

Course Syllabus

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Course Code: HON 390G

Course Title: Midwifery Laws and Regulations

Credits: 3.0

Course Description: This course outlines the important questions for students to understand about the legislation and regulations regarding midwifery nationally and in their local jurisdiction. These questions are designed as a guide for students to investigate their own laws know them intimately, and compare them with MANA guidelines. As midwifery laws are created on a state level, there is a wide range in state laws and it is on-going responsibility of the (student) midwife to stay informed of the legal issues in the student's state as they are often subject to change.

Learning Objectives

Learning objectives are identified through the linking of MEAC Essential Competencies and the NCM Degree Qualification Profile.

Learning Activities

Read, listen to, watch assigned lesson materials.

Submit a written summary of current research.

Complete oral and/or written formative didactic assessments with final summative submission.

Identify and cite high-quality sources.

Use articulated reasoning while participating in an oral presentation, facilitated discussions and skills demonstrations.

Community engagement demonstration

Conduct an interview and/or develop a survey

Create an infographic, handout, and/or community resource.

Perform a self-assessment and/or self-reflection on learning.

Develop a study aid.

Explain trends, relationships, and/or change.

Complete a final exam.

Note: The clinical requirement of NARM /Clinical Skills is completed at any time throughout the ASM apprenticeship during actual clinical practice and is NOT a requirement to complete this academic course. Typical clinical manifestations of knowledge learned in this course are identified in the learning objective document above.

Learning Materials / Resources:

1. Instructions for completion of **Informed Consent Form**
2. Citizens for Midwifery Website. 2019. www.cfmidwifery.org (http://www.cfmidwifery.org)
3. North American Registry of Midwives Website. 2019. Professional Development Documents: HIPAA for Midwives 101. <http://narm.org/professional-development/hipaa/> (http://narm.org/professional-development/hipaa/)
4. US Department of Health and Human Services Website. 2011. Understanding Health Information Policy. <http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html> (http://www.hhs.gov/ocr/privacy/hipaa/understanding/index.html)
5. Midwives Alliance of North America (MANA) website. 2019. Direct-entry state laws and regulations. <https://mana.org/about-midwives/state-by-state> (https://mana.org/about-midwives/state-by-state) and Midwifery Alliance Essential Documents <https://mana.org/about-midwives/professional-standards> (https://mana.org/about-midwives/professional-standards)
6. Runes, et al. *From Calling to Courtroom: A Survival Guide for Midwives*. Online book. 2004. www.fromcallingtocourtroom.net (http://www.fromcallingtocourtroom.net).
7. **NARM Comprehensive Skills, Knowledge, and Abilities Essential for Competent Midwifery Practice Verification Form 201a** (http://narm.org/pdffiles/AppForms/Form201a.pdf)
8. **MEAC Core Competencies for Midwives** (http://meacschools.org/wp-content/uploads/2014/12/Curriculum-Checklist-of-Essential-Competencies-rev-2014.pdf)
9. **Midwives Model of Care®** (http://cfmidwifery.org/mmoc/define.aspx)

(http://cfmidwifery.org/mmoc/define.aspx) Students must find 1 article/study less than 5 years old.

Recommended internet links as needed for latest developments in midwifery care:

- [The Cochrane Collaboration](http://www.cochrane.org/) (http://www.cochrane.org/)
- [EBSCO](http://ejournals.ebsco.com/login.asp?bCookiesEnabled=TRUE) (http://ejournals.ebsco.com/login.asp?bCookiesEnabled=TRUE)
- [National Library of Medicine](https://www.nlm.nih.gov/) (https://www.nlm.nih.gov/)
- [PubMed](https://www.ncbi.nlm.nih.gov/pubmed/) (https://www.ncbi.nlm.nih.gov/pubmed/)
- [ScienceDirect](http://www.sciencedirect.com/) (http://www.sciencedirect.com/)
- [Medscape](http://www.medscape.com/womenshealth) (http://www.medscape.com/womenshealth)
- [World Health Organization](http://www.who.int/en/) (http://www.who.int/en/)

Evaluation Tools / Methods:

The minimum passing grade for all courses is a cumulative 70% / C-. Grades are not recorded until both the student and preceptor submit end of trimester evaluations and in the case of general education courses supervision is completed

All assignments for this course are evaluated using the following criteria:

1. *Responses to each didactic assessment are evaluated utilizing the NCM rubrics and degree level profile.*
2. *Answers should reflect a thorough review of the current literature regarding best current practices in midwifery care.*

3. *Non-plagiarized paraphrased answers from the text which demonstrate appropriate comprehension of the learning objective. (Formative Assessment) Students and preceptors are encouraged to work together until the student masters the information. (Summative Assessment)*
4. *Random evaluation of cited sources and page numbers for each written assignment.*

Course credit: One Academic credit equals approximately 15 hours of formal time plus 30 hours of additional study or homework. Formal time is defined as the amount of time taken to answer the Learning Objectives to the level of 80% for midwifery courses and 70% for general education courses and to complete any learning activities to the preceptor's satisfaction, including any time spent face to face with the preceptor. Informal time includes any time spent actively reading relevant sources and textbook/s, researching Learning Objectives, and studying for examinations.

Course Summary:

Date	Details	
Tue Jul 25, 2017	 Office Hours (https://ncm.instructure.com/calendar?event_id=126&include_contexts=course_148)	8am to 9am
	 A Note on Community Building Activities (https://ncm.instructure.com/courses/148/assignments/7309)	
	 Client Handout about Current Applicable Laws and Regulations (https://ncm.instructure.com/courses/148/assignments/7324)	
	 Development of an Informed Consent Form (https://ncm.instructure.com/courses/148/assignments/11729)	
	 Exams and Quizzes (https://ncm.instructure.com/courses/148/assignments/7310)	
	 HON390G-001- Discuss some of the legal problems with being a “stealth” midwife. (https://ncm.instructure.com/courses/148/assignments/7210)	
	 HON390G-002 - Describe some of the ways that a “stealth” midwife might be exposed through positive or negative outcomes. (https://ncm.instructure.com/courses/148/assignments/7211)	
	 HON390G-003 - Discuss some of the problems with the term “alegal”. (https://ncm.instructure.com/courses/148/assignments/7212)	
	 HON390G-004 - Discuss how the Medical Practice Act governs midwifery practice in states where direct-entry midwifery is not regulated. (https://ncm.instructure.com/courses/148/assignments/7213)	
	 HON390G-005 - Discuss the implications of the practice of direct-entry midwifery in states where Nurse-midwifery is the only legal midwifery licensure available. (https://ncm.instructure.com/courses/148/assignments/7214)	
	 HON390G-006 - Discuss some of the problems that have occurred in recent years for midwives that are practicing in states where midwifery is “legal by statute, but licensure is unavailable”. (https://ncm.instructure.com/courses/148/assignments/7215)	

Date	Details
	 <u>HON390G-007 - Discuss the ways that a midwife might find out she is being investigated. (https://ncm.instructure.com/courses/148/assignments/7216)</u>
	 <u>HON390G-008 - Who are the entities that are likely to perform an investigation in a criminal matter? (https://ncm.instructure.com/courses/148/assignments/7217)</u>
	 <u>HON390G-009 - Who are the entities that are likely to perform an investigation in a civil matter? (https://ncm.instructure.com/courses/148/assignments/7218)</u>
	 <u>HON390G-010 - What is the principle purpose of the investigator in a crime? (https://ncm.instructure.com/courses/148/assignments/7219)</u>
	 <u>HON390G-011 - Discuss an individual's right to have their property searched with or without a warrant. (https://ncm.instructure.com/courses/148/assignments/7220)</u>
	 <u>HON390G-012 - Define appellate. (https://ncm.instructure.com/courses/148/assignments/7221)</u>
	 <u>HON390G-013 - Describe the two categories of criminal offenses. (https://ncm.instructure.com/courses/148/assignments/7222)</u>
	 <u>HON390G-014 - Describe the "burden of proof" in a criminal proceeding. (https://ncm.instructure.com/courses/148/assignments/7223)</u>
	 <u>HON390G-015 - List the six basic types of civil disputes. (https://ncm.instructure.com/courses/148/assignments/7224)</u>
	 <u>HON390G-016 - Discuss the concept of liability in civil proceedings. (https://ncm.instructure.com/courses/148/assignments/7225)</u>
	 <u>HON390G-017 - Discuss the meaning of "wrongful death" in a civil suit. (https://ncm.instructure.com/courses/148/assignments/7226)</u>
	 <u>HON390G-018 - Describe administrative law. (https://ncm.instructure.com/courses/148/assignments/7227)</u>
	 <u>HON390G-019 - Give an example of a codified law. (https://ncm.instructure.com/courses/148/assignments/7228)</u>
	 <u>HON390G-020 - Describe the relationship between a statute and an Act. (https://ncm.instructure.com/courses/148/assignments/7229)</u>
	 <u>HON390G-021 - Briefly define an administrative code. (https://ncm.instructure.com/courses/148/assignments/7230)</u>
	 <u>HON390G-022 - Discuss the concept of a "holding." (https://ncm.instructure.com/courses/148/assignments/7231)</u>
	 <u>HON390G-023 - What is the purpose of published case law books? (https://ncm.instructure.com/courses/148/assignments/7232)</u>
	 <u>HON390G-024 - When do federal courts have jurisdiction to decide state cases? (https://ncm.instructure.com/courses/148/assignments/7233)</u>

Date	Details
	 HON390G-025 - Under what jurisdiction do midwifery laws generally exist? (https://ncm.instructure.com/courses/148/assignments/7234)
	 HON390G-026 - Under what circumstances can a federal court hear a state case? (https://ncm.instructure.com/courses/148/assignments/7235)
	 HON390G-027 - Describe the function of trial courts. (https://ncm.instructure.com/courses/148/assignments/7236)
	 HON390G-028 - Describe the function of appellate courts. (https://ncm.instructure.com/courses/148/assignments/7237)
	 HON390G-029 - Describe the function of supreme courts. (https://ncm.instructure.com/courses/148/assignments/7238)
	 HON390G-030 - Discuss the function of a grand jury. (https://ncm.instructure.com/courses/148/assignments/7239)
	 HON390G-031 - What criminal charges are most often used against midwives practicing in states where direct-entry midwifery is not licensed? (https://ncm.instructure.com/courses/148/assignments/7240)
	 HON390G-032 - Define contempt of court. (https://ncm.instructure.com/courses/148/assignments/7241)
	 HON390G-033 - Discuss the purpose of a demand letter. (https://ncm.instructure.com/courses/148/assignments/7242)
	 HON390G-034 - List the stages of a civil court case. (https://ncm.instructure.com/courses/148/assignments/7243)
	 HON390G-035 - Discuss the stages of an administrative hearing. (https://ncm.instructure.com/courses/148/assignments/7244)
	 HON390G-036 - What are the options that administrative agencies have in enforcing regulations for non-licensed offenders? (https://ncm.instructure.com/courses/148/assignments/7245)
	 HON390G-037 - Discuss the Fifth Amendment. (https://ncm.instructure.com/courses/148/assignments/7246)
	 HON390G-038 - Discuss double jeopardy. (https://ncm.instructure.com/courses/148/assignments/7247)
	 HON390G-039 - What does HIPAA stand for? (https://ncm.instructure.com/courses/148/assignments/7248)
	 HON390G-040 - Briefly state how privacy is an ethical issue. (https://ncm.instructure.com/courses/148/assignments/7249)
	 HON390G-041 - How is protected health information (PHI) defined by HIPAA? (https://ncm.instructure.com/courses/148/assignments/7250)
	 HON390G-042 - Give some examples for situations where a midwife might need prior authorization for a release of information. (https://ncm.instructure.com/courses/148/assignments/7251)
	

Date	Details
	<p>HON390G-043 - Discuss when authorization is not necessary for “treatment purposes”. (https://ncm.instructure.com/courses/148/assignments/7252)</p>
	<p> HON390G-044 - Give a brief description of the security safeguards that are required within the Privacy Rule. (https://ncm.instructure.com/courses/148/assignments/7253)</p>
	<p> HON390G-045 - How does the HIPAA Security Rule address electronic billing? (https://ncm.instructure.com/courses/148/assignments/7254)</p>
	<p> HON390G-046 - What types of information transmission are covered under HIPAA? (https://ncm.instructure.com/courses/148/assignments/7255)</p>
	<p> HON390G-047 - List the specific areas that need to be addressed under a Notice of Privacy Practices document. (https://ncm.instructure.com/courses/148/assignments/7256)</p>
	<p> HON390G-048 - Briefly describe the guidelines for disclosure. (https://ncm.instructure.com/courses/148/assignments/7257)</p>
	<p> HON390G-049 - What are appropriate ways to insure that you are sending information to the correct person under HIPAA? (https://ncm.instructure.com/courses/148/assignments/7258)</p>
	<p> HON390G-050 - Give an example of how to provide the minimum amount of information necessary to achieve an interaction goal. (https://ncm.instructure.com/courses/148/assignments/7259)</p>
	<p> HON390G-051 - Discuss the role of a “privacy/security officer” in a midwifery practice. (https://ncm.instructure.com/courses/148/assignments/7260)</p>
	<p> HON390G-052 - Give an example of some common sense behaviors that can help midwives adhere to HIPAA. (https://ncm.instructure.com/courses/148/assignments/7261)</p>
	<p> HON390G-053 - Briefly summarize the HIPAA Security Rule. (https://ncm.instructure.com/courses/148/assignments/7262)</p>
	<p> HON390G-054 - Give an example of a common security breach of the Security Rule that can be prevented. (https://ncm.instructure.com/courses/148/assignments/7263)</p>
	<p> HON390G-055 - Describe how password protection can be used to protect client PHI. (https://ncm.instructure.com/courses/148/assignments/7264)</p>
	<p> HON390G-056 - Describe the used of “automatic shut-off” computer setting in protecting PHI. (https://ncm.instructure.com/courses/148/assignments/7265)</p>
	<p> HON390G-057 - Discuss how electronic PHI can be backed-up or stored in a way that is HIPAA compliant. (https://ncm.instructure.com/courses/148/assignments/7266)</p>
	<p> HON390G-058 - Discuss the role of encryption in protecting PHI. (https://ncm.instructure.com/courses/148/assignments/7267)</p>
	<p> HON390G-059 - Discuss how to properly dispose of paper containing PHI. (https://ncm.instructure.com/courses/148/assignments/7268)</p>

Date

**HON390G-060 - Discuss when a risk analysis should be done.**<https://ncm.instructure.com/courses/148/assignments/7269>**HON390G-061 - Describe a risk management plan.**<https://ncm.instructure.com/courses/148/assignments/7270>**HON390G-062 - Discuss the process set up by NARM to review a client complaint against a midwife.**<https://ncm.instructure.com/courses/148/assignments/7271>**HON390G-063 - What is the role of Peer review in the client complaint procedure?**<https://ncm.instructure.com/courses/148/assignments/7272>**HON390G-064 - Discuss what NARM's Grievance Mechanism addresses.**<https://ncm.instructure.com/courses/148/assignments/7273>**HON390G-065 - Discuss the implications for a CPM that fails to meet the NARM's requirements during the Grievance Mechanism proceeding.**<https://ncm.instructure.com/courses/148/assignments/7274>**HON390G-066 - Briefly summarize the skills set out by MANA in the Standards and Qualification document.**<https://ncm.instructure.com/courses/148/assignments/7275>**HON390G-067 - Briefly describe the nature of the equipment and treatment set out by MANA for CPMs.**<https://ncm.instructure.com/courses/148/assignments/7276>**HON390G-068 - Summarize MANA's recommendation for record keeping.**<https://ncm.instructure.com/courses/148/assignments/7277>**HON390G-069 - Summarize MANA's recommendation for data collection.**<https://ncm.instructure.com/courses/148/assignments/7278>**HON390G-070 - How does MANA define compliance with a health care jurisdiction?**<https://ncm.instructure.com/courses/148/assignments/7279>**HON390G-071 - Discuss MANA's recommendation for referral to other providers.**<https://ncm.instructure.com/courses/148/assignments/7280>**HON390G-072 - Discuss how MANA regards screening.**<https://ncm.instructure.com/courses/148/assignments/7281>**HON390G-073 - Describe some of the important aspects that must be included in disclosure for informed choice to be possible.**<https://ncm.instructure.com/courses/148/assignments/7282>**HON390G-074 - Discuss MANA's recommendation on the development of practice guidelines.**<https://ncm.instructure.com/courses/148/assignments/7283>**HON390G-075 - Discuss MANA's recommendation about expanding scope of practice.**<https://ncm.instructure.com/courses/148/assignments/7284>**HON390G-076 - Briefly discuss the purpose of the MANA Core Competencies (MCC).**<https://ncm.instructure.com/courses/148/assignments/7285>**HON390G-077 - Summarize the guiding principles of practice.**<https://ncm.instructure.com/courses/148/assignments/7286>

Date	Details
	<p> <u>HON390G-078 - Summarize the general knowledge and skills that should be possessed by a midwife.</u> (https://ncm.instructure.com/courses/148/assignments/7287)</p>
	<p> <u>HON390G-079 - Summarize the section on care during pregnancy that every midwife must perform.</u> (https://ncm.instructure.com/courses/148/assignments/7288)</p>
	<p> <u>HON390G-080 - Summarize the care during labor, birth and postpartum that a midwife must be able to provide.</u> (https://ncm.instructure.com/courses/148/assignments/7289)</p>
	<p> <u>HON390G-081 - Summarize the postpartum care that a midwife must provide.</u> (https://ncm.instructure.com/courses/148/assignments/7290)</p>
	<p> <u>HON390G-082 - Summarize the newborn care that midwives must provide.</u> (https://ncm.instructure.com/courses/148/assignments/7291)</p>
	<p> <u>HON390G-083 - Briefly discuss the professional and legal aspects that midwives must attend to.</u> (https://ncm.instructure.com/courses/148/assignments/7292)</p>
	<p> <u>HON390G-084 - Briefly summarize how midwives should provide well-person care and family planning.</u> (https://ncm.instructure.com/courses/148/assignments/7293)</p>
	<p> <u>HON390G-085 - Summarize MANA's position on access to Midwifery Care.</u> (https://ncm.instructure.com/courses/148/assignments/7294)</p>
	<p> <u>HON390G-086 - Summarize MANA's position on Midwifery Certification.</u> (https://ncm.instructure.com/courses/148/assignments/7295)</p>
	<p> <u>HON390G-087 - Summarize MANAs position on National Health Policy.</u> (https://ncm.instructure.com/courses/148/assignments/7296)</p>
	<p> <u>HON390G-088 - Summarize MANAs position on the decriminalization of Midwifery.</u> (https://ncm.instructure.com/courses/148/assignments/7297)</p>
	<p> <u>HON390G-089 - Summarize MANAs position on Intervention in Childbirth.</u> (https://ncm.instructure.com/courses/148/assignments/7298)</p>
	<p> <u>HON390G-090 - Summarize MANAs position on the Midwifery Relationship with women.</u> (https://ncm.instructure.com/courses/148/assignments/7299)</p>
	<p> <u>HON390G-091 - Summarize MANAs position on Policy Making and Resource Allocation.</u> (https://ncm.instructure.com/courses/148/assignments/7300)</p>
	<p> <u>HON390G-092 - Summarize MANAs position on Third-party Reimbursement.</u> (https://ncm.instructure.com/courses/148/assignments/7301)</p>
	<p> <u>HON390G-093 - Summarize MANAs position on Home Birth.</u> (https://ncm.instructure.com/courses/148/assignments/7302)</p>
	<p> <u>HON390G-094 - Summarize MANAs position on Midwifery Education.</u> (https://ncm.instructure.com/courses/148/assignments/7303)</p>
	<p> <u>HON390G-095 - Describe the law regarding midwifery in your jurisdiction.</u></p>

Date	Details
	(https://ncm.instructure.com/courses/148/assignments/7304)
	 HON390G-098 - Describe the regulations governing the practice of midwifery in your jurisdiction. (https://ncm.instructure.com/courses/148/assignments/7305)
	 HOW A BILL BECOMES A LAW AT THE STATE LEVEL (https://ncm.instructure.com/courses/148/assignments/7327)
	 Interview (https://ncm.instructure.com/courses/148/assignments/7323)
	 Journal Article Summary (https://ncm.instructure.com/courses/148/assignments/7311)
	 Learn about amicus curiae (https://ncm.instructure.com/courses/148/assignments/7329)
	 Learn Your Laws (https://ncm.instructure.com/courses/148/assignments/7321)
	 Legality in a Graph (https://ncm.instructure.com/courses/148/assignments/13050)
	 Optional Community Building Discussion: Comparing DEM Laws (https://ncm.instructure.com/courses/148/assignments/13052)
	 Optional Enrichment Activities (https://ncm.instructure.com/courses/148/assignments/13494)
	 Optional NARM Like Exam (https://ncm.instructure.com/courses/148/assignments/7717)
	 Optional: Create a Set of Flashcards to Study for the NARM Exam (https://ncm.instructure.com/courses/148/assignments/15121)
	 Promulgated (https://ncm.instructure.com/courses/148/assignments/7330)
	 Quizlet (https://ncm.instructure.com/courses/148/assignments/7322)
	 Real Life Application - Alabama (https://ncm.instructure.com/courses/148/assignments/7328)
	 State Legislation Updates (https://ncm.instructure.com/courses/148/assignments/7325)
	 Student Evaluation of Course and Instructor (https://ncm.instructure.com/courses/148/assignments/7307)
	 Support from State Organizations (https://ncm.instructure.com/courses/148/assignments/7331)
	 Updated Knowledge and Technology (https://ncm.instructure.com/courses/148/assignments/7319)
	 Upload Informed Consent Form (https://ncm.instructure.com/courses/148/assignments/7308)
	 What's Your Opinion? (https://ncm.instructure.com/courses/148/assignments/7326)