Readopt with amendments Mid 203.01, effective 11-10-16 (Document #12039), to read as follows:

Mid 203.01 Procedures for Submission and Processing of Complaints of Misconduct.

(a) Individuals wishing to complain of misconduct by a midwife certified by the council shall submit to the council a written complaint including the information described in (b) below.

(b) The complaint shall include:

1. The name and address of the complainant;
2. If the complaint is made on behalf of another person, the name of that person and the relationship of that person to the complainant;
3. The date of the complaint;
4. The name of the midwife complained against;
5. If known, the business address and telephone number of the midwife complained against;
6. A detailed description of the treatment, action, or event complained about;
7. The beginning and ending dates of the treatment, action, or event being complained about; and
8. As attachments, copies, but not originals, of any documents which relate to the complaint.

(c) Within 30 calendar days the council shall review the complaint and decide whether to dismiss the complaint or to begin an investigation of the allegations in the complaint.

(d) The council shall mail a copy of any complaint it has not dismissed to the midwife complained against.

(e) The council shall dismiss the complaint in a written notice to the complainant when:

1. The council has no authority to regulate the actions or omissions complained about; or
2. There is nothing in the complaint to suggest that the actions or omissions complained of may have constituted misconduct under RSA 326-D, the rules or an order of the council, or any statute within the authority of the council to enforce.

[(f) A complainant whose complaint has been dismissed shall have the right to challenge the dismissal through a hearing.]

Readopt with amendment Mid 302.05, Mid 303.01, and Mid 303.02 effective 11-5-18 (Document #12660), to read as follows:

Mid 302.05 Documentation Required to Support An Application for Initial Certification.

Applicants for a first certificate to practice midwifery shall submit the following documentation at the time of application:

(a) A photocopy of a high school diploma or evidence of completion of high school equivalent;
(b) A photocopy of the applicant’s current certificate as a CPM;

(c) Proof of having passed one college-level anatomy and physiology course or proof of receipt through examination of college-level credit in anatomy and physiology, in the form of:

   (1) An official transcript; or
   (2) An original signed letter issued by the registrar or records office of the institution awarding the college-level credit;

(d) Official transcripts from, or photocopies of diplomas received from, all colleges and universities attended, if any;

(e) Official transcripts from all midwifery schools and colleges attended, if applicable;

(f) A photocopy of the front and back of:

   (1) The applicant’s current cardiopulmonary resuscitation certificate, also known as basic life support for healthcare providers, issued by the American Heart Association;
   (2) The applicant's current certificate in adult cardiopulmonary resuscitation issued by the American Red Cross together with the [licensee's] applicant's current certificate in infant and child cardiopulmonary resuscitation issued by the American Red Cross; or
   (3) The applicant's current certificate in adult, child and infant cardiopulmonary resuscitation issued by Medic First Aid or by the American Safety and Health Institute;

(g) A copy of the front and back of the applicant’s current NRP provider card;

(h) A copy of the certificate completion of a course(s) in birth-related laceration repairs that are credentialed by one of the organizations listed in Mid 405.02(a)(2) or a copy of the transcript or module’s educational objectives or syllabus for birth-related laceration repairs from the program that prepared the applicant for CPM certification.

(i) The signed statement regarding the number of supervised birth-related laceration repairs from a representative of the program as described in Mid 303.02 (b)(3) or from the preceptor as described in Mid 303.02 (c ) (3)

[j] If applicable, a notarized affidavit disclosing criminal convictions;

[k] The names, addresses, phone number, and written references from at least 4 people, including at least 2 from certified or licensed health care professionals familiar with the applicant’s midwifery experience, and not more than one from a client, affirming the applicant’s competence and high standards in providing midwifery care;

(l) Written statements signed by a representative of the program which prepared the applicant for certification as a CPM or by the applicant's preceptor to document the fact that the applicant has satisfactorily performed supervised birth-related laceration repairs as required by Mid 303.02; and
For identification, a photocopy of the applicant’s current driver’s license, passport or other government-issued identification card bearing the applicant's picture.

Mid 303.01 Eligibility for Initial Certification. To be eligible for initial certification an applicant shall:

(a) Have completed high school or its equivalent;

(b) Hold a current certificate as a CPM;

(c) Have completed one college-level course in human anatomy and physiology, or received equivalent college-level credit through examination in anatomy and physiology;

(d) Hold current certificate(s) in adult, child and infant cardiopulmonary resuscitation issued by at least one of the following:

   (1) The American Heart Association;

   (2) The American Red Cross;

   (3) The American Safety and Health Institute; or

   (4) Medic First Aid;

(e) Hold a current certificate as a provider of neonatal resuscitation which shows that the applicant has successfully completed at least the following modules of the NRP provider course:

   (1) Introduction to the program;

   (2) Initial steps in resuscitation;

   (3) Use of a resuscitation bag and mask; and

   (4) Chest compressions;

(f) Show completion of a course in birth-related lacerations, or a copy of the transcript or module’s educational objectives or syllabus for birth-related laceration repairs from the program that prepared the applicant for CPM certification.

(g) Have not been convicted as an adult of the following, whether in NH or in another jurisdiction, unless the conviction was annulled, overturned or reversed on appeal:

   (1) A crime involving as a victim a minor, an individual with a disability or an elderly adult;

   (2) A violation of a controlled drug law;

   (3) A crime involving fraud or misrepresentation; or

   (4) A crime involving a violation of a fiduciary duty;
(h) Have no mental or physical condition preventing the applicant from the performance required of a midwife by Mid 500;

(i) Have made arrangements for medical back-up to support the applicant’s practice;

(j) Have made arrangements for:

1. Prenatal laboratory testing;
2. Newborn screening; and
3. Obtaining the medications permitted by law;

(k) Have performed [at least 5 satisfactory repairs of lacerations] birth-related laceration repairs in a manner deemed satisfactory by either a representative of the program which prepared the applicant for certification as a CPM or by the applicant's preceptor, as further described in Mid 303.02; and

(l) Meet the examination and examination-fee requirements of Mid 304.

Mid 303.02 Laceration Repairs.

(a) An applicant for certification shall have satisfactorily performed birth-related laceration repairs in the course of one or more programs which qualify as described in (b) –(d) below.

(b) The program which prepared the applicant for CPM certification shall be a program qualified under (a) above if the program:

1. Provided instruction in the assessment and techniques for birth-related laceration repairs;
2. Evaluated the applicant's competence at birth-related laceration repairs; and

(3) Has issued to the applicant, or will issue to the applicant, a statement signed by a representative of the program:

a. Identifying the representative's role in the program; and
b. Indicating the number of supervised, birth-related laceration repairs performed satisfactorily by the applicant.

(c) A preceptorship shall be a program qualified under (a) above if the applicant's preceptor:

1. Was, at the time of the preceptorship:
   a. A midwife certified in New Hampshire;
b. The holder of a license, certificate, permit or other approval to practice midwifery issued by any state, foreign country or province of a foreign country;

c. A CPM;

d. A CNM;

e. A CM; or

f. A physician with experience in the active practice of obstetrics and licensed in any state, foreign country or province of a foreign country;

(2) Instructed, supervised and evaluated the applicant's *birth-related* laceration repairs; and

(3) Has issued to the applicant, or will issue to the applicant, a signed statement:

a. Indicating which of the credentials in the list in (c)(1) above are the preceptor's credentials; and

b. Indicating the number of supervised, *birth-related* laceration repairs performed satisfactorily by the applicant.

(d) Courses in laceration repairs that are credentialed by one of the organizations listed in Mid 405.02(a)(2) shall be programs qualified under (a) above.

(4) Has documented a course in birth related laceration repairs either in the course of their training as a CPM or by one of the organizations listed in Mid 405.02(a)(2).
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