

HOUSE BILL REPORT

SHB 2084

*As Passed House
March 19, 1991*

Title: An act relating to nonphysician health practitioners.

Brief Description: Providing for clinical privileges and staff membership for nonphysician health practitioners.

Sponsor(s): By House Committee on Health Care (originally sponsored by Representatives Prentice, Cole, Brekke, Braddock, Anderson, Day and Leonard).

Brief History:

Reported by House Committee on:
Health Care, March 6, 1991, DPS;
Passed House, March 19, 1991, 66-32.

**HOUSE COMMITTEE ON
HEALTH CARE**

Majority Report: *That Substitute House Bill No. 2084 be substituted therefor, and the substitute bill do pass.* Signed by 7 members: Representatives Braddock, Chair; Day, Vice Chair; Casada, Assistant Ranking Minority Member; Cantwell; Morris; Prentice; and Sprenkle.

Minority Report: *Do not pass.* Signed by 4 members: Representatives Moyer, Ranking Minority Member; Edmondson; Franklin; and Paris.

Staff: Bill Hagens (786-7131).

Background: Despite the increases in the numbers of persons eligible for state-fund care and raises in physician fees as provided by the First Steps, a serious lack of maternity health care providers is still a major obstacle.

Although the state licenses two categories of midwives, the certified nurse midwife and licensed midwife, access to hospital privileges is very limited for these health providers.

Presently, there are Medicaid recipients who are enrolled in managed health care programs who could benefit from midwifery, if the contracting agencies would include midwifery as part of their coverage.

Presently, funds are not readily available for midwifery scholarship or loan repayment programs.

Summary of Bill: Procedures are statutorily established to permit certified nurse midwives, 123 in the state, and licensed midwives, 156 in the state, to obtain hospital clinical privileges and staff membership.

Presently, only doctors of medicine, osteopathy, and podiatry have a statutorily expressed right to apply for privileges. In other cases, privileging is addressed through hospital by-laws.

If an application is made, the hospital has 120 days to grant or deny the privileges. Due process procedures are established for a denial of application.

Clinical privileges determination shall be based on the applicant's education, training, experience, and demonstrated competence within the scope of practice. Hospitals must develop standards to guard against discrimination.

The Department of Social and Health Services is required to explore incentives for participating Medicaid managed health care agencies to contract with midwives who practice in the geographic area covered by the agreement.

The Heirloom Birth Certificate Program is expanded. The Department of Health is required to aggressively promote sales. Proceeds will be divided between the Washington Council for the Prevention of Child Abuse and Neglect, the current recipient, and a midwife scholarship and loan repayment program is established.

Fiscal Note: Requested February 22, 1991.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Midwives are used extensively throughout the world with great success. They can be a great asset, especially in provider-shortage areas. Malpractice occurrences have been very low for midwives.

Testimony Against: This process is counter to the usual hospital privileges practices. There is too much of a burden placed upon the hospital in this procedure. Standards for licensed midwives are not uniform. Midwives need much supervision.

Witnesses: Representative Jones (pro); Dave Broderick, Washington State Hospital Association (con); Sharon MacTavish, Washington Hospital Insurance Fund (con); Robert Smithing and Claire Foote, Washington State Nurses Association (pro); Dr. Kathy Carr, American College of Nurse-Midwives (pro); Dr. Sam Bradley, Deshutes Psychological Association (pro); Sandra Weeks and Marthe Butzen, Midwives Association of Washington State (pro); Janel Morris (pro); Elaine Donaldson (pro); Cliff Webster, Washington State Medical Association (con); and Cliff Finch, Association of Washington Business (con).