
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1255 Session of
2007

INTRODUCED BY WATERS, MYERS, JOSEPHS, BLACKWELL, EACHUS,
MANDERINO, PASHINSKI, SOLOBAY, FREEMAN, KULA, LEACH, MURT,
EVERETT, CONKLIN, GIBBONS, KORTZ, PICKETT, STABACK, JAMES,
SHAPIRO, CALTAGIRONE AND CURRY, MAY 10, 2007

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE, IN SENATE, AS AMENDED, JUNE 30, 2007

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; providing penalties;
9 and making repeals," further providing for nurse-midwife
10 license.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 35 of the act of December 20, 1985
14 (P.L.457, No.112), known as the Medical Practice Act of 1985, is
15 amended by adding a subsection to read:

16 Section 35. Nurse-midwife license.

17 * * *

18 (c) Authorization.--

19 (1) A nurse midwife is authorized to practice midwifery
20 pursuant to a collaborative agreement with a physician and

1 regulations promulgated by the board.

2 (2) A nurse midwife may, consistent with the midwife's <—
3 academic educational preparation WHO POSSESSES A MASTER'S <—
4 DEGREE and national certification MAY prescribe, dispense, <—
5 order and administer drugs, including legend drugs and
6 Schedule II through Schedule V controlled substances,
7 provided that the midwife demonstrates to the board that:

8 (i) The nurse midwife has successfully completed at
9 least 45 hours of coursework specific to advanced
10 pharmacology at a level above that required by a
11 professional nursing education program.

12 (ii) As a condition of biennial license renewal by
13 the board, a nurse midwife shall complete the continuing
14 education requirement as required by the act of May 22,
15 1951 (P.L.317, No.69), known as The Professional Nursing
16 Law. In case of a nurse midwife who has prescriptive
17 authority under this act, the continuing education
18 required by The Professional Nursing Law, shall include
19 at least 16 hours in pharmacology in that two-year
20 period.

21 (iii) The nurse midwife acts in accordance with a
22 collaborative agreement with a physician which shall at a
23 minimum identify the categories of drugs from which the
24 nurse midwife may prescribe or dispense and the drugs
25 which require referral, consultation or comanagement.

26 (iv) The nurse midwife acts in accordance with the
27 following restrictions:

28 (A) A nurse midwife shall not prescribe,
29 dispenses, order or administer a controlled substance
30 except for a woman's acute pain. In the case of a

1 Schedule II controlled substance, the dose shall be
2 limited to 72 hours and shall not be extended except
3 with the approval of the collaborating physician. In
4 the case of a Schedule III or IV controlled
5 substance, the prescription shall be limited to 30
6 days and shall only be refilled with the approval of
7 the collaborating physician.

8 (B) A nurse midwife shall prescribe, dispense,
9 order or administer psychotropic drugs only after
10 consulting with the collaborating physician.

11 (3) A nurse midwife may, in accordance with a
12 collaborative agreement with a physician and consistent with
13 the midwife's academic educational preparation and national
14 certification, prescribe, dispense, order and administer:

15 (i) Medical devices.

16 (ii) Immunizing agents.

17 (iii) Laboratory tests.

18 (iv) Therapeutic, diagnostic and preventative
19 measures.

20 (d) Collaborative agreements.--The physician with whom a
21 nurse midwife has a collaborative agreement shall have hospital
22 clinical privileges in the specialty area of the care for which
23 the physician is providing collaborative services.

24 Section 2. The State Board of Medicine shall promulgate
25 regulations to implement the amendment of section 35 of the act
26 within 12 months of the effective date of this act. The board
27 shall report every three months on the status of the regulations
28 to the Consumer Protection and Professional Licensure Committee
29 of the Senate and the Professional Licensure Committee of the
30 House of Representatives.

1 Section 3. This act shall take effect in 60 days.