

## POSITION STATEMENT

### Statutory and Regulatory Language Differentiating Scope of Practice/Practice Authority by Practice Setting

The American College of Nurse-Midwives (ACNM) is the standard-setting professional association representing certified nurse-midwives (CNMs) and certified midwives (CMs) in the United States. The mission of ACNM is to support midwives, advance the practice of midwifery, and achieve optimal, equitable health outcomes for the people and communities midwives serve through inclusion, advocacy, education, leadership development, and research. This mission requires the development of a diverse, sustainable midwifery workforce, facilitated by appropriate statutes and regulations that establish midwifery as a standard of care and that increase equitable access to midwifery care.

ACNM affirms the following:

- Midwifery practice is governed by a set of criteria and processes iterated in statutes and rules that define practice authority based on education, certification, and professional standards, not on practice setting or site of birth.
- Midwifery regulation is guided by the framework defined by the International Confederation of Midwives (ICM).<sup>1</sup> The ICM regulatory framework supports midwives working autonomously within their full scope of practice to ensure public safety and access to a competent and autonomous midwifery workforce. By raising the status of midwives through statutes and regulations, the standard of care and the health of the population are improved.
- Statutes and/or regulations for CNMs and CMs in the United States should be based solely upon the definition and scope of practice established by ACNM's *Core Competencies for Basic Midwifery Practice*<sup>2</sup> and *Standards for the Practice of Midwifery*,<sup>3</sup> which are consistent with or exceed the global competencies and standards for the practice of midwifery as defined by the ICM.<sup>4</sup>
- ACNM is opposed to statutory and/or regulatory language that differentiates the allowed scope of practice and/or practice authority based on birth site or practice setting rather than credentials and education.

#### Background

All CNMs and CMs earn graduate degrees, complete a midwifery education program accredited by the Accreditation Commission for Midwifery Education (ACME), and pass a national certification examination administered by the American Midwifery Certification Board (AMCB) to receive their professional designation of CNM/CM.<sup>5</sup> To maintain the designation

---

of CNM or CM, midwives must be recertified every 5 years through AMCB and meet specific continuing education requirements.<sup>6</sup>

#### Midwifery as practiced by certified CNMs and CMs

*encompasses the independent provision of care during pregnancy, childbirth, and the postpartum period; sexual and reproductive health; gynecologic health; and family planning services, including preconception care. Midwives also provide primary care for individuals from adolescence throughout the lifespan as well as care for the healthy newborn during the first 28 days of life. Midwives provide care for all individuals who seek midwifery care, inclusive of all gender identities and sexual orientations. Midwives provide initial and ongoing comprehensive assessment, diagnosis, and treatment. They conduct physical examinations; independently prescribe medications including but not limited to controlled substances, treatment of substance use disorder, and expedited partner therapy; admit, manage, and discharge patients; order and interpret laboratory and diagnostic tests; and order medical devices, durable medical equipment, and home health services. Midwifery care includes health promotion, disease prevention, risk assessment and management, and individualized wellness education and counseling. These services are provided in partnership with individuals and families in diverse settings such as ambulatory care clinics, private offices, telehealth and other methods of remote care delivery, community and public health systems, homes, hospitals, and birth centers.*<sup>5</sup>

Independent midwifery enables CNMs and CMs to use their knowledge, skills, judgment, and authority in the provision of primary health services while maintaining accountability for the management of health care in accordance with ACNM standards. CNMs and CMs practice in collaboration and consultation with other health care professionals within the context of the larger health care system.<sup>7</sup> ACNM and the American College of Obstetricians and Gynecologists are in agreement that the highest-quality and most seamless systems of care are those that foster collaboration among licensed, independent providers.<sup>8,9</sup>

People have the right to access high-quality care by providers who are authorized to practice autonomously to the fullest extent of their education and certification in any setting or birth site. Nearly half of all US counties have no obstetricians or midwives who provide maternity care services, and there are worsening shortages of maternity care providers nationwide.<sup>10</sup> ACNM remains committed to expanding access to high-value, high-quality sexual, reproductive, and newborn health care services, which can be achieved only when a qualified workforce is fully used. Proposals to regulate midwifery practice based on practice setting or birth site rather than provider credentials, education, and scope of practice contradict international standards on midwifery regulation, national midwifery certification, professional practice standards, and expert recommendations, creating unnecessary barriers to care.<sup>11-13</sup>

## REFERENCES

1. International Confederation of Midwives. *Global Standards for Midwifery Regulation* (2011). Published 2011. Accessed July 15, 2022.  
<https://internationalmidwives.org/assets/files/regulation-files/2018/04/global-standards-for-midwifery-regulation-eng.pdf>
2. American College of Nurse-Midwives. ACNM core competencies for basic midwifery practice. Approved March 20, 2020. Accessed July 15, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/00000000050/ACNMCoreCompetenciesMar2020\\_final.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/00000000050/ACNMCoreCompetenciesMar2020_final.pdf)
3. American College of Nurse-Midwives. Standards for the practice of midwifery. Updated 2022. Accessed July 15, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/00000000051/2022\\_standards-for-the-practice-of-midwifery.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/00000000051/2022_standards-for-the-practice-of-midwifery.pdf)
4. International Confederation of Midwives. Essential competencies for basic midwifery practice: 2019 update. Published October 2019. Accessed July 15, 2022.  
<https://www.internationalmidwives.org/assets/files/general-files/2019/11/poster-icm-competencies-en-screens--final-oct-2019.pdf>
5. American College of Nurse-Midwives. Definition of midwifery and scope of practice of certified nurse-midwives and certified midwives. Updated December 2021. Accessed July 15, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000266/Definition%20Midwifery%20Scope%20of%20Practice\\_2021.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000266/Definition%20Midwifery%20Scope%20of%20Practice_2021.pdf)
6. American College of Nurse-Midwives. Certified nurse-midwife and certified midwife education and certification in the United States. Updated May 2022. Accessed July 15, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000077/\(FORMATTED\)%202022\\_Midwives%20of%20ACNM%20Midwifery%20Education%20and%200Certification%20in%20the%20United%20States.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000077/(FORMATTED)%202022_Midwives%20of%20ACNM%20Midwifery%20Education%20and%200Certification%20in%20the%20United%20States.pdf)
7. American College of Nurse-Midwives. Position statement: independent midwifery practice. Updated March 2022. Accessed July 15, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000073/\(FORMATTED\)%202022%20Independent%20Midwifery%20Practice.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000073/(FORMATTED)%202022%20Independent%20Midwifery%20Practice.pdf)
8. American College of Nurse-Midwives, American College of Obstetricians and Gynecologists. College statement of policy as issued by the College Board of Directors. Joint statement of practice relations between obstetrician–gynecologists and certified nurse-midwives/certified midwives. Updated November 2022. Accessed November 22, 2022.  
[https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000224/87Joint%20Statement%20of%20Practice%20Relations%20Btw%20ACNM%20and%20ACOG-Nov2022\\_FINAL.pdf](https://www.midwife.org/acnm/files/acnmldata/uploadfilename/000000000224/87Joint%20Statement%20of%20Practice%20Relations%20Btw%20ACNM%20and%20ACOG-Nov2022_FINAL.pdf)
9. Jennings JC, Nielsen P, Buck ML, et al. Collaboration in practice: implementing team-based care. Task Force on Collaborative Practice, American College of Obstetricians and Gynecologists; 2016. Accessed July 15, 2022. <https://www.acog.org/-/media/project/acog/acogorg/clinical/files/task-force-report/articles/2016/collaboration-in-practice-implementing-team-based-care.pdf>
10. Rayburn WF. *The Obstetrician-Gynecologist Workforce in the United States: Facts, Figures, and Implications, 2017*. American Congress of Obstetricians and Gynecologists; 2017.

---

11. Committee on the Robert Wood Johnson Foundation Initiative on the Future of Nursing, at the Institute of Medicine. *The Future of Nursing: Leading Change, Advancing Health*. Institute of Medicine of the National Academies; 2010. Accessed July 15, 2022.

<https://nap.nationalacademies.org/read/12956/chapter/1>

12. Renfrew MJ, McFadden A, Bastos MH, et al. Midwifery and quality care: findings from a new evidence-informed framework for maternal and newborn care. *Lancet*. 2014;384(9948):1129-1145. doi:10.1016/S0140-6736(14)60789-3

13. ten Hoope-Bender P, de Bernis L, Campbell J, et al. Improvement of maternal and newborn health through midwifery. *Lancet*. 2014;384(9949):1226-1235. doi:10.1016/S0140-6736(14)60930-2

---

*Note.* Midwifery and midwives as used throughout this document refer to the education and practice of certified nurse-midwives (CNMs) and certified midwives (CMs) who have been certified by the American Midwifery Certification Board (AMCB).

*Source: ACNM Board of Directors*

*Approved by the ACNM Board of Directors: 2016*

*Revised: 2022*