

MEMO RE: CNM/LM Dual Licensure
Medical Board of California
Interested Parties Meeting



August 7, 2014

The California Nurse-Midwives Association is very glad to be at this “interested party” meeting. We have previously expressed our interest and trepidation about dual licensure at a Midwifery Advisory Council meeting earlier this year. Specifically, we asked the Board of Medicine and the Board of Nursing to clarify whether an individual holding dual licensure could work as an LM in some settings and a CNM in others. The Legal Affairs Division of the Department of Consumer Affairs sent a letter on June 30, that confirmed, yes, this is possible because LM and CNM practices are mutually exclusive, despite having significant overlap. The letter also clearly stated that both the BRN and the MBC have disciplinary jurisdiction over a dual-licensed midwife.

Today, we have two points that we’d like to share:

1. The “solution” of dual LM and CNM licensure is not a “solution” at all. CNMA recognizes that dozens of our members are seeking a pathway to practice without fear of BRN discipline in regard to unobtainable physician supervision. But this “work-around” is only necessary because of disparate and unscientific supervision laws for CNM practice in California. Removal of physician supervision for all certified nurse-midwives is our policy goal and the **best** way to resolve practice barriers and improve safety and quality of women’s health in California.
2. If the Medical Board is going to facilitate the LM licensure for CNMs, we ask that careful, thoughtful guidance be provided to answer some of the “gray areas” that we believe exist for a CNM/LM dual licensee. For example, can s/he switch roles within the course of care for a single patient, or does s/he choose one course of care per episode? Can s/he vary the role with each patient, for example GYN v OB care? Is there any legal precedent in California that requires an individual to be practicing according to all licensure/practice requirements for all licenses held?

We look forward to continuing to work with the Medical Board and the Board of Registered Nursing as this conversation moves forward.

Sincerely,

Kim Q. Dau, CNM MS
Chair, Health Policy Committee
California Nurse-Midwives Association

cc: Wende Owen, CNMA President