

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

742X0299

## SENATE BILL NO. 117

Introduced by: Senators Greenfield (Brock), Bradford, Haggar (Jenna), Jensen (Phil), Monroe, Olson, Rampelberg, and Shorma and Representatives DiSanto, Brunner, Campbell, Craig, Deutsch, Feickert, Greenfield (Lana), Haggar (Don), Haugaard, Holmes, Hunt, Klumb, Langer, Latterell, May, Munsterman, Qualm, Russell, Schaefer, Schoenfish, Sly, Tulson, Verchio, Wiik, and Zikmund

1 FOR AN ACT ENTITLED, An Act to permit the practice of midwifery by certain persons.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 36-9A be amended by adding a NEW SECTION to read:

4 This chapter does not prohibit the performance of the functions of a nurse midwife by an  
5 unlicensed person if performed:

6 (1) By a person who holds a current certified professional midwife credential  
7 administered by the North American Registry of Midwives (NARM), who holds a  
8 current license as a midwife under the laws of another state, and is practicing in an  
9 out-of-hospital setting in accordance with the current NARM job analysis and  
10 essential documents of the National Association of Certified Professional Midwives;

11 or

12 (5) By a certified professional midwife student enrolled in a program accredited by the  
13 Midwifery Education and Accreditation Council working under the direct supervision



1 of a preceptor approved by NARM which could include a licensed physician, a  
2 certified nurse midwife, or a certified professional midwife.

3 Section 2. That the code be amended by adding a NEW SECTION to read:

4 Section 1 of this Act is repealed on July 1, 2020.

5 Section 3. That the code be amended by adding a NEW SECTION to read:

6 There is hereby established in the state treasury a special midwife regulation fund to be used  
7 to fund the regulation of certified professional midwives in the state. The Department of Health  
8 shall deposit any gift, grant, devise, or bequest made or offered by any person for this purpose  
9 in the fund. The special midwife regulation fund shall be a separate and continuing fund, and  
10 no moneys in the fund may revert to the general fund. When a regulatory board or advisory  
11 committee is established to regulate certified professional midwives, the Department of Health  
12 shall transfer all moneys and interest in the fund to the regulatory board or advisory committee.