

New York Friends of Midwives

69 Van Dam Street, Saratoga Springs, New York 12866

MEMORANDUM IN SUPPORT

NYFOM STRONGLY SUPPORTS NYSALM'S PROPOSAL TO AMEND §6951 OF THE EDUCATION LAW TO ELIMINATE THE REQUIREMENT OF A WRITTEN PRACTICE AGREEMENT

What is NYFOM

New York Friends of Midwives is the largest consumer advocacy organization in NYS supporting the Midwives Model of Care and working to promote the availability of more midwives for more women in more settings. Research shows that the Midwives Model of Care, with its focus on wellness, prevention, continuity of care and individualized, woman-centered care improves outcomes and provides benefits to all women. Midwifery care is associated with excellent outcomes for mothers and babies, with many fewer medical interventions and complications, at far less cost.

What is the Written Practice Agreement

§6951 (1) of the Education Law allows licensed midwives in NYS to practice only pursuant to an agreement in writing with a doctor or hospital. The effect is to hold physicians ultimately responsible for the midwife's practice and to provide oversight of midwives by doctors, rather than to encourage the collaborative relationship that the letter and spirit of the law intended. While the law requires licensed midwives to have Written Practice Agreements, it does not require physicians to enter into such agreements, and many refuse to do so. While there are numerous reasons for this lack of participation by physicians, the practical result is that midwives in NYS, though duly licensed, cannot practice the profession of midwifery.

How the Written Practice Agreement Adversely Impacts Consumers

When licensed midwives are legally barred from practice due to the constraint imposed by the requirement of a Written Practice Agreement, consumers are denied access to the Midwives Model of Care that evidence shows is the safest and most effective model of care for the large majority of low-risk, healthy pregnant women. Elimination of the Written Practice Agreement as a prerequisite to the practice of midwifery would greatly enhance access to a number of health care services that midwives provide, particularly to women living in medically underserved communities where, often, there are very few and in some cases NO physicians available to sign such agreements. In addition, access to licensed midwives who provide out-of-hospital birth services to those low risk consumers who choose such services would increase.

New York Friends of Midwives has long identified the Written Practice Agreement as the primary barrier to consumers seeking the proven benefits of the Midwives Model of Care and strongly supports its elimination from the law.

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