les  
jeunes Enfants)  
Box 38, Station C  
Winnipeg, Manitoba Canada  
R3M 3S3

One Parent Family Association  
2279 Yonge Street, Suite 17  
Toronto, Ontario, Canada  
M4P 2C7

Parents without Partners,  
7910 Woodmont Avenue  
Suite 1000  
Washington, D.C. 20014

Canadian office  
706 Yonge Street, Suite 13  
Toronto, Ontario Canada  
M5B 1N7

Child Study Association of America  
853 Broadway  
New York, NY 10003

American Institute of Family Relations  
5287 Sunset Blvd.  
Los Angeles, CA 90027

Centre Rosalie Jette, au service  
de la Mere- celibataire  
8054 est rue Notre Dame  
Montreal, P.Q., Canada  
H1L 6J2

Canadian Young Family  
37 Hanna Avenue  
Box 8, Station C  
Toronto, Ontario, Canada  
M6J 3M8

Family Life Education in N.S.W.  
(A Committee of Voluntary &  
Statutory Agencies)  
Ms. V. Wishart  
121 Lucinda Avenue  
South Wahroona, Australia 2076

Parents Centres Australia (The Early Years)  
Box 234 Glebe, Australia 2037

Family Life Movement of Australia  
(Pre-marital Education and Marriage  
Counselling)  
41 The Boulevard  
Lewisham, Australia 2049

National Association for Loss & Grief  
N.A.L.A.G.  
Mr. Milton Coleman  
Chaplain-Gladesville Hospital  
Gladesville, Australia 2111

AMEND (self-help group for parents  
grieving over birth of imperfect or  
dead baby)  
Dianna Hoffman  
1548 Brenthaven  
Florissant, MO 63031

National Center for Prevention and  
Treatment of Child Abuse and Neglect  
University of Colorado Medical Center  
Denver, CO 80210

Parent's Anonymous  
2810 Arroyo Blvd, Suite F  
Huntington Beach, CA 90728

Parent's Anonymous  
Box 843  
Burlington, Ontario Canada

Canadian Foundation for the Study  
of Infant Deaths  
4 Lawton Blvd  
Toronto, Ontario Canada  
M4B 1Z4

**INTERNATIONAL CHILDBIRTH EDUCATION ASSOCIATION, INC.****RESOURCE & REFERENCE**

(Cot Death-Parent Support)  
Sudden Infant Death Association B.I.D.A.  
Box 172 St. Ives, Australia 2075

National Sudden Infant Death  
Syndrome Foundation  
310 South Michigan Avenue  
Suite 1904  
Chicago, IL 60604

Association for the Welfare of Children  
in Hospital (A.W.C.H.)  
Ms. Doris Hart  
79 Boundry Road  
Wahroonga, Australia 2078

Association for Care of Children in Hospital  
Southwestern Ontario Affiliate  
c/o Jeannette McFadden  
Recreation Department  
Hospital for Sick Children  
555 University Avenue  
Toronto, Ontario Canada  
M5G 1X8

Association for the Care of  
Children in Hospital  
Box H  
Union, WV 24983

Parents of Twins, Mrs. M. Moffat  
57 Wortham Drive  
Scarborough, Ontario, Canada  
11G 1W6

National Organization of Mothers of Twins Club  
5402 Amberwood Lane  
Rockville, MD 20853

Canadian Cerebral Palsy Association  
1 Yonge Street  
Suite 2110  
Toronto, Ontario M5E 1E8

Canadian Cleft Lip and Palate Family Association  
4961 Bathurst Street  
Apt. 215  
Willowdale, Ontario Canada  
M2H 1Y5

Canadian Dental Association  
1815 Alta Vista Drive  
Ottawa, Canada K1G 3Y8

Canadian Diabetic Association  
173 Eglarvit Street  
Suite 601  
Toronto, Ont., Canada  
M5G 1E2

Parent Relief Services for Multihandicapped  
Children  
Children's Services Committee  
18 Kempland Blvd.  
Willowdale, Ontario Canada  
M2N 2R9

Canadian Hearing Society  
60 Bedford Road  
Toronto, Ontario Canada  
M5R 2K2

Provincial Ministries of Community and  
Social Services  
contact local office

Provincial Ministries of Health Publications  
contact local office

Service Social Ville-Marie  
874 Est rue Sherbrooke  
Montréal, Québec, Canada  
H2L 1L1

Provincial Medical Associations'  
Child Welfare Committees  
contact local office

Secus (Sex Information Education  
Council of the U.S.)  
137 N. Franklin Street  
Hempstead, NY 11550

SEIC - Dr. M. Barrett  
423 Castlefield Avenue  
Toronto, Ontario Canada  
M5N 1L4

American Cancer Society, Inc.  
777 3rd Avenue  
New York, NY 10017

Canadian Cancer Society  
77 Bloor Street W  
Toronto, Ontario Canada  
M5S 2V2

Societe Canadienne du Cancer  
1118 Rue St. Catherine Ouest  
Montreal, Quebec Canada  
H3B 1H5

Association for Children with  
Learning Disabilities, Inc.  
4158 Library Road  
Pittsburgh, PA 15236

Rehabilitation International USA  
(information on all areas of  
rehabilitation)  
20 West 40th Street  
New York, NY 10018

Children's Book Center  
86 Bloor Street West, Suite 200  
Toronto, Ontario Canada  
M5S 1M5

Actv for Child Transportation Safety  
400 Central Park West, 15F  
New York, NY 10026

National Safety Council  
444 N. Michigan Avenue  
Chicago, IL 60611

National Alliance Concerned with  
School-Age Parents  
(NACSAP)  
7315 Wisconsin Avenue N.W.  
Suite 211-W  
Washington, D.C. 20014

National Association for Mental Health  
1800 N. Kent Street  
Roanoke, VA 22209

National Clearinghouse for  
Smoking and Health  
Rockville, MD 20852

National Council on Family Relations  
1219 University Avenue S.E.  
Minneapolis, MN 55414

National Easter Seal Society  
2023 W. Ogden Avenue  
Chicago, IL 60612

National Foundation-March of Dimes  
P.O. Box 1275  
White Plains, NY 10605

Canadian Lung Association  
78 Albert Street  
Suite 908  
Ottawa, Ontario Canada  
K1P 6E7

National Institutes of Health Information  
Officer, Division of Research Resources  
Bethesda, MD 20014

U.S. Consumer Product Safety Commission  
Washington, D.C. 20207

Consumer Association of Canada  
261 Laurier Avenue W  
Room 801  
Ottawa, Canada K1P 6Z7

Consumer and Corporate Affairs Canada  
Consumer Service Branch  
480 University Avenue  
9th Floor  
Toronto, Ontario Canada  
M5G 1V2

Family Leukemia Association  
72 Denison Avenue  
Toronto, Ontario Canada  
M4S 1E9

Health and Welfare Canada  
Suite 608  
Brake Claxton Building  
Ottawa, Canada K1A 1B5

U.S. Department of Health, Education  
and Welfare  
Children's Bureau  
Washington, D.C. 20201

U.S. Government Printing Office,  
Superintendent of Documents  
Washington, D.C. 20402

**COMMERCIAL ORGANIZATIONS**  
send for catalog/flyer of services offered

National Dairy Council  
6300 N. River Road  
Rosemont, IL 60018

American Baby Magazine  
575 Lexington Avenue  
New York, NY 10022

Baby Talk Magazine  
68 East 34th Street  
New York, NY 10016

Mead-Johnson  
Evansville, IN 47721

Gerber Products  
Fremont, MI 49412

Johnson and Johnson  
Director of Professional Services  
501 George Street  
New Brunswick, NJ 08903

Ortho Corporation  
Raritan, NJ 08869

Ross Laboratories  
825 Cleveland  
Columbus, OH 43215

Carnation  
Medical Marketing  
5045 Wilshire  
Los Angeles, CA 90036

Proctor and Gamble Company  
Professional Service Division  
Box 171  
Cincinnati, OH 45201

Proctor and Gamble of Canada, Ltd.  
Consumer Relations  
P.O. Box 355 Station A  
Toronto, Ontario Canada

U.S. Shoe Corp.  
1858 Herald Avenue  
Cincinnati, OH 45212

Wyeth Laboratories,  
Philadelphia, PA 19101

American Optometric Association  
7000 Chippewa Street  
St. Louis, MO 63119

Arner-Stone Laboratories  
Mount Prospect, IL 60056

Ayerst Laboratories  
685 3rd Avenue  
New York, NY 10017

Beech-Nut Baby Food  
Professional/Consumer Service  
Canajoharie, NY 13317

Best Foods  
Consumer Service Department  
Englewood Cliffs, NJ 07632

Blue Cross  
contact local office

Borden, Inc.  
277 Park Avenue  
New York, NY 10017

Campbell Soup, Co.  
Home Economics Department  
Camden, NJ 08101

Lederle Laboratories  
Pearl River, NY 10965

Mead Johnson  
Evansville, IN 47721

Mennen Co.  
Professional Service Dept.  
Morristown, NJ 07960

Metropolitan Life Insurance Co  
local office

Mutual Assurance Co. of Canada,  
Waterloo, Ontario N2J 4C5



International Childbirth Education Association

INFORMATION SERVICES OFFICE  
Rt. 5, Box 234  
Decatur, Alabama 35603

Contact: Fran Harrison

FOR IMMEDIATE RELEASE

The International Childbirth Education Association (ICEA) adopted the following resolution presented November, 1979.

The International Childbirth Education Association recognizes --

- That the majority of births are normal and without complications
- That the nurse-midwife is a qualified, licensed practitioner of midwifery who offers personalized, comprehensive maternity care to healthy childbearing women and their families
- That the nurse-midwife functions within, and is committed to, a team concept of care that provides for physician consultation and referral for obstetrical complications
- That nurse-midwifery programs have been demonstrated to provide safe, quality, cost-effective care that is desired by the public

Therefore, be it resolved that the International Childbirth Education Association--

- Supports the development of nurse-midwifery through the expansion of nurse-midwife education and service programs
- Supports funding for nurse-midwifery education
- Supports third-party payment for nurse-midwifery care and rejects current policy that requires the physical presence of the physician for medically uncomplicated maternity care as a prerequisite for reimbursement

## CHAPTER 485

## MIDWIFERY

- 485.011 Midwifery; who may practice.  
 485.021 Application to practice midwifery.  
 485.031 Qualifications of applicant to practice midwifery.  
 485.041 License good for 1 year.  
 485.051 Department to make rules regulating practice of midwifery.  
 485.061 Revocation of license.  
 485.071 Midwives to conform to rules and regulations.  
 485.081 Midwives to practice in normal cases only.  
 485.091 Penalty for violation of chapter.

**485.011 Midwifery; who may practice.**—No person other than a duly registered and licensed physician shall practice midwifery or use the name or title of "midwife" unless such person shall be duly registered as a midwife with the Department of Health and Rehabilitative Services.

History.—s. 1, ch. 14780, 1931, CGL 1936 Supp. 3403(1); s. 19, 26, ch. 89-108, s. 406, ch. 77-147.  
 Note.—Former s. 487.01.

**485.021 Application to practice midwifery.**—No license to practice midwifery shall be issued unless written application therefor sponsored by two registered practicing physicians has been made in the form prescribed by the Department of Health and Rehabilitative Services.

History.—s. 2, ch. 14780, 1931, CGL 1936 Supp. 3403(2); s. 19, 26, ch. 89-108, s. 406, ch. 77-147.  
 Note.—Former s. 487.02.

**485.031 Qualifications of applicant to practice midwifery.**—Every applicant for a license to practice midwifery must possess the following qualifications:

- (1) Be not less than 18 years of age.
- (2) Be able to read the manual for midwives intelligently and to fill out the birth certificates legibly; provided that in case of persons who have extended experience or in other exceptional circumstances, this requirement may be waived by the Department of Health and Rehabilitative Services.
- (3) Be clean and constantly show evidence in behavior and in home habits of cleanliness.
- (4)(a) Possess a diploma from a school for midwives recognized by the department; or
- (b) Have attended under the supervision of a duly licensed and registered physician not less than 15 cases of labor and have had the care of at least 15 mothers and newborn infants during lying-in period of at least 10 days each; and shall possess a written statement from said physician that she has attended such cases in said 15 cases, with the date engaged and address of each; and that she is reasonably skilled and competent and establish the fact that she is reasonably skilled and competent to the satisfaction of the department; or
- (c) Present other evidence satisfactory to the department showing her qualifications; and
- (5) Present evidence satisfactory to the depart-

ment of good moral character in such form as the department by rule and regulation may prescribe.

History.—s. 3, ch. 14780, 1931, CGL 1936 Supp. 3403(3); s. 19, 26, ch. 89-108, s. 406, ch. 77-147, s. 407, ch. 77-147.  
 Note.—Former s. 487.03.  
 cf.—s. 112.011 Felons, removal of disqualifications for employment, except time.

**485.041 License good for 1 year.**—Unless revoked every license to practice midwifery shall permit the holder thereof to practice only during the current calendar year, the term of said calendar year being from January 1.

History.—s. 4, ch. 14780, 1931, CGL 1936 Supp. 3403(4).  
 Note.—Former s. 487.04.

**485.051 Department to make rules regulating practice of midwifery.**—The Department of Health and Rehabilitative Services may make such rules and regulations as it may deem necessary for regulating the practice of midwifery within the state.

History.—s. 5, ch. 14780, 1931, CGL 1936 Supp. 3403(5); s. 19, 26, ch. 89-108, s. 406, ch. 77-147.  
 Note.—Former s. 487.05.

**485.061 Revocation of license.**—The Department of Health and Rehabilitative Services may revoke the license of such persons practicing midwifery pursuant to this chapter, provided it has cause.

History.—s. 6, ch. 14780, 1931, CGL 1936 Supp. 3403(6); s. 19, 26, ch. 89-108, s. 406, ch. 77-147, s. 19, ch. 78-98.  
 Note.—Former s. 487.06.

**485.071 Midwives to conform to rules and regulations.**—

(1) All midwives to whom licenses shall be issued pursuant to this chapter must conform to all rules and regulations of the Department of Health and Rehabilitative Services, the provisions of public health laws of the state, the rules and regulations of any local boards of health and all lawful orders and directions of the department or local boards of health or local health officers.

(2) Any violation on the part of any midwife of any of the rules and regulations of the department, the provisions of the public health laws or the rules and regulations of any local boards of health, or the disobedience of any lawful order of the department, or any local boards or health officers, shall be sufficient cause for the revocation of the license issued to the midwife, and shall also be sufficient cause for the withholding of license to practice midwifery from any midwife offending in any manner as aforesaid by the department.

History.—s. 7, ch. 14780, 1931, CGL 1936 Supp. 3403(7); s. 19, 26, ch. 89-108, s. 410, ch. 77-147.  
 Note.—Former s. 487.07.

**485.081 Midwives to practice in normal cases only.**—A duly licensed and registered midwife may practice midwifery in cases of normal labor and in no others. No midwife shall in any case use instruments of any kind, or assist labor by any artificial, forcible or mechanical manner or attempt to remove adherent placentae, or administer, prescribe, advise or employ any poisonous drug or herb or medicine or at-

tempt the treatment of disease except where the attendance of a physician cannot be speedily secured and in such cases, the midwife shall secure the attendance of the physician as soon as possible.

History.—s. 8, ch. 14780, 1931; CGL 1938 Supp. 2403(8)

Note.—Former s. 487.08

**485.091 Penalty for violation of chapter.—**

Any person who fails or neglects to register as required by the provisions of s. 485.011, or who shall violate the provisions of this chapter shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.083.

History.—s. 7, ch. 13006, 1937; CGL 7703, s. 437, ch. 71-136

Note.—Former s. 487.09

# Virginia

§ 32.1-145

HEALTH

§ 32.1-149

## ARTICLE 4.

### *Midwives.*

§ 32.1-145. Who deemed midwife; compensation defined. — A. Any person who, for compensation, assists in delivery and postnatal care by affirmative act or conduct immediately prior and subsequent to the labor attendant to childbirth in conjunction with or in lieu of a member of the medical profession shall be deemed a midwife and to be practicing midwifery.

B. As used in this section, "compensation" means anything of value received before or after the labor attendant to childbirth, with or without an express agreement between the person so assisting and the patient or anyone in the patient's behalf. (Code 1950, §§ 32-167.1, 32-167.2; 1962, c. 198; 1979, c. 711.)

§ 32.1-146. Registration and permits. — No person shall practice midwifery unless such person is registered and possesses a permit to practice midwifery as provided for in this section. Any person who fulfills such requirements to practice midwifery as the Board may, by regulation, promulgate shall be eligible for a permit. Upon registration and qualification, the permit shall be issued without charge by an official of the Department designated by the Commissioner and countersigned by the director of the local health department. (Code 1950, § 32-167.3; 1962, c. 198; 1979, c. 711.)

§ 32.1-147. Application of article. — The provisions of this article shall apply only to midwives who are not registered nurses and who are registered and permitted to practice pursuant to this article prior to January one, nineteen hundred seventy-seven. All subsequent licensure for midwifery shall be limited to registered nurses who are trained as nurse midwives pursuant to regulations jointly promulgated by the State Board of Nursing and the State Board of Medicine under the authority of § 54-274. Subject to the regulations of the State Board of Health, the permits of midwives who are not registered nurses and who have been previously licensed under this article shall be renewed on a biennial basis. (Code 1950, § 32-167.7; 1976, c. 15; 1979, c. 711.)

## ARTICLE 5.

### *Emergency Medical Service Vehicles*

§ 32.1-148. Definitions. — As used in this article:

1. "Agency" means any person engaged in the business, service or regular activity, whether or not for profit, of transporting persons who are sick, injured, wounded or otherwise incapacitated or helpless or of rendering immediate medical care to such persons.

2. "Emergency medical service vehicle" means any privately or publicly owned vehicle, vessel or aircraft that is specially designed, constructed, or modified and equipped and is intended to be used for and is maintained or operated to provide immediate medical care to or to transport persons who are sick, injured, wounded or otherwise incapacitated or helpless. (Code 1950, § 32-310.1; 1968, c. 430; 1979, c. 711.)

§ 32.1-149. Exemptions from operation of article. — The following are exempted from the provisions of this article:

1. Emergency medical service vehicles based outside this Commonwealth, except that any such vehicle receiving a person who is sick, injured, wounded, incapacitated or helpless within this Commonwealth for transportation to a

## NOTES OF DECISIONS

Under the statute as it stood in 1889, a physician who rendered services from a time commencing before his certificate was issued until a time after issuance was permitted to recover the value of his services from the time of issuance, though he did not register his certificate until a later date. *Gardner v. Tatum* (1889) 81 C 370, 22 P 880.

In an action for personal injuries, the plaintiff was

entitled to recover the reasonable value of services performed by an orthopedic surgeon, although the surgeon's certificate to practice medicine was not registered in the county clerk's office until about one year after the rendition of such services. *Gastine v. Ewing* (1944) 65 CA2d 131, 150 P2d 266.

## ARTICLE 12.5

## Midwifery

[Added by Stats 1974 ch 1044 § 18, effective September 23, 1974.]

- § 2350. Authority conferred by midwifery certificate
- § 2351. Use of improper antiseptic procedures
- § 2352. Violation of health ordinances
- § 2353. Illicit treatment of complicated vertex presentations
- § 2354. Failure to make referral of complicated cases
- § 2355. Failure to summon physician
- § 2356. Failure to make referral of complicated pregnancies
- § 2357. Failure to refer sickly child
- § 2358. Hand-removal of placenta
- § 2359. Lacking proper equipment

## Cross References:

Revocation of midwifery certificate upon third conviction under chapter pertaining to reporting conditions of ophthalmia neonatorum: § 557.

Unlawful sale of midwifery certificates: § 580.

Construction against section, pertaining to issuance of license on failure to renew original license within five years after expiration, as authorizing issuance of midwifery certificates: § 2451.1.

Effect of possession of receipt for payment of fees on possibility of revocation of certificate: § 2453.

Renewal of midwife's certificate: § 2746.3.

Practice of midwifery by midwife's certificate: § 2746.4.

Duty of registering birth occurring outside hospital: H & S C § 10102.

## § 2350. Authority conferred by midwifery certificate

The certificate to practice midwifery authorizes the holder to attend cases of normal childbirth.

As used in this chapter, the practice of midwifery constitutes the furthering or undertaking by any person to assist a woman in normal childbirth. But it does not include the use of any instrument at any childbirth, except such instrument as is necessary in severing the umbilical cord, nor does it include the assisting of childbirth by any artificial, forcible, or mechanical means, nor the performance of any version, nor the removal of adherent placenta, nor the administering,

prescribing, advising, or employing, either before or after any child-birth, of any drug, other than a disinfectant or cathartic.

A midwife is not authorized to practice medicine and surgery by the provisions of this chapter.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

- (a) Former § 2140, as added by stats 1937 ch 414 p 1377.
- (b) Stats 1913 ch 354 § 8 4th subd p 725, as amended by Stats 1915 ch 105 § 5 p 187, Stats 1917 ch 81 § 2 p 96, Stats 1921 ch 587 § 1 p 995, Stats 1933 ch 499 § 1 p 1275.
- (c) Stats 1907 ch 212 § 6 p 253, as amended by Stats 1911 ch 740 § 1 p 1437.

**Cross References:**

- Illicit practice of medicine and surgery: § 2141.
- Authority conferred by nurse-midwifery certificate: § 2746.5.

**Collateral References:**

**Law Review Articles:**

- California's new therapeutic abortion act: an analysis and guide to medical and legal procedure. 15 UCLA LR 1.

**Attorney General's Opinions:**

- 55 Ops Atty Gen 353 (prohibited issuance of certificates to practice midwifery or authorization to practice midwifery in experimental program; propriety of certificates for and establishment of areas of specialty of "physician's assistant," relating to midwifery).

§ 2351. Use of improper antiseptic procedures

*see last page*

The certificate to practice midwifery may be revoked if it appears to the satisfaction of the board that due caution and circumspection were not used or that proper aseptic and antiseptic precautions were not taken in any case that the holder of this form of certificate may have treated.

*Division of Allied Health Professions*

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

- (a) Former § 2400, as added by Stats 1937 ch 414 p 1377.
- (b) Stats 1913 ch 354 § 14 subd 13th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 99 § 1 p 100, Stats 1929 ch 311 § 1 p 626.
- (c) Stats 1907 ch 212 § 11 p 255.

**Collateral References:**

- 61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

§ 2352. Violation of health ordinances

The certificate to practice midwifery may be revoked upon conviction for the violation of any health statute, order or ordinance, or for the

neglect or refusal to comply with the health rules and regulations of any state, county, city or township.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2401, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 14th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2353. Illicit treatment of complicated vertex presentations**

The certificate to practice midwifery may be revoked for the treatment of a complicated vertex presentation by the holder of this form of certificate in any case of labor in which this condition occurs without calling or attempting to call a person authorized to practice a system, including the practice of obstetrics, under this chapter or any preceding medical practice act.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2402, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 15th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2354. Failure to make referral of complicated cases**

The certificate to practice midwifery may be revoked for failure to refer to a person authorized under this chapter or any preceding medical practice act to practice a system including obstetrics, a case which has or develops any of the following conditions during pregnancy.

(a) Contracted pelvis or other deformity that will interfere with labor.

(b) Bleeding from the uterus.

(c) Swelling of the face and hands.

(d) Excessive vomiting.

(e) Persistent headache.

(f) Dimness of vision.

**(g) Convulsions.**

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2403, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 16th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2355. Failure to summon physician**

The certificate to practice midwifery may be revoked for failure to call or summon a physician if any of the following conditions exist or develop at the beginning of or during labor:

(a) Complicated presentation of vertex (head).

(b) Convulsions.

(c) Excessive bleeding.

(d) Protrusion of the cord.

(e) A swelling or tumor that obstructs the birth of the child.

(f) Signs of exhaustion or of collapse.

(g) Unduly prolonged labor.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2404, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 16th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2356. Failure to make referral of complicated pregnancies**

The certificate to practice midwifery may be revoked for failure to refer to a person authorized under this chapter or any preceding medical practice act to practice a system including obstetrics, a case which develops any of the following conditions during the lying-in period:

(a) Convulsions.

(b) Excessive bleeding.

(c) Foul smelling discharge (lochia).

- (d) Persistent rise of temperature to 101 degrees Fahrenheit for 24 hours.
- (e) Swelling and redness of the breasts.
- (f) Severe chill (rigor) with rise of temperature.
- (g) Inability to nurse the child.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

- (a) Former § 2405, as added by Stats 1937 ch 414 p 1377.
- (b) Stats 1913 ch 354 § 14 subd 16th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.
- (c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2357. Failure to refer sickly child**

The certificate to practice midwifery may be revoked for failure to refer to a person authorized under this chapter or any preceding medical practice act to practice a system including obstetrics, a case where the child has or develops any of the following conditions:

- (a) Deformities or malformations or injuries.
- (b) Inability to suckle or nurse.
- (c) Inflammation around or discharge from the navel.
- (d) Swelling and redness of the eyelids with a discharge of pus from the eyes (ophthalmia neonatorum).
- (e) Bleeding from the mouth, navel or bowels.
- (f) Inability to urinate.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

- (a) Former § 2406, as added by Stats 1937 ch 414 p 1377.
- (b) Stats 1913 ch 354 § 14 subd 16th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.
- (c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

**§ 2358. Hand-removal of placenta**

The certificate to practice midwifery may be revoked for the treatment by the holder of this form of certificate that is known as the

§ 2358

MEDICINE

introduction of the hand into the vagina or uterus to remove placenta or membranes.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2407, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 17th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

§ 2359. Lacking proper equipment

The certificate to practice midwifery may be revoked for the failure to have the following equipment in each case:

Nail brush; wooden or bone nail cleaner; jar of green or soft castile soap; rubber gloves; tube of sterile vaseline; clinical thermometer; agate or glass douche reservoir; two rounded vaginal douche nozzles; two rectal nozzles, large and small; one soft rubber catheter; blunt scissors for cutting cord; either lysol, carbolic acid or bichloride of mercury tablets; boric acid powder; 1-percent solution of nitrate of silver; medicine dropper; narrow tape or soft twine for tying cord; and absorbent cotton (preferably in one-quarter-pound packages). No other instruments are to be used by a holder of this form of certificate.

Added Stats 1974 ch 1044 § 18, effective September 23, 1974.

**Prior Law:**

(a) Former § 2408, as added by Stats 1937 ch 414 p 1377.

(b) Stats 1913 ch 354 § 14 subd 18th p 732, as amended by Stats 1915 ch 105 § 12 p 196, Stats 1917 ch 81 § 9 p 109, Stats 1921 ch 598 § 4 p 1012, Stats 1925 ch 130 § 1 p 282, Stats 1927 ch 59 § 1 p 100, Stats 1929 ch 311 § 1 p 626.

(c) Stats 1907 ch 212 § 11 p 255.

**Collateral References**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 62.

ARTICLE 13

Denial, Suspension and Revocation

§ 2360. Grounds for denial: Conduct of proceedings

§ 2361. Grounds for action against certificate-holders

§ 2361.5. Excessive prescribing of drugs, etc.

§ 2361.8. Willful failure to comply with sterilization regulations

§ 2362. Grounds for action against reciprocity certificates

ate, whose application is based on a  
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Licensing, shall comply with all the  
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this chapter, the Division of  
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(1 Bus & Prof Code)

The midwifery practices authorized by former Bus. & Prof. Code, § 2140 (now § 2350), expressly relate only to normal childbirth, and cannot be deemed treatment of "the sick or afflicted" within the meaning of Bus. & Prof. Code, § 2141, under which one who, without a license, undertakes to practice, or practices, methods of treatment of the sick or afflicted, is guilty of a misdemeanor. Thus, a criminal allegation, to the extent that it charged unlicensed midwives with a violation of Bus. & Prof. Code, § 2141, based on treatment of the "sick and afflicted," failed to state a cause of action. The charge, however, was relieved from such due process deficiency, and stated a cause of action, by being qualified by a further reference to defendants unlawfully engaging in such practices as "undertaking to assist and treat a woman in childbirth as authorized in Bus. & Prof. Code,

§ 2137," which refers generally to surgery and other modes of medical treatment, thus embracing "sicknesses" or "afflictions" related to complications of pregnancy as distinguished from normal childbirth. *Bowland v Municipal Court* (1976) 18 C3d 479, 134 Cal Rptr 630, 556 P2d 1081.

The prohibition, in Bus. & Prof. Code, § 2141, against unlicensed persons treating a "physical condition" encompasses the unlicensed practice of midwifery. Thus, a cause of action was stated against unlicensed midwives, where, in the criminal charge, it was alleged that they had treated a woman for a "physical condition" by such practices as are authorized in the midwifery statute (former Bus. & Prof. Code, § 2140, now § 2350). *Bowland v Municipal Court* (1976) 18 C3d 479, 134 Cal Rptr 630, 556 P2d 1081.

### § 2350.5. Reference to Board of Medical Examiners as reference to Division of Allied Health Professions

All references in this article to the board, Board of Medical Examiners, or the division shall mean the Division of Allied Health Professions.

Added Stats 1976 ch 1185 § 45; Amended Stats 1978 ch 1161 § 122.

Amendments:  
1978 Amendment: Substituted "Board of Medical Examiners, or the division" for "or Board of Medical Examiners,".

### § 2351. Use of Improper antiseptic procedures

The certificate to practice midwifery may be revoked if it appears to the satisfaction of the Division of Allied Health Professions that due caution and circumspection were not used or that proper aseptic and antiseptic precautions were not taken in any case that the holder of this form of certificate may have treated.

Amended Stats 1978 ch 1161 § 123.

Amendments:  
1978 Amendment: Substituted "Division of Allied Health Professions" for "board".

## ARTICLE 13

### Denial, Suspension and Revocation

Enforcement of this article by Board of Osteopathic Examiners, Osteopathic Act, Appendix 11 § 2

### § 2360. Grounds for denial: Conduct of proceedings

Every certificate issued may be suspended or revoked. The Division of Licensing shall refuse a certificate to any applicant guilty of unprofessional conduct. The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the Division of Licensing and the Division of Medical Quality shall have all the powers granted therein.

Amended Stats 1976 ch 1185 § 46.

(1 Bus & Prof Code)

Washington

## CHAPTER 18.50 MIDWIFERY

### Sections

- 18.50.010 Definitions—Gratuitous services—Duty to call physician.
- 18.50.020 License required.
- 18.50.030 Exemptions.
- 18.50.040 Application—Eligibility requirements.
- 18.50.050 Application—Examination fee.
- 18.50.060 Examination.
- 18.50.070 Recording license—Penalty for failure.
- 18.50.080 Recording—County clerk's duties.
- 18.50.100 Refusal and revocation of license—Grounds—Hearing
- 18.50.120 Unlawful practice—Penalties.
- 18.50.130 "Certificate" and "license" synonymous.
- 18.50.900 Repeal and saving.

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

#### Sections

- 18.50.090 Must call physician—When. [1917 c 160 § 8, part; RRS § 10181, part.] Now codified in RCW 18.50.010.
- 18.50.110 Revocation of license—Notice—Hearing. [1917 c 160 § 7, part; RRS § 10180, part.] Now codified in RCW 18.50.100.

### REVISER'S NOTE

"Director" and "director of licenses" have been substituted for "board", "board of medical examiners" and "secretary of the board" throughout this chapter, since the state board of medical examiners was abolished by 1921 c 7 § 135 and its powers and duties were transferred to the director of licenses by 1921 c 7 § 96 (RCW 43.24.020), which powers and duties subsequently devolved to the business and professional administration within the department of motor vehicles. See note following Title 18 RCW digest.

Department of motor vehicles redesignated department of licensing by 1977 1st exa c 334. See RCW 46.01.020.

### CROSS REFERENCES

Abortion: RCWA Chapter 9.02.

Adoption of children through hospitals, doctors, midwives, etc.: RCWA 26.36.040

Crimes relating to pregnancy and childbirth: RCWA 9A.32.060.

Filing certificate of birth: RCWA 70.58.080

Record as to patients or inmates for purposes of vital statistics: RCWA 70.58.270.

## COLLATERAL REFERENCES

**Annotations:**

30 ALR2d 1006 (right of person wrongfully refused license upon proper application therefor to do act for which license is required).

65 ALR2d 12, 60 (right to attack validity of statute, ordinance, or regulation relating to occupational or professional license as affected by applying for or securing license).

93 ALR2d 90 (single or isolated transactions as falling within provisions of commercial or occupational licensing requirements).

**18.50.010 Definitions—Gratuitous services—Duty to call physician.** Any person shall be regarded as practicing midwifery within the meaning of this chapter who shall render medical aid to a woman in childbirth for a fee or compensation 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 always secure the immediate services of a legally qualified physician whenever any abnormal signs or symptoms appear either in the mother or the infant.

## LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 8 p 721.

See RRS § 1081 and former RCW 18.50.010, 18.50.030, 18.50.090.

## COLLATERAL REFERENCES

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 82, 83, § 68.  
CJS Physicians and Surgeons § 3 et seq.

**Attorney General's Opinions:**

Ops Atty Gen 1917-1918, p 27. (acts within exemptions not requiring license to practice midwifery).

**Annotations:**

30 ALR2d 1006 (right of person wrongfully refused license upon proper application therefor to do act for which license is required).

65 ALR2d 660 (right to attack validity of statute, ordinance, or regulation relating to occupational or professional license as affected by applying for, or securing, license).

93 ALR2d 90 (single or isolated transactions as falling within provisions of commercial or occupational licensing requirements).

**Key Number Digests:**

Physicians and Surgeons § 1.

## 18.50.010 BUSINESSES AND PROFESSIONS

### NOTES OF DECISIONS

The practice of obstetrics was outside the scope of practice given to drugless healers, and therefore a drugless healer who practiced obstetrics violated statute making it a misdemeanor for anyone to practice medicine or "surgery" without a valid certificate. *State v Houck* (1949) 32 Wn 2d 681, 203 P2d 693.

**18.50.020** License required. Any person who shall practice midwifery in this state after July 1, 1917, shall first obtain from the director of licenses of the state of Washington a license so to do, and the said director is authorized to grant such license after examination of the applicant as hereinafter provided.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 1 p 717.  
See RRS § 10174.

### CROSS REFERENCES

Application for license: RCWA 18.50.040, 18.50.050.  
Department of licensing: RCWA Chapter 46.01.  
Examination: RCWA 18.50.060.  
Exemptions: RCWA 18.50.030.  
Penalty for violation: RCWA 18.50.120.

### COLLATERAL REFERENCES

Am Jur 2d Occupations, Trades, and Professions § 17-21, Physicians, Surgeons, and Other Healers § 29, 82, 83.  
CJS Physicians and Surgeons § 6 et seq.

#### Forms:

16 Am Jur Pl & Pr Forms (Rev ed), Licenses and Permits Forms 21, 23-26.

#### Attorney General's Opinions:

Ops Atty Gen 1917-1918, p 271 (midwifery practitioners to be licensed).

#### Annotations:

30 ALR2d 1006 (right of person wrongfully refused license upon proper application to do act for which license is required).

65 ALR2d 660 (right to attack validity of statute, ordinance, or regulation relating to occupational or professional license as affected by applying for, or securing, license).

93 ALR2d 90 (single or isolated transactions as falling within provisions of commercial or occupational licensing requirements).

#### Key Number Digests:

Physicians and Surgeons C-5(1).

## NOTES OF DECISIONS

In enacting laws to govern treating sick and afflicted, it was intention of legislature to prohibit holders of restricted licenses from practicing branches of art of healing not embraced within subjects on which licensee had been examined, and which by his certificate he was authorized to practice. State v Houck (1949) 32 Wn 2d 681, 203 P2d 693.

**18.50.030 Exemptions.** 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.

## LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 12 p 721.  
See RRS § 10185.

## CROSS REFERENCES

Gratuitous services exempted: RCWA 18.50.010.

## COLLATERAL REFERENCES

51 Am Jur 2d Physicians, Surgeons, and Other Healers, §§ 28, 29, 82, 83

CJS Physicians and Surgeons § 6 et seq.

## Attorney General's Opinions:

Ops Atty Gen 1917-1918, p 271 (acts within exemption not requiring a license to practice midwifery).

## Key Number Digests:

Physicians and Surgeons §5(1).

**18.50.040 Application—Eligibility requirements.** Any person seeking to be examined shall present to the said director, at least ten days before the commencement of the said examination, a written application on a form or forms provided by the said director setting forth under affidavit the name, age, nativity, residence, moral character and time spent in obtaining a common school education or its equivalent; that the candidate has received a certificate or diploma from a legally incorporated school on midwifery in good standing, granted after at least two courses of instruction of at least seven months each in different calendar years 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 ap-

## 18.50.040 BUSINESSES AND PROFESSIONS

plicant was graduated. Foreign applicants must present with the application a translation of the foreign certificate or diploma made by and under the seal of the consulate of the country in which the said certificate or diploma was issued. The application must be endorsed by a duly registered reputable physician of the state of Washington.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 2 p 717.  
See RRS § 10175.

### CROSS REFERENCES

Examination fee: RCWA 18.50.050.

### COLLATERAL REFERENCES

Am Jur 2d Occupations, Trades, and Professions §§ 17-21, Physicians, Surgeons, and Other Healers §§ 29, 82, 83.  
CJS Physicians and Surgeons § 12.

### Annotations:

65 ALR2d 660 (right to attack validity of statute, ordinance, or regulation relating to occupational or professional license as affected by applying for, or securing, license).

### Key Number Digests:

Physicians and Surgeons 4.

**18.50.050 Application—Examination fee.** If the application is approved and the candidate shall have deposited an examination fee determined by the director as provided in RCW 43.24.085 as now or hereafter amended with the director, the candidate shall be admitted to the examination, and in case of failure to pass the examination, may be reexamined at any regular examination within one year without the payment of an additional fee, said fee to be retained by the director after failure to pass the second examination.

### LEGISLATIVE HISTORY

1. Enacted Laws 1917 ch 160 § 3 p 718.
2. Amended by Laws 1st Ex Sess 1975 ch 30 § 51, (1) omitting "the sum of fifteen dollars as" after "deposited"; and (2) adding "determined by the director as provided in RCW 43.24.085 as now or hereafter amended".

See RRS § 10176.

18.46.010 BUSINESS AND PROFESSIONS

CHAPTER 18.46—MATERNITY HOMES

18.46.010 Definitions

(1) "Maternity home" means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, That this chapter shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

(3) "Department" means the state department of social and health services.

(4) "Board" means the state board of health.

[Amended by Laws 1979 ch 141 § 32, effective March 27, 1979.]

CHAPTER 18.50—MIDWIFERY

Reviser's note: "Director" and "director of licensing" have been substituted for "board", "board of medical examiners" and "secretary of the board" throughout this chapter, since the state board of medical examiners was abolished by 1921 c 7 § 135 and its powers and duties were transferred to the director of licenses by 1921 c 7 § 96, which powers and duties subsequently devolved to the business and professions administration within the department of licensing. See chapter 43.34 RCWA.

18.50.060 Examination

The director of licensing is hereby authorized and empowered to execute the provisions of this chapter and shall hold examinations in midwifery on the first Monday in January and July, at such places as the director may select, from ten o'clock a. m. to five o'clock p. m., and at such other times as the said director may deem expedient. The examinations may be oral, written, or both, and shall be in the English language; if desired in any other language, an interpreter may be provided by said director upon notification of the director at least ten days before examination. The cost of said interpreter shall be defrayed by the applicant for the license.

Examinations shall be held on the following subjects:

- (1) Anatomy of pelvis and female genital organs.
- (2) Physiology of menstruation.
- (3) Diagnosis and management of pregnancy.
- (4) Diagnosis of foetal presentation and position.
- (5) Mechanism and management of normal labor.
- (6) Management of puerperium.
- (7) Injuries to the genital organs following labor.
- (8) Septic and antiseptic in relation to labor.
- (9) Special care of the bed and lying in room.
- (10) Hygiene of mother and infant.
- (11) Asphyxiation, convulsions, malformation and infectious diseases of the new-born.
- (12) Causes and effects of ophthalmia neonatorum.
- (13) Abnormal conditions requiring attention of a physician.

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CHAPTER 18.46—MATERNITY HOMES

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...me" means any home, place, hospital or institution in  
...maintained for the care of four or more women, not related  
...to the operator, during pregnancy or during or within  
...ry: *Provided, however,* That this chapter shall not apply  
...ved by the American College of Surgeons, American Osteo-  
...its successor.  
...any individual, firm, partnership, corporation, company,  
...stock association, and the legal successor thereof.  
...means the state department of social and health services.  
...the state board of health.  
...1979 ch 141 § 22, effective March 27, 1979.]

CHAPTER 18.50—MIDWIFERY

...Director" and "director of licensing" have been substituted  
...of medical examiners" and "secretary of the board" through-  
...the state board of medical examiners was abolished by  
...its powers and duties were transferred to the director of li-  
...96, which powers and duties subsequently devolved to the  
...ions administration within the department of licensing. See

...nation  
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...chapter and shall hold examinations in midwifery on the  
...uary and July, at such places as the director may select,  
...m. to five o'clock p. m., and at such other times as the  
...seem expedient. The examinations may be oral, written, or  
...in the English language; if desired in any other language,  
...be provided by said director upon notification of the  
...in days before examination. The cost of said interpreter  
...the applicant for the license.  
...ll be held on the following subjects:  
...lvis and female genital organs.  
...menstruation.  
...management of pregnancy.  
...foetal presentation and position.  
...management of normal labor.  
...of puerperium.  
...genital organs following labor.  
...diseases in relation to labor.  
...of the bed and lying in room.  
...mother and infant.  
...n, convulsions, malformation and infectious diseases of the  
...effects of ophthalmia neonatorum  
...ditions requiring attention of a physician.

(14) Requirements of the vital statistics laws pertaining to the reporting of births and the rules of the state board of health relative to ophthalmia neonatorum or other infectious diseases of the newborn.

Said examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery and the director may require examination on other subjects relating to midwifery from time to time. All application papers shall be deposited with the director and there retained for at least one year, when they may be destroyed.

If said examination is satisfactory, said director shall issue to such candidate a license entitling the candidate to practice midwifery in the state of Washington: *Provided,* That said license shall not authorize the holder to prescribe any drugs or medicine except some household remedy after the birth of the infant.

[Amended by Laws 1979 ch 158 § 43, effective March 30, 1979.]

18.50.120 Unlawful practice—Penalties

Practice of assisting pregnant women to give birth to their children through "natural childbirth" constitutes the practice of obstetrics which drugless healers are prohibited from performing. *Griffith v Department of Motor Vehicles, State of Wash. (1979) 23 Wn App 722, 598 P2d 187.*

CHAPTER 18.51—NURSING HOMES

Resident care, operating standards: RCWA Chapter 76.42.

18.51.005 Purpose

Department of social and health services is required to enforce federal regulations relating to Medicaid, but the procedure for decertification is left to

the states. *Valley View Convalescent Home v Department of Social & Health Services (1979) 24 Wn App 192, 599 P2d 1812.*

18.51.007 Legislative intent—1975 Int ex.s.c. 99

Department of social and health services, in revoking appellant's nursing home license and Medicaid certification, failed to follow proper statutory procedure, where the notices of revocation and decertification accompanied the department's statements of deficiencies, and both notices imposed revocation with no time period for correction. *Valley View Convalescent Home v De-*

partment of Social & Health Services (1979) 24 Wn App 192, 599 P2d 1812.

Department of social and health services may not revoke a nursing home's license or its Medicaid certification without giving the home the opportunity to correct deficiencies or to show compliance. *Valley View Convalescent Home v Department of Social & Health Services (1979) 24 Wn App 192, 599 P2d 1812.*

18.51.060 Denial, suspension, revocation of license or provisional license—Penalty

The department is authorized to deny, suspend, or revoke a license or provisional license or, in lieu thereof or in addition thereto, assess monetary penalties of a civil nature not to exceed one thousand dollars per violation in any case in which it finds that the applicant, or licensee, or any partner, officer, director, owner of five percent or more of the assets of the nursing home, or managing employee:

(1) Failed or refused to comply with the requirements of this chapter or the standards, rules and regulations established hereunder; or

(2) Was the holder of a license issued pursuant to this chapter, which was revoked for cause and never reissued by the department, or which license

## COLLATERAL REFERENCES

51 Am Jur 2d Physicians, Surgeons, and Other Healers ¶ 29, 82, 83.  
CJS Physicians and Surgeons ¶ 12.

## Key Number Digests:

Physicians and Surgeons 64

**18.50.060 Examination.** The director of licenses is hereby authorized and empowered to execute the provisions of this chapter and shall hold examinations in midwifery on the first Monday in January and July, at such places as the director may select, from ten o'clock a. m. to five o'clock p. m., and at such other times as the said director may deem expedient. The examinations may be oral, written, or both, and shall be in the English language; if desired in any other language, an interpreter may be provided by said director upon notification of the director at least ten days before examination. The cost of said interpreter shall be defrayed by the applicant for the license.

Examinations shall be held on the following subjects:

- (1) Anatomy of pelvis and female genital organs.
- (2) Physiology of menstruation.
- (3) Diagnosis and management of pregnancy.
- (4) Diagnosis of foetal presentation and position.
- (5) Mechanism and management of normal labor.
- (6) Management of puerperium.
- (7) Injuries to the genital organs following labor.
- (8) Sepsis and antisepsis in relation to labor.
- (9) Special care of the bed and lying-in room.
- (10) Hygiene of mother and infant.
- (11) Asphyxiation, convulsions, malformation and infectious diseases of the newborn.
- (12) Causes and effects of ophthalmia neonatorum.
- (13) Abnormal conditions requiring attention of a physician.
- (14) Requirements of the vital statistics laws pertaining to the reporting of births and the rules of the state board of health relative to ophthalmia neonatorum or other infectious diseases of the newborn.

Said examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery and the

## 18.50.060 BUSINESSES AND PROFESSIONS

director may require examination on other subjects relating to midwifery from time to time. All application papers shall be deposited with the director and there retained for at least one year, when they may be destroyed.

If said examination is satisfactory, said director shall issue to such candidate a license entitling the candidate to practice midwifery in the state of Washington: *Provided*, That said license shall not authorize the holder to prescribe any drugs or medicine except some household remedy after the birth of the infant.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 4 p 718.  
See RRS § 10177.

### REVISER'S NOTE

The last paragraph of 1917 c 160 § 4 reads: "If said examination is satisfactory, said board shall issue to such candidate a license with the certified copy signed by its president and secretary, and attested by its seal, entitling the candidate to practice midwifery in the state of Washington: *Provided*, That said license shall not authorize the holder to prescribe any drugs or medicine except some household remedy after the birth of the infant." This paragraph has been changed to refer to the "director of licenses" as the board of medical examiners was abolished and its powers and duties transferred to the director of licenses, which powers and duties subsequently devolved to the business and professional administration within the department of motor vehicles. See note following Title 18 RCW digest.

Department of motor vehicles redesignated department of licensing by 1977 1st ex.s. c 334. See RCW 46.01.020.

### COLLATERAL REFERENCES

51 Am Jur 2d Physicians, Surgeons, and Other Healers § 29, 32, 33  
CJS Physicians and Surgeons § 12

Key Number Digests:

Physicians and Surgeons C-4.

**18.50.070 Recording license—Penalty for failure.** Every person holding a license authorized in this chapter must have the same recorded in the office of the county clerk in the county in which the holder is practicing her profession, and the fact of such recording shall be endorsed on the certificate by the county clerk recording the same. Every such person, on a change of her residence, must have the license recorded in the county to which she shall have removed. The absence of such record shall be prima facie evidence of the want of possession of such certificate; and any person practicing midwifery in this state without

## MIDWIFERY

18.50.100

first having filed her certificate with the county clerk as herein provided, shall be deemed guilty of a misdemeanor.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 5 p 719.  
See RRS § 10178.

### CROSS REFERENCES

Failure to record license as ground for revocation: RCWA 18.50.100.  
Records of county clerk: RCWA 18.50.080.

### COLLATERAL REFERENCES

51 Am Jur 2d Physicians, Surgeons, and Other Healers ¶ 29, 82, 83.  
CJS Physicians and Surgeons ¶ 6 et seq.

#### Key Number Digests:

Physicians and Surgeons C-5(1).

**18.50.080** Recording.—County clerk's duties. The county clerk shall keep in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the record, and such book shall be open to public inspection during his office hours.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 6 p 721.  
See RRS § 10179.

### COLLATERAL REFERENCES

51 Am Jur 2d Physicians, Surgeons, and Other Healer ¶ 29, 82, 83.  
CJS Physicians and Surgeons ¶ 15, 23.

#### Key Number Digests:

Physicians and Surgeons C-5(4).

**18.50.100** Refusal and revocation of license.—Grounds.—Hearing. Said director may refuse to grant or may revoke any license herein provided for, for any of the following reasons: Persistent inebriety; the practice of criminal abortion; the commission of any crime involving moral turpitude; presentation of a certificate or diploma for registration or license illegally obtained; application for examination under fraudulent misrepresentation; neglect or refusal to make proper returns to the health officer or health department of births or of puerperal contagion or infectious diseases within the required limit of time; failure to record her license with the clerk of the county

## 18.50.100 BUSINESSES AND PROFESSIONS

In which the licentiate resides or practices; failure to secure the attendance of a reputable physician in a case of miscarriage, hemorrhage, abnormal presentation or position, retained placenta, convulsions, prolapse of the cord, fever during parturient stage, inflammation or discharge from the eyes of a new-born infant, or whenever there are any abnormal or unhealthy symptoms in either the mother or the infant during labor or the puerperium.

In complaints of violations of the provisions of this section, the accused shall be furnished with a copy of the complaint and be given a hearing before said director in person or by attorney. Any midwife refused admittance to the examination or whose license has been revoked who shall attempt or continue the practice of midwifery, shall be subject to the penalties hereinafter prescribed.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 160 § 7 p 720  
See RRS § 10180 and former RCW 18.50.100, 18.50.110.

### CROSS REFERENCES

Abortion: RCWA Chapter 902  
Administrative procedure: RCWA Title 34  
Fraud: RCWA 9A.80.010 to 9A.80.150

### COLLATERAL REFERENCES

Ar. Jur 2d Administrative Law ¶ 37.426, Constitutional Law ¶ 294, Health ¶ 51, Physicians, Surgeons, and Other Healers ¶ 29, 44 et seq, CJS Physicians and Surgeons ¶ 16.

#### Forms:

16 Am Jur 11 & Pr Forms (Rev ed), Licenses and Permits, Forms 21, 23-26

#### Annotations:

109 ALR 1450 (what offenses involve moral turpitude within statute providing grounds for revoking license).

113 ALR 1179 (what amounts to a conviction or satisfies requirement as to showing of conviction within statute making conviction a ground for refusing to grant or for canceling a license).

115 ALR 2, 12, 139 ALR 627, 632 (prohibition as means of controlling administrative or executive boards or officers in granting or revoking licenses).

165 ALR 1139 (license as revocable for fraud or other misconduct before, or at the time of, its issuance).

166 ALR 575 (stay pending review, of judgment or order revoking or suspending a professional, trade or occupational license).

## MIDWIFERY

18.50.120

3 ALR2d 107 (validity of statute or rule which makes specified conduct a ground for cancellation or suspension of license irrespective of licensee's personal fault).

18 ALR2d 553 (administrative decision or finding based on evidence secured outside of hearing, and without presence of interested party or counsel).

18 ALR2d 606 (administrative decision by officer not present when evidence was taken).

73 ALR2d 939 (power of administrative agency to reopen and reconsider final decision as affected by lack of specific statutory authority).

97 ALR2d 1210 (disqualification, for bias or interest, of member of occupation or profession sitting in license revocation proceeding).

36 ALR3d 12 (comment note on hearsay evidence in proceedings before state administrative agencies).

56 ALR3d 1191 (pardon as restoring public office or license or eligibility therefor).

### Key Number Digest:

Physicians and Surgeons 6-11 et seq.

**18.50.120 Unlawful practice—Penalties.** Any person hereafter practicing midwifery in this state without first complying with the provisions of this chapter, shall be guilty of a misdemeanor and shall be punished by fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment in the county jail for not less than ten days nor more than six months, or both, at the discretion of the court.

### LEGISLATIVE HISTORY

Enacted Laws 1917 ch 100 § 9 p 720

See RLS § 10132.

### COLLATERAL REFERENCES

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 75-84

CJS Physicians and Surgeons § 20

### Annotations:

13 ALR2d 157 (failure to obtain occupational or business license or permit as defense to tort action).

20 ALR2d 1223 (recovery back of money voluntarily paid to unlicensed person required by law to have occupational or business license or permit to make contract).

90 ALR2d 7 (right to enjoin business competitor from unlicensed or otherwise illegal acts of practice).

90 ALR2d 634 (punishing medicine, surgery, dentistry, optometry, podiatry, or other healing arts without license as a separate or continuing offense).

### Key Number Digest:

Physicians and Surgeons 6-6(17)

**18.50.130**    **BUSINESSES AND PROFESSIONS**

**18.50.130**    "Certificate" and "license" synonymous. The words "certificate" and "license" shall be known as interchangeable terms in this chapter.

**LEGISLATIVE HISTORY**

Enacted Laws 1917 ch 160 § 11 p 721.  
See RRS § 10184.

**COLLATERAL REFERENCES**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 9 et seq.  
CJS Physicians and Surgeons § 15, 23.

**Key Number Digests:**

Physicians and Surgeons C-514 .

**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.

**LEGISLATIVE HISTORY**

Enacted Laws 1917 ch 160 § 10 p 721.

**COLLATERAL REFERENCES**

61 Am Jur 2d Physicians, Surgeons, and Other Healers § 17.  
CJS Physicians and Surgeons § 3 et seq.

**Key Number Digests:**

Physicians and Surgeons C-2.

March 23, 1981

Mr. Charles Parr  
Dept. of Health and Social Services  
Juneau, Alaska 99811

Dear Mr. Parr,

I am writing as one of the many who will be directly affected by senate bill #237.

I understand that this bill will effectively eliminate trained and qualified lay people from helping in any way in natural childbirth in the home.

Alaska in particular has a heritage resting on childbirth at home, and of lay midwives assisting at this time.

Is it true that the medical association now feels it has the authority to legislate where a child will be born, as though the hospital with it's pool of dangerous pathogens is the only safe place to give birth to a child? This belief was exposed as erroneous by the National Center for Disease Control at Denver. That study also pointed out that the well screened woman and her child did better giving birth at home because of having built up immunity to those germs in her own environment.

Is it necessarily true that a doctor who often arrives on the scene at the moment of birth is giving better care than a lay midwife, there thru all the labor and delivery, coaching the mother so that she can give birth to her child without drugs?

This bill won't stop couples from having their child at home, it will only serve to increase the risk of home birth by preventing qualified lay midwives from assisting them.

I have found from experience that couples prepare for home birth almost from the moment of conception. These mothers are in training for the upcoming birth; nutritionally, physically and emotionally. They enroll in childbirth classes, they read everything they can get their hands on, and they bond as a family unit. Wouldn't it be better to applaud these couples, not censure them by passing a restrictive bill?

I appreciate the time you have taken in reading this, and I hope this matter can receive your thoughtful consideration.

Sincerely,

Charlotte M. Davis

*Charlotte M. Davis*

*Bill 237 SA  
March 27, 1981  
575-1298*

(303)  
837-4741

the center for disease says  
they didn't do a study - they  
transferred me to

Dr. Nora

(303) 837-4664

837-4664?

who will call back tomorrow  
(Friday)

Dr. Don McNeill's  
Ob. consultant D.C.  
443-3163  
Rockville, Maryland

not good data - no required recording  
will send some info.

Valid question re: alternatives  
to hospital births —

1) who does prenatal?

V.D. tests

nutrition (sufficient Fe)  
protein  
calcium

2) what about PKU tests?

3) any requirements to register home births?

4) AgNi? ~~test~~ in baby's eyes  
AgN . Silver Nitrate

# Home birth

By Jessica J. Hollowell

At the beginning of this century, home birth, with a doctor or mid-wife in attendance, was the single choice for most women. Giving birth in a hospital was an alternative only for well-to-do urban dwellers, usually those with a private physician on the payroll.

The trend has changed over the past 80 years. Scientific advances in medicine and improvements in hospital care have all but eliminated childbirth-related deaths for both mother and child. Group insurance programs have made it economically feasible for average Americans to receive hospital care.

During the 1940's more and more women began checking into hospitals to have their babies. Women now expect to give birth in this setting. In fact, only a handful of births occur, by choice, out of the well-advertised safety of hospital delivery rooms.

## Home sweet home

Hospital birthing, while admittedly safe and convenient in most cases, is not the only alternative for prospective parents in the 80's. While the pendulum has not swung all the way back, many couples now look at home birthing as an inexpensive, relatively safe and emotionally fulfilling experience.

Recently, a Valley woman chose home birth for both her fourth and fifth child. "It was great. With my husband up on the slope, I would have had a hard time arranging for a babysitter at midnight. As it happened, the kids were all asleep and I just had the baby on the couch."

Home birth may sound like a lonely process, but in fact it involves many people. Most important in most home birthing situations is the immediate family. Husbands and siblings prepare, along with the mother, for the momentous event. They become familiar with the birth process and learn breathing and relaxation techniques.

Mothers normally visit a physician, in the months prior to delivery, who may also serve as medical back-up in home birth cases. A birth attendant or a mid-wife usually helps with the delivery itself.

## Contra-indications

Not all women are suitable home birth candidates, according to Valley resident Yvonne Watkins, author of *Better Home Birth*. High risk factors often eliminate home delivery as a viable choice. For instance, anyone over 40 or under 16 years of age should not try home birth. A mother with heart or kidney disease is precluded from home birth. Likewise, anyone experiencing heavy bleeding before birth or who has exhibited an abnormal presentation should enter the hospital for delivery.

A mother who has undergone pre-natal examination and been pronounced fit for home delivery still needs to prepare to go to the hospital, in case of emergency. Watkins, who attended more than 400 home births before moving to Alaska, listed several preparations for a possible hospital visit in her book:

- ✓ Make arrangements for using the same room for labor, birth and recovery, if possible.
- ✓ Try to arrange to keep the baby for an hour or so directly after birth, to get acquainted, before the baby is subjected to hospital routine. Father and children should be present at that time, as well.
- ✓ Have the husband and/or coach there at all times.
- ✓ Choose a hospital with immediate rooming-in, if possible.
- ✓ Hold the baby close and cuddle immediately after birth. Nurse the baby as soon as possible after delivery.

**...some dads deliver their own babies...**

**Getting into the act**

The attitude toward involving family members, especially the proud papa, in the special moment of childbirth has changed drastically over the past 40 years. Many hospitals offer child-birth classes for expectant couples. They often include "natural" child-birth instruction to prepare couples for teamwork in the delivery room.

For the first time, perhaps in history, men have moved into the delivery room, whether at home or in the hospital, as an integral part of the childbirth process. In the Valley Hospital, said Carolyn Brown, obstetrician, "We let the dad become as involved as he wants. Most cut the cord and some actually deliver their own babies."

**Back to nature**

Brown encourages natural procedures, she said. She uses no drugs, unless previously discussed with the patient. Most low-risk mothers are encouraged to labor and deliver in the same room, thereby saving about \$150. No standard preps are used and most women do not undergo episiotomy, the cutting and subsequent stitching of the perineum to enlarge the vaginal area.

"We like the mothers to stabilize at least six hours following birth. Any problems are likely to occur within that time," she said. If everything checks out favorably, the dad can cut the cord and deliver the baby.

# ing -times have changed



## Gambling on home delivery

Brown does not attend or back up home births, although some Anchorage area doctors will do so. "I try to discourage women from home deliveries, but I do not deny pre-natal care to anyone." She points out the potential difficulties, as she sees them. However, about 20 percent of the women she sees opt for home birth, she said.

Brown's major complaint against home delivery is the five percent of birth difficulties likely to present themselves only at the last moment. If the expectant mother is ready to give birth in her Talkeetna home when a problem arises, it may be too late to get her to the hospital, she said.

## ...husbands and kids share in the joy...

Brown is also concerned with the credentials of so-called birth attendants or mid-wives in Alaska. "There are no certified mid-wives doing home deliveries in Alaska." Those who are certified, by a national mid-wifery organization, deliver babies in hospitals here.

Governor Jay Hammond recently introduced a bill into the Senate to provide for the licensing of midwives in Alaska.

Eventually Brown hopes to have a birth attendant, sometimes called physician assistant, working in her practice. An assistant could take care of normal deliveries, histories and physical exams of patients. "I would not have a male assistant," she said, "because I believe women have a better feeling toward the childbirth process."

## At home in the hospital

Brown tries to give women a home birth atmosphere within the confines of a hospital setting, she said. If she wants to deliver on a bed, and there are no contraindications, it is arranged. Some women deliver on their sides, others squatting. One woman, gave birth on a bean bag chair.

Two family members or friends are permitted in the delivery room with the mother. "One mother had her 16-year-old daughter deliver the baby. We eventually we hope to have young children in on the birth too."

At the Valley Hospital, Carolyn Brown strives for safe babies and safe mothers in a family atmosphere.

## Legislation enters picture

Governor Jay Hammond recently introduced a bill into the Alaska State Senate to provide for regulation of midwives, or the delivery of children by persons other than doctors.

The intent of the bill is protection of the public when unforeseen medical emergencies arise. Many midwives in the state are fearful of seeking medical assistance when complications develop during delivery. The legislation would clear up legal uncertainties, said an administration news release.

"We don't want them to be afraid to turn to physicians or hospitals when it is necessary," the governor said.

The bill requires any unlicensed person who assists at child delivery for compensation to be authorized to do so by the State Medical Board or the Board of Nursing. It further requires the setting up of regulations to carry out that process.

## BRUISERS

Healthy home born babies, (shown above, left) seven-month old Paul and three-year-old Sean Sundvik smile brightly for the camera. Both weighed over 10 lbs. at birth. (Photo by Jessica J. Hollowell)

Table 21  
 Infant Mortality Rate<sup>1</sup>  
 Northern Alaska, Alaska, United States  
 1970-1978

	Year	Northern Alaska	Alaska <sup>4</sup>	United States <sup>5</sup>
Infant Mortality <sup>2</sup>	1970	24.9	23.4	20.0
	1971	18.6	18.3	19.1
	1972	15.3	17.0	18.5
	1973	18.7	19.9	17.7
	1974	19.1	18.8	16.7
	1975	13.9	14.3	16.1
	1976	17.9	16.1	15.2
	1977	16.6	14.8	14.1
	1978 <sup>6</sup>	13.5	13.9	13.6
	Neonatal <sup>3</sup>	1970	12.4	15.3
1971		13.4	12.6	14.2
1972		10.9	11.1	13.6
1973		14.0	13.3	13.0
1974		13.9	12.4	12.3
1975		10.9	9.4	11.6
1976		9.0	9.2	10.9
1977		10.9	8.2	19.9
1978		6.7	8.6	9.4

<sup>1</sup> Per 1,000 Births

<sup>2</sup> <1 Year (includes neonatal)

<sup>3</sup> <28 Days

<sup>4</sup> State Health Plan for Alaska, Volume II, Data Appendix, Statewide Health Coordinating Council, April, 1979.

<sup>5</sup> Monthly Vital Statistics Report, Provisional Statistics, Annual Summary for the United States, 1978. U.S. Department of Health, Education, and Welfare. National Center for Health Statistics, Vol. 27, No. 13. Hyattsville, August 13, 1979.

<sup>6</sup> 1978 Vital Statistics: Births and Deaths. Draft. Office of State Health Planning and Development, October 1979.

# Childbirth bill draws criticism

by Dave Carpenter  
Times Writer

Juneau — Health groups and home childbirth advocates around the state are up in arms over legislation they claim would virtually outlaw home births in Alaska.

The bill would prohibit anyone without a license to practice medicine from assisting in childbirth unless authorized to do so by the state Medical Board.

Its effect, according to adamant opponents, would be to all but require women to bear their children in a hospital — a charge physicians insist is unjustified.

The legislation, introduced in the Senate this month at the board's request, has refueled an emotional dispute between home birth advocates and the medical profession.

"If this bill were to pass, it would be horrible," Susan Faulk, president of a non-profit organization called

BABE — Better Alaskans' Birth Experiences — said Friday from Anchorage.

"Home birth is really a beautiful thing. It's (the legislation) against our basic human rights," she added.

Dr. Patton Pettijohn, an Anchorage physician who practices naturopathy — a system of health care stressing nutrition and physical therapy and rejecting the use of drugs — heartily agrees.

"I don't think the government has the right to dictate whether parents have the right to have a baby at home or not," said Pettijohn. "I think this is the intent of the bill."

The two Anchorage residents are among what Faulk says is a substantial number of Alaskans who have begun lobbying against the legislation.

The bill, SB237, makes some changes in the definitions and regulation of medical licensing. It comes

at a time when the number of homebirths nationally are on the increase and when several states are loosening making it easier for women to give births in their homes.

The measure is expected to be addressed in early April at hearings of the Senate Health, Education and Social Services Committee, chaired by Fairbanks Democrat Charlie Parr. Gov. Jay Hammond had it introduced on behalf of the Medical Board.

Physicians, saying they're leery of taking on the opponents on what is literally a motherhood issue, appear reluctant to discuss the bill publicly. But the chairman of the state Medical Board said Friday that it's "not the primary intent" of the legislation to do away with homebirths.

"We're trying to come up with a more comprehensive definition of the practice of medicine," board chairman Dr. Jeffrey Partnow said

from his Fairbanks office.

"It would allow us to do our job of licensing and investigations, should they become necessary . . . I don't think it's the intention of the medical board to put anybody out of business."

One physician, commenting only after being assured anonymity, said the issue has become so heated it pits two "armed camps" against each other.

The doctor said the medical community and state board, if facing loud and numerous objections to the bill, probably would allow the disputed portions to be removed or amended to ensure childbirth assistance rights for midwives and others.

The physician said backers of the bill are interested in consumer protection — not doctor protection, as home birth defenders claim.

"With the current atmosphere of (See BIRTHS, page A-3)

(Continued from page A-1)

the two sides glaring at each other over a pregnant belly, if there ends up being a problem (at birth), the appropriate medical care sometimes ends up being put off indefinitely or perhaps never rendered," the physician said.

"We just want to ensure that if the child gets sick or the mother hemorrhages, there's some way we can ensure that medical help would be possible."

The bill states that no unlicensed person may assist at childbirth for compensation unless "authorized under regulation of the board or if licensed or subject to regulations adopted" under Alaska statutes.

Faulk and Pettijohn said there is only one physician in Alaska — Dr. Peter Rosi of Sitka — who delivers babies at homes. Rosi was indicted

in 1979 but acquitted a year later in connection with an infant death that occurred 21 hours after a home birth.

"If medical doctors would deliver at home, there wouldn't be so much objection," said Pettijohn, who calls home birth safer and more comfortable for mothers than giving birth in a hospital.

Faulk also pointed out that the average home birth costs \$300, compared with \$2,000 for the average hospital costs for bearing a child.

"You can understand why the doctors are concerned — every time a person has a child at home means 2,000 bucks they don't get," she said.

Hammond, however, in a letter sent to the Senate explaining the bill, said the intent is to protect the public by better regulating the care of pregnant women.

SB 237

Anch Times 3/21/81

Family-Centered Birth, Inc.  
of Juneau, Alaska

Board of Directors:

Ms. Becky Bear  
Ms. Melinda Lee  
Ms. Mary Alice McKeen  
Mr. David Ottoson  
~~Ms. Lyn Rice~~

Advisors:

Ms. Margaret Crawford  
Ms. Pam Findley  
Ms. Bonnie Lang  
Mr. Richard Lee  
Dr. Will McCreight

Family Centered Birth, Inc.--Who are we? We are a group of persons who have joined together because of a shared personal interest and commitment to family-centered maternity care. We are concerned with the physical, mental, emotional and social aspects of family-oriented maternity care--with primary emphasis on self-responsibility. Our primary goal is to establish an alternative maternity care center here in Juneau.

The concept of a birth center perhaps needs some clarification. For Family-Centered Birth, Inc., the following provisions must be included:

Our Birth Center will:

- 1) provide comprehensive maternity care to low-medical risk women in a home-like, out-of-hospital setting.
- 2) view Birth as a safe, family-centered, and personally meaningful event.
- 3) regard the prospective parents as being primarily responsible for the event of birth; encourage this role.
- 4) provide information, explanation, and education on all aspects of pregnancy, birth, and becoming a parent.
- 5) lower health care costs for child-bearing families.
- 6) seek to uphold a philosophy of non-intervention in birth.

We are very much in the planning stages at this time, but would like to give you a general idea of the make-up of a birth center in Juneau. Therefore we have attached a rudimentary outline of our plans.

## Birth Center Plans

(tentative as of Jan. 1981)

- 1) Services: Comprehensive maternity care (prenatal, labor and birth, Post-partum)  
Education opportunities (classes, discussions, library)  
Referral of high risk medical cases to a physician  
Routine lab work  
Newborn and infant check-ups  
Family planning
- 2) Physical Plans: The birth center will be located within a short drive of Bartlett Memorial Hospital (about 5 minutes). The center would provide a clean, home-like setting with safety back-up equipment and sufficient space for examination rooms, birthing rooms, living room, group meeting room, office, bathrooms, laundry, and kitchen facilities.
- 3) Staffing: The birth center will be directed by a certified nurse-midwife. Other staff would include consulting physician(s), nurses, and/or midwives. Volunteers for reception, clerical, and teaching will be solicited. The board of directors will take an active role with administration.
- 4) Equipment: General Furnishings and birth supplies; oxygen, resuscitation equipment, emergency drugs, radiant heated bassinet, external fetal monitor, IV equipment with blood expanders.
- 5) Clientele: Rigorous screening and referral of any high-risk pregnancy to a physician at any point of pregnancy, labor, or birth. Controlled caseloads to provide personalized and quality maternity care.
- 6) Support Services: We will seek outside services for the following:  
Emergency during labor and birth-Bartlett Memorial Hospital  
Extensive Lab Work-B.M.H.  
Physician back-up in case of transfer to BMH.  
Physician available for 24-hour telephone consultation  
Transportation by private car or van will always be present for emergency transfer.
- 7) Finances: The birth center will be private, non-profit.  
Clients will be charged for services rendered. Bills can also be worked off if prior arrangements are made.  
Third party reimbursement will be sought (legislation required right now)  
Monies available from state or local sources will be explored.

Family-Centered Birth, Inc. • 1670 Evergreen • Juneau, Alaska 99801 • tele: 526-3236

Any inquiries about our plans are welcome. We are looking for support, volunteers, a residence, and advice. Write or call.

state  
hospital  
association

319 Seward St., Juneau, Alaska 99801 (907) 586-1790  
REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

SB 237

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Executive Director  
Dennis L. DeWitt  
Juneau

March 25, 1981

TO: Senator Charlie Parr  
FROM: Dennis L. DeWitt, Executive Director  
SUBJECT: Average Maternity Charge at Alaska Hospitals

The attached reflects a telephone survey of Alaska State Hospital Association members asking the cost of a routine maternity stay. Average daily service charge in Alaska is approximately \$200.00 so the figures would be adjusted by at least that should the stay be more or less than 3 days.

I hope that this is helpful to you in your deliberations.

FACILITY	AVERAGE MATERNITY COST	Maternity cost of
Alaska Hospital / Anchorage Birthing Center	900.00 - average	
Alaska Hospital	1,500.00 - 3 Days	
Bartlett (Juneau)	800.00	
Central Peninsula (Soldotna)	550.00	
Cordova	1,500.00 - 3 Days	
Fairbanks	1,000.00 - 3 Days	
Faith (Clemson)	850.00 - 3 Days	
Ketchikan	1,300.00 - 24 Hours	
Kodiak	600.00	
North Star (Homer)	1,700.00 - 3 Days includes Doctor	
Petersburg	550.00 - 24 Hours	
Yukon-Charley (Nikolai)	1,200.00 - 2 or 3 Days	
Seward	800.00 - 2 Days	
Sitka	1,100.00 - 2 Days	
South Peninsula (Homer)	550.00 - 24 Hours	
Valdez	1,000.00 - 2 Days	



Federal Office Building  
1961 Stout Street  
Denver CO 80204

SB 237  
April 8, 1981

Ms. Rocky Weller  
Senate H.E.S.S. Committee  
Pouch 5  
Juneau, Alaska 99811

Dear Ms. Weller:

As per our telephone conversation, I am sending you materials regarding home births. The first is a discussion which appeared in the University of Colorado Department of Pediatrics newsletter (Vol. 1, No. 2) with three references cited.

The second is a publication of the Michigan Department of Public Health on parental perspectives of home births.

I hope this information will be of help to you.

Sincerely,

Audrey H. Nora, M.D., M.P.H.  
Regional Program Consultant,  
Maternal and Child Health

Enclosures

Home delivery is one of the most emotion-packed questions confronting perinatal medicine today in this country. It is currently estimated by the American College of Obstetrics and Gynecology that 1% of all deliveries in the United States today are accomplished away from a hospital. The reasons for this increased interest in home birth stems from a number of factors. More and more women today and entire families for that matter, feel that the normal course of labor and delivery in a hospital setting is far from the happy family-oriented event that childbirth is supposed to be. A quick walk through most of the labor and delivery suites in American hospitals would certainly confirm this. Many women view home delivery as a way of circumventing the emotion and physical discomforts often encountered in hospital birth. Another growing problem in the Denver area is the reluctance of Oriental immigrants, specifically Vietnamese and Laotian, to come to the hospital for delivery. One question many of these women express is a fear of being forced to deliver by Caesarean section if they come to the hospital. Also relevant to them is the fact that most deliveries in their country of origin are

accomplished in something other than a hospital setting. Whatever the reason for the increasing incidence of home birth may be, the primary question that has to be addressed is simply - Is it safe? If in fact it is deemed to be unsafe, then the other question of whether or not parents have the right to make that decision for the infant must be raised. Another question in connection with this is simply - If it is felt by the medical community at large to be an unsafe procedure, then who is to be held liable if in fact a major complication should occur? In San Luis Obispo, California, a lay midwife was recently indicted on felony charges for practicing medicine without a license and second degree murder in connection with the death of a newborn infant following delivery at home. (Reference 1)

In answering these two questions, I feel it is safe to say that most neonatologists in this community feel in fact that home delivery is not safe. I certainly support this feeling and would go one step further in saying that people who assist in such home deliveries should in fact be held liable under the law if complications occur that would not have occurred had the infant been delivered in an appropriate setting.

Literature can be found today which can support whichever side of the question you choose to be on. A study on home delivery published in the British Journal of Obstetrics & Gynecology in 1977 would seem to confirm my suspicions regarding the increased hazard to the infant if he is born at home. (Reference 2) On the other hand, the Institute for Childbirth and Family Research in Berkeley, California, recently reported in the Journal of Reproductive Medicine the outcome of a series of over 1,000 home births which showed no significant increase in perinatal mortality. It is important when looking at this study, however, to recognize the fact that this was a self-selected medical screen of a very low risk population with medical facility back-up. In 1978 the American College of Obstetrics and Gynecology published in their Newsletter the results of an inquiry to various states concerning their perinatal mortality for inhospital and out-of-hospital deliveries. The four states who were able to record accurate data were Iowa, California, Oklahoma and Kansas. Their figures concerned the years 1975-76. In all four cases there was at least a doubling of perinatal mortality among infants born out of hospital. In fact, in the state of Kansas perinatal mortality jumped from 19.9/1,000 for inhospital deliveries to 103.7/1,000 for out-of-hospital deliveries. This represents a 500% difference in perinatal outcome. In 1976 the Vital Records Division of the State of Colorado was able to identify 296 non-hospital deliveries. There were 11 infant deaths among that group, showing an infant mortality of 37.2/1,000 as opposed to the overall inhospital delivery mortality of 13.0/1,000. It is obvious that the argument is endless. The more liberal of our citizenry in this matter complains that we are violating the rights of parents by interfering in their choice as to where and under what circumstances to bring their children into the world. Quite often our counter-argument that they have no right to make the decision concerning their unborn child's wellbeing falls on deaf ears. The consensus of cold facts, however, indicates that perinatal mortality increases in both low and high risk populations who choose to deliver in a non-hospital environment. An interesting point that we have recently noticed at DGH also indicates that certain forms of perinatal morbidity increase in addition to mortality. With the increase in numbers of Laotian and Vietnamese babies who are born at home and then brought to the hospital, we are finding an alarming increase in hyperviscosity among these infants. In looking at the same population who choose to deliver in the hospital, this problem has no greater incidence than that among the other populations that we serve.

In summary, I would say that the statement of the Maternal & Child Health Committee of the State Medical Society released in 1978 was perhaps one of the more sane