



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

P.O. Box 110806
Juneau, Alaska 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

Notice Regarding Unlicensed Practice of Midwifery November 2024

At its April 10, 2024, meeting, the Board of Certified Direct-Entry Midwives raised concerns about unlicensed persons who may be performing practices for compensation that are reserved under state law for midwives and apprentices licensed or permitted by the board under AS 08.65. This concern does not extend to individuals who may provide non-health care support during pregnancy or birth, such as doulas.

Current statute regarding the practice of midwifery includes:

AS 08.65.150. Prohibited practices.

Except as provided in AS 08.65.170, a person who is not certified under this chapter as a direct-entry midwife may not practice midwifery for compensation.

AS 08.65.170. Exclusions.

This chapter does not apply to a person

- (1) who is licensed as a physician in this state;
- (2) who is licensed as a certified nurse midwife by the Board of Nursing in this state.

AS 08.65.190. Definitions.

In this chapter, (3) "practice of midwifery" means providing necessary supervision, health care, preventative measures, and education to women during pregnancy, labor, and the postpartum period; conducting deliveries on the midwife's own responsibility; providing immediate postpartum care of the newborn infant, well-baby care for the infant through the age of four weeks, and preventative measures for the infant; identifying physical, social, and emotional needs of the newborn and the woman; arranging for consultation, referral, and continued involvement of the midwife on a collaborative basis when the care required extends beyond the scope of practice of the midwife; providing direct supervision of student and apprentice midwives; and executing emergency measures in the absence of medical assistance, as specified in regulations adopted by the board.

At this meeting, the board discussed drafting a request to change to state law to clarify certain situations in which unlicensed persons could practice elements of AS 08.65.190(3). Such a change would require action by the Alaska State Legislature. In subsequent meetings, the board discussed their timeline for pursuing this and other statutory changes.

Public input is important to this process. The board encourages any persons with an interest in this topic to attend future meetings of the board, which are noticed in the [Online Public Notice System](#) and on the board's [web page](#). Verbal and written comments on potential changes to state law are also encouraged: Verbal comments can be offered during the public comment section of a regular board meeting, and written comments can be emailed to midwives@alaska.gov.

Any individual or business seeking clarification should email staff at midwives@alaska.gov with their specific questions.

Reviewed by the Department of Law on October 25, 2024

Adopted by the Board of Certified Direct-Entry Midwives on November 27, 2024