

**HOUSE BILL NO. 334**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE KURKA**

**Introduced: 2/16/22**

**Referred: Labor and Commerce, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to midwives and the practice of midwifery; relating to apprentice**  
2 **midwives; relating to the licensing of midwives; relating to insurance requirements for**  
3 **the practice of midwifery; relating to fraternal benefit societies; and providing for an**  
4 **effective date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
7 to read:

8 LEGISLATIVE INTENT. It is the intent of the legislature to preserve the right of  
9 women to deliver children at home with licensed midwives, to remove obstacles for safe  
10 deliveries outside of hospitals, to assure quality care of pregnant women and the children they  
11 deliver, and to guarantee insurance coverage for home births.

12 \* **Sec. 2.** AS 08.01.010(17) is amended to read:

13 (17) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives  
14 (AS 08.65.010);

1 \* **Sec. 3.** AS 08.02.010(a) is amended to read:

2 (a) An acupuncturist licensed under AS 08.06, an audiologist or speech-  
 3 language pathologist licensed under AS 08.11, a behavior analyst licensed under  
 4 AS 08.15, a person licensed in the state as a chiropractor under AS 08.20, a  
 5 professional counselor licensed under AS 08.29, a dentist under AS 08.36, a dietitian  
 6 or nutritionist licensed under AS 08.38, a massage therapist licensed under AS 08.61,  
 7 a marital and family therapist licensed under AS 08.63, a medical practitioner or  
 8 osteopath under AS 08.64, a [DIRECT-ENTRY] midwife **licensed** [CERTIFIED]  
 9 under AS 08.65, a registered or advanced practice registered nurse under AS 08.68, an  
 10 optometrist under AS 08.72, a licensed pharmacist under AS 08.80, a physical  
 11 therapist or occupational therapist licensed under AS 08.84, a psychologist under  
 12 AS 08.86, or a clinical social worker licensed under AS 08.95, shall use as  
 13 professional identification appropriate letters or a title after that person's name that  
 14 represents the person's specific field of practice. The letters or title shall appear on all  
 15 signs, stationery, or other advertising in which the person offers or displays personal  
 16 professional services to the public. In addition, a person engaged in the practice of  
 17 medicine or osteopathy as defined in AS 08.64.380, or a person engaged in any  
 18 manner in the healing arts who diagnoses, treats, tests, or counsels other persons in  
 19 relation to human health or disease and uses the letters "M.D." or the title "doctor" or  
 20 "physician" or another title that tends to show that the person is willing or qualified to  
 21 diagnose, treat, test, or counsel another person, shall clarify the letters or title by  
 22 adding the appropriate specialist designation, if any, such as "dermatologist,"  
 23 "radiologist," "audiologist," "naturopath," or the like.

24 \* **Sec. 4.** AS 08.03.010(c)(8) is amended to read:

25 (8) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives  
 26 (AS 08.65.010) - June 30, **2026** [2023];

27 \* **Sec. 5.** AS 08.64.370 is amended to read:

28 **Sec. 08.64.370. Exceptions to application of chapter.** This chapter does not  
 29 apply to

30 (1) officers in the regular medical service of the armed services of the  
 31 United States or the United States Public Health Service while in the discharge of their

1 official duties;

2 (2) a physician or osteopath, who is not a resident of this state, who is  
3 asked by a physician or osteopath licensed in this state to help in the diagnosis or  
4 treatment of a case;

5 (3) the practice of the religious tenets of a church;

6 (4) a physician in the regular medical service of the United States  
7 Public Health Service or the armed services of the United States volunteering services  
8 without pay or other remuneration to a hospital, clinic, medical office, or other  
9 medical facility in the state;

10 (5) a person who is **a licensed** [CERTIFIED AS A DIRECT-ENTRY]  
11 midwife [BY THE DEPARTMENT] under AS 08.65 while engaged in the practice of  
12 midwifery whether or not the person accepts compensation for those services; **in this**  
13 **paragraph, "licensed midwife" has the meaning given in AS 08.65.190;**

14 (6) a physician licensed in another state who, under a written  
15 agreement with an athletic team located in the state in which the physician is licensed,  
16 provides medical services to members of the athletic team while the athletic team is  
17 traveling to or from or participating in a sporting event in this state.

18 \* **Sec. 6.** AS 08.65.010(a) is amended to read:

19 (a) There is established the Board of **Licensed** [CERTIFIED DIRECT-  
20 ENTRY] Midwives.

21 \* **Sec. 7.** AS 08.65.010(b) is amended to read:

22 (b) The board consists of five members appointed by the governor subject to  
23 confirmation by the legislature in joint session. Members serve for staggered terms of  
24 four years and, except as provided in AS 39.05.080(4), each member serves until a  
25 successor is appointed and qualified. The board consists of two members who are  
26 **licensed** [CERTIFIED] in this state as [DIRECT-ENTRY] midwives, **two members**  
27 **who are advanced practice registered nurses** [ONE PHYSICIAN LICENSED BY  
28 THE STATE MEDICAL BOARD IN THIS STATE WHO HAS AN OBSTETRICAL  
29 PRACTICE OR HAS SPECIALIZED TRAINING IN OBSTETRICS, ONE  
30 CERTIFIED NURSE MIDWIFE] licensed **under AS 08.68** by the Board of Nursing  
31 in this state **and who practice in an out-of-hospital setting,** and one public member.

1 \* **Sec. 8.** AS 08.65.030 is amended to read:

2 **Sec. 08.65.030. Duties and powers of board.** (a) The board shall

3 (1) **review applications for licenses to engage in the practice of**  
 4 **midwifery to determine whether the applicants satisfy the requirements of**  
 5 **AS 08.65.050** [EXAMINE APPLICANTS AND ISSUE CERTIFICATES TO THOSE  
 6 APPLICANTS IT FINDS QUALIFIED];

7 (2) adopt regulations **from time to time regarding the licensing**  
 8 [ESTABLISHING CERTIFICATION] and **license** [CERTIFICATE] renewal  
 9 requirements **for the practice of midwifery; the regulations must allow a person to**  
 10 **become a licensed midwife by any method allowed by the North American**  
 11 **Registry of Midwives**;

12 (3) issue permits to apprentice [DIRECT-ENTRY] midwives;

13 (4) hold hearings and order the disciplinary sanction of a person who  
 14 violates this chapter or a regulation of the board;

15 (5) supply forms for applications, licenses, permits,  
 16 [CERTIFICATES,] and other papers and records;

17 (6) enforce the provisions of this chapter and adopt regulations  
 18 necessary to make the provisions of this chapter effective;

19 (7) [APPROVE CURRICULA AND ADOPT STANDARDS FOR  
 20 BASIC EDUCATION, TRAINING, AND APPRENTICE PROGRAMS;

21 (8) PROVIDE FOR SURVEYS OF THE BASIC DIRECT-ENTRY  
 22 MIDWIFE EDUCATION PROGRAMS IN THE STATE AT THE TIMES IT  
 23 CONSIDERS NECESSARY;

24 (9) APPROVE EDUCATION, TRAINING, AND APPRENTICE  
 25 PROGRAMS THAT MEET THE REQUIREMENTS OF THIS CHAPTER AND OF  
 26 THE BOARD, AND DENY, REVOKE, OR SUSPEND APPROVAL OF THOSE  
 27 PROGRAMS FOR FAILURE TO MEET THE REQUIREMENTS;

28 (10)] adopt regulations establishing practice requirements for  
 29 [CERTIFIED DIRECT-ENTRY] midwives under AS 08.65.140.

30 (b) The board may by regulation require that a **licensed** [CERTIFIED  
 31 DIRECT-ENTRY] midwife undergo a uniform or random period of peer review to

1 ensure the quality of care provided by the **licensed** [CERTIFIED DIRECT-ENTRY]  
2 midwife.

3 \* **Sec. 9.** AS 08.65.040 is amended by adding new subsections to read:

4 (b) The regulations adopted by the board regarding the practice of midwifery  
5 must be consistent with this chapter and with the knowledge, skills, and job  
6 description requirements for the practice of midwifery established by the North  
7 American Registry of Midwives and the National Association of Certified  
8 Professional Midwives.

9 (c) The board may not adopt a regulation that

10 (1) requires a person to have a nursing degree or diploma to be  
11 licensed under this chapter;

12 (2) requires a licensed midwife to practice midwifery under the  
13 supervision of, or in collaboration with, another health care provider or a health care  
14 facility;

15 (3) requires a licensed midwife to enter into an agreement, whether  
16 written, oral, or in another form, with another health care provider or a health care  
17 facility; or

18 (4) limits the location where a licensed midwife may practice  
19 midwifery.

20 (d) In this section,

21 (1) "health care facility" has the meaning given in AS 18.35.399;

22 (2) "health care provider" has the meaning given in AS 09.65.300.

23 \* **Sec. 10.** AS 08.65.050 is amended to read:

24 **Sec. 08.65.050. Qualifications for license.** The board shall issue a **license**  
25 [CERTIFICATE] to practice [DIRECT-ENTRY] midwifery to a person who **holds a**  
26 **valid certified professional midwife certificate from the North American Registry**  
27 **of Midwives and**

28 (1) applies on a form provided by the board;

29 (2) pays the fees required under AS 08.65.100;

30 (3) furnishes evidence satisfactory to the board that the person has not  
31 engaged in conduct that is a ground for imposing disciplinary sanctions under

1 AS 08.65.110;

2 (4) **is certified in basic life support for health care providers**  
 3 [FURNISHES EVIDENCE SATISFACTORY TO THE BOARD THAT THE  
 4 PERSON HAS COMPLETED A COURSE OF STUDY AND SUPERVISED  
 5 CLINICAL EXPERIENCE; THE STUDY AND EXPERIENCE MUST BE OF AT  
 6 LEAST ONE YEAR'S DURATION]; **and**

7 (5) **is certified in the interventions used at the time of birth to**  
 8 **support the establishment of breathing and circulation of the newborn**  
 9 [SUCCESSFULLY COMPLETES THE EXAMINATION REQUIRED BY THE  
 10 BOARD].

11 \* **Sec. 11.** AS 08.65.080 is amended to read:

12 **Sec. 08.65.080. Renewal.** A **license** [CERTIFICATE] issued under  
 13 AS 08.65.050 [OR 08.65.070] expires on a date determined by the board and may be  
 14 renewed every two years upon payment of the required fee and the submission of  
 15 evidence satisfactory to the board that the **licensed** [CERTIFIED DIRECT-ENTRY]  
 16 midwife has met the continuing education requirements of the board **and holds a**  
 17 **valid certified professional midwife certificate from the North American Registry**  
 18 **of Midwives** [, HAS DEMONSTRATED CONTINUED PRACTICAL  
 19 PROFESSIONAL COMPETENCE UNDER REGULATIONS ADOPTED BY THE  
 20 BOARD, AND HAS NOT COMMITTED AN ACT THAT IS A GROUND FOR  
 21 DISCIPLINE UNDER AS 08.65.110].

22 \* **Sec. 12.** AS 08.65.090(a) is amended to read:

23 (a) The board shall issue a permit to practice as an apprentice [DIRECT-  
 24 ENTRY] midwife to a person who satisfies the requirements **for education, training,**  
 25 **and apprenticeship of the North American Registry of Midwives** [AS 08.65.050(1)  
 26 - (3) AND WHO HAS BEEN ACCEPTED INTO A PROGRAM OF EDUCATION,  
 27 TRAINING, AND APPRENTICESHIP APPROVED BY THE BOARD UNDER  
 28 AS 08.65.030]. A permit application under this section must include information the  
 29 board may require. The permit is valid for a term of two years and may be renewed in  
 30 accordance with regulations adopted by the board.

31 \* **Sec. 13.** AS 08.65.110 is amended to read:

1           **Sec. 08.65.110. Grounds for discipline, suspension, or revocation of**  
 2 **certification.** The board may impose a disciplinary sanction on a person holding a  
 3 **license** [CERTIFICATE] or permit under this chapter if the board finds that the person

4           (1) secured a **license** [CERTIFICATE] or permit through deceit, fraud,  
 5 or intentional misrepresentation;

6           (2) engaged in deceit, fraud, or intentional misrepresentation in the  
 7 course of providing professional services or engaging in professional activities;

8           (3) advertised professional services in a false or misleading manner;

9           (4) has been convicted of a felony or other crime that affects the  
 10 licensee's ability to continue to practice competently and safely;

11           (5) intentionally or negligently engaged in or permitted the  
 12 performance of client care by persons under the **licensed** [CERTIFIED DIRECT-  
 13 ENTRY] midwife's supervision that does not conform to minimum professional  
 14 standards regardless of whether actual injury to the client occurred;

15           (6) failed to comply with this chapter, with a regulation adopted under  
 16 this chapter, or with an order of the board;

17           (7) continued to practice after becoming unfit due to

18                   (A) professional incompetence;

19                   (B) failure to keep informed of current professional practices;

20                   (C) addiction or severe dependency on alcohol or other drugs

21           that impairs the ability to practice safely; **or**

22                   (D) physical or mental disability; **or**

23           (8) engaged in lewd or immoral conduct in connection with the  
 24 delivery of professional service to clients.

25 \* **Sec. 14.** AS 08.65.120(a) is amended to read:

26           (a) When **the board** [IT] finds that a person holding a **license**  
 27 [CERTIFICATE] or permit **under this chapter** is guilty of an offense under  
 28 AS 08.65.110, the board, in addition to the powers provided in AS 08.01.075, may  
 29 impose the following sanctions singly or in combination:

30           (1) permanently revoke **the license** [A CERTIFICATE] or permit [TO  
 31 PRACTICE];

1 (2) suspend **the license** [A CERTIFICATE] or permit for a  
2 determinate period of time;

3 (3) censure **the** [A] person [HOLDING A CERTIFICATE OR  
4 PERMIT];

5 (4) issue a letter of reprimand;

6 (5) place **the** [A] person [HOLDING A CERTIFICATE OR PERMIT]  
7 on probationary status and require the person to

8 (A) report regularly to the board **on** [UPON] matters involving  
9 the basis of probation;

10 (B) limit practice to those areas prescribed;

11 (C) continue professional education until a satisfactory degree  
12 of skill has been attained in those areas determined by the board to need  
13 improvement;

14 (6) impose limitations or conditions on the practice of **the** [A] person  
15 holding **the license** [A CERTIFICATE] or permit.

16 \* **Sec. 15.** AS 08.65.120(d) is amended to read:

17 (d) The board may reinstate a **license** [CERTIFICATE] or permit that has  
18 been suspended or revoked if the board finds after a hearing that the applicant **for the**  
19 **reinstatement** is able to practice with reasonable skill and safety.

20 \* **Sec. 16.** AS 08.65.140 is amended to read:

21 **Sec. 08.65.140. Required practices.** The board shall adopt regulations  
22 regarding the practice of [DIRECT-ENTRY] midwifery **that are based on the**  
23 **standards and requirements of the North American Registry of Midwives and the**  
24 **National Association of Certified Professional Midwives.** At a minimum, the  
25 regulations must require that a **licensed** [CERTIFIED DIRECT-ENTRY] midwife

26 (1) recommend, before care or delivery of a client, that the client  
27 undergo a physical examination performed by a physician, physician assistant, or  
28 advanced practice registered nurse who is licensed in this state;

29 (2) obtain informed consent from a client before onset of labor;

30 (3) comply with AS 18.15.150 regarding taking of blood samples,  
31 AS 18.15.200 regarding screening of phenylketonuria (PKU), AS 18.50.160 regarding



1 birth registration, AS 18.50.230 regarding registration of deaths, AS 18.50.240  
 2 regarding fetal death registration, and regulations adopted by the Department of  
 3 Health and Social Services concerning prophylactic treatment of the eyes of newborn  
 4 infants;

5 (4) not knowingly deliver a woman with certain types of health  
 6 conditions, prior history, or complications as specified by the board.

7 \* **Sec. 17.** AS 08.65.140 is amended by adding new subsections to read:

8 (b) A licensed midwife may practice midwifery without being under the  
 9 supervision of, or collaborating with, another health care provider or a health care  
 10 facility.

11 (c) A licensed midwife may practice midwifery without entering into a written  
 12 or other form of agreement with another health care provider or a health care facility.

13 (d) A licensed midwife may provide services using audio, video, or other  
 14 electronic media for the purpose of diagnosis, consultation, or treatment.

15 \* **Sec. 18.** AS 08.65.150 is amended to read:

16 **Sec. 08.65.150. Prohibited practices.** Except as provided in AS 08.65.170, a  
 17 person who is not **licensed** [CERTIFIED] under this chapter as a [DIRECT-ENTRY]  
 18 midwife may not practice midwifery for compensation.

19 \* **Sec. 19.** AS 08.65.160 is amended to read:

20 **Sec. 08.65.160. License [CERTIFICATION] required if designation used.**  
 21 A person who is not **licensed** [CERTIFIED] under this chapter, [OR] whose **license**  
 22 [CERTIFICATION] is suspended or revoked, or whose **license** [CERTIFICATION]  
 23 has lapsed [,] who knowingly uses in connection with the person's name the [WORDS  
 24 OR] letters **"L.M.," the words "Licensed Midwife,"** ["C.D.M.," "CERTIFIED  
 25 DIRECT-ENTRY MIDWIFE,"] or other letters, words, or insignia indicating or  
 26 implying that the person is **licensed** [CERTIFIED] as a [DIRECT-ENTRY] midwife  
 27 by this state or who in any way, orally or in writing, directly or by implication,  
 28 knowingly holds out as being **licensed** [CERTIFIED BY THE STATE] as a  
 29 [DIRECT-ENTRY] midwife in this state is guilty of a class B misdemeanor. **In this**  
 30 **section, "knowingly" has the meaning given in AS 11.81.900.**

31 \* **Sec. 20.** AS 08.65.170 is amended to read:

1                   **Sec. 08.65.170. Exclusions.** This chapter does not apply to [A PERSON]

2                   (1) **a person** who is licensed as a physician in this state;

3                   (2) **a person** who is licensed as **an advanced practice registered** [A  
4 CERTIFIED] nurse [MIDWIFE] by the Board of Nursing in this state.

5                   [(3) REPEALED

6                   (4) REPEALED]

7 \* **Sec. 21.** AS 08.65.180 is amended to read:

8                   **Sec. 08.65.180. Responsibility for care.** If a **licensed** [CERTIFIED DIRECT-  
9 ENTRY] midwife seeks to consult with or refer a patient to a licensed physician, the  
10 responsibility of the physician for the patient does not begin until the patient is  
11 physically within the physician's care.

12 \* **Sec. 22.** AS 08.65.190(1) is amended to read:

13                   (1) "board" means the Board of **Licensed** [CERTIFIED DIRECT-  
14 ENTRY] Midwives;

15 \* **Sec. 23.** AS 08.65.190(3) is amended to read:

16                   (3) "practice of midwifery" means providing necessary supervision,  
17 health care, preventative measures, and education to women during **preconception**,  
18 pregnancy, labor, and the **first** postpartum **year** [PERIOD]; conducting deliveries on  
19 the midwife's own responsibility; providing immediate postpartum care of the  
20 newborn infant, well-baby care for the infant through the age of **six** [FOUR] weeks,  
21 and preventative measures for the infant; identifying physical, social, and emotional  
22 needs of the newborn and the woman; arranging for consultation, referral, and  
23 continued involvement of the midwife on a collaborative basis when the care required  
24 extends beyond the scope of practice of the midwife; providing direct supervision of  
25 student and apprentice midwives; and executing emergency measures in the absence  
26 of medical assistance, as specified in regulations adopted by the board.

27 \* **Sec. 24.** AS 08.65.190 is amended by adding new paragraphs to read:

28                   (4) "licensed midwife" means a midwife who is licensed under this  
29 chapter to practice midwifery;

30                   (5) "midwife" means a person who practices midwifery.

31 \* **Sec. 25.** AS 09.65.300(c)(1) is amended to read:

1 (1) "health care provider" means a physician, physician assistant,  
 2 dentist, dental hygienist, osteopath, optometrist, chiropractor, registered nurse,  
 3 practical nurse, advanced practice registered nurse, naturopath, physical therapist,  
 4 occupational therapist, marital and family therapist, psychologist, psychological  
 5 associate, behavior analyst, assistant behavior analyst, licensed clinical social worker,  
 6 athletic trainer, or **licensed** [CERTIFIED DIRECT- ENTRY] midwife;

7 \* **Sec. 26.** AS 11.41.470(1) is amended to read:

8 (1) "health care worker" includes a person who is or purports to be an  
 9 acupuncturist, advanced practice registered nurse, anesthesiologist, **licensed**  
 10 [CERTIFIED DIRECT-ENTRY] midwife, chiropractor, dentist, health aide, hypnotist,  
 11 massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath,  
 12 physical therapist, physical therapy assistant, physician, physician assistant,  
 13 psychiatrist, psychological associate, psychologist, radiologist, religious healing  
 14 practitioner, surgeon, x-ray technician, or a substantially similar position;

15 \* **Sec. 27.** AS 18.20.095(e)(2) is amended to read:

16 (2) "licensed staff member" means a person who is employed by the  
 17 hospital to provide direct patient care and who is licensed or certified in the state as a  
 18 physician or physician assistant under AS 08.64, **licensed** [DIRECT-ENTRY]  
 19 midwife under AS 08.65, nurse or nurse aide under AS 08.68, or physical therapist or  
 20 occupational therapist under AS 08.84;

21 \* **Sec. 28.** AS 18.50.165(b) is amended to read:

22 (b) The registrar shall distribute copies of the form prepared under (a) of this  
 23 section to each hospital in the state, to each physician in the state whose practice  
 24 includes attendance at births, to each certified nurse midwife and **licensed**  
 25 [CERTIFIED DIRECT-ENTRY] midwife in the state, and to each other interested  
 26 person in the state who requests copies of the form.

27 \* **Sec. 29.** AS 21.36.090(d) is amended to read:

28 (d) Except to the extent necessary to comply with AS 21.42.365 and  
 29 AS 21.56, a person may not practice or permit unfair discrimination against a person  
 30 who provides a service covered under a group health insurance policy that extends  
 31 coverage on an expense incurred basis, or under a group service or indemnity type

1 contract issued by a health maintenance organization or a nonprofit corporation, if the  
 2 service is within the scope of the provider's occupational license. In this subsection,  
 3 "provider" means a state licensed physician, physician assistant, dentist, osteopath,  
 4 optometrist, chiropractor, advanced practice registered nurse, naturopath, physical  
 5 therapist, occupational therapist, marital and family therapist, psychologist,  
 6 psychological associate, licensed clinical social worker, licensed professional  
 7 counselor, or **licensed** [CERTIFIED DIRECT-ENTRY] midwife.

8 \* **Sec. 30.** AS 21.42.355 is amended by adding new subsections to read:

9 (c) If a health care insurance plan or an excepted benefits policy or contract  
 10 provides indemnity for the cost of services of a physician provided to women during  
 11 preconception, pregnancy, childbirth, and the period after childbirth up to one year,  
 12 indemnity in a reasonable amount shall also be provided for the cost of a midwife  
 13 licensed under AS 08.65 who provides the same services. Indemnity may be provided  
 14 under this subsection only if the licensed midwife is practicing as a licensed midwife  
 15 within the scope of the license.

16 (d) If a health care insurance plan or an excepted benefits policy or contract  
 17 provides for furnishing those services required of a physician in the care of women  
 18 during preconception, pregnancy, childbirth, and the period after childbirth up to one  
 19 year, the contract shall also provide that a midwife licensed under AS 08.65 may  
 20 furnish those same services instead of a physician. Services may be provided under  
 21 this subsection only if the licensed midwife is practicing as a licensed midwife in  
 22 accordance with the regulations adopted under AS 08.65.030(a)(7), and the services  
 23 provided are within the scope of practice of the license.

24 \* **Sec. 31.** AS 25.20.055(a) is amended to read:

25 (a) When a birth occurs to an unmarried woman in a hospital or en route to a  
 26 hospital to which the woman is later admitted, the hospital shall ensure that a staff  
 27 member

- 28 (1) meets with the woman before release from the hospital;  
 29 (2) attempts to meet with the father of the unmarried woman's child, if  
 30 possible;  
 31 (3) presents to the mother and, if possible, the father, a pamphlet or

1 statement regarding the rights and responsibilities of a natural parent; the Department  
 2 of Health and Social Services shall prepare this pamphlet and distribute copies of it to  
 3 each hospital in the state, to each physician in the state whose practice includes  
 4 attendance at births, to each certified nurse midwife and **licensed** [CERTIFIED  
 5 DIRECT-ENTRY] midwife in the state, and to other interested persons in the state  
 6 who request copies;

7 (4) provides to the mother and, if possible, the father, all forms,  
 8 statements, or agreements necessary to voluntarily establish a parent and child  
 9 relationship, including an acknowledgment of paternity form prepared under  
 10 AS 18.50.165;

11 (5) on request of the mother and father, assists the father in completing  
 12 specific forms, statements, or agreements necessary to establish a parent and child  
 13 relationship between the father and the child; and

14 (6) on request of the mother and father, mails a completed voluntary  
 15 acknowledgment of paternity form to the state registrar for filing under AS 18.50.165.

16 \* **Sec. 32.** AS 25.20.055(b) is amended to read:

17 (b) When a birth occurs to an unmarried woman who is not in a hospital for  
 18 the birth nor admitted to a hospital immediately after the birth, and the birth is  
 19 attended by a physician, certified nurse midwife, or **licensed** [CERTIFIED DIRECT-  
 20 ENTRY] midwife, the physician, certified nurse midwife, or **licensed** [CERTIFIED  
 21 DIRECT-ENTRY] midwife shall perform the duties described in (a)(2) - (6) of this  
 22 section or ensure that an agent performs those duties.

23 \* **Sec. 33.** AS 44.62.330(a)(36) is amended to read:

24 (36) Board of **Licensed** [CERTIFIED DIRECT-ENTRY] Midwives;

25 \* **Sec. 34.** AS 47.07.900(13) is amended to read:

26 (13) "midwife services" means services within the practice of  
 27 midwifery, as defined in AS 08.65.190, that are performed by a **licensed** [CERTIFIED  
 28 DIRECT-ENTRY] midwife, and miscellaneous fees, other than facility fees, for birth  
 29 kits, oxygen, and other ancillary expenses necessary for a birth attended by a **licensed**  
 30 [CERTIFIED DIRECT-ENTRY] midwife;

31 \* **Sec. 35.** AS 47.20.320(d) is amended to read:

1 (d) A hospital or other health facility, clinical laboratory, audiologist,  
2 physician, registered or advanced practice registered nurse, **licensed** [CERTIFIED  
3 DIRECT-ENTRY] midwife, officer or employee of a health facility or clinical  
4 laboratory, or an employee of an audiologist, physician, or registered or advanced  
5 practice registered nurse is not criminally or civilly liable for furnishing information in  
6 good faith to the department or its designee under this section. The furnishing of  
7 information in accordance with this section is not a violation of AS 08 or AS 18 or  
8 regulations adopted under AS 08 or AS 18 for licensees under those statutes.

9 \* **Sec. 36.** AS 08.65.060, 08.65.070, and 08.65.090(b) are repealed.

10 \* **Sec. 37.** The uncodified law of the State of Alaska is amended by adding a new section to  
11 read:

12 TRANSITION: CONTINUATION OF BOARD. (a) Notwithstanding AS 08.65.030,  
13 as amended by sec. 8 of this Act, the members of the Board of Certified Direct-Entry  
14 Midwives, as that board is constituted under AS 08.65.030, as that section reads on  
15 December 31, 2022, shall operate as the Board of Licensed Midwives from January 1, 2023,  
16 until the new members of the Board of Licensed Midwives are appointed by the governor  
17 under sec. 39 of this Act and confirmed by the legislature under AS 08.65.010, as amended by  
18 secs. 6 and 7 of this Act.

19 (b) In this section, "Board of Licensed Midwives" means the Board of Licensed  
20 Midwives established by AS 08.65.010, as amended by secs. 6 and 7 of this Act.

21 \* **Sec. 38.** The uncodified law of the State of Alaska is amended by adding a new section to  
22 read:

23 TRANSITION: CURRENT DIRECT ENTRY MIDWIVES AND APPRENTICE  
24 MIDWIVES. (a) Notwithstanding AS 08.65.050, as amended by sec. 10 of this Act, a person  
25 who holds on December 31, 2022, an unexpired certificate to practice direct-entry midwifery  
26 issued under AS 08.65.050, as that section reads on December 31, 2022, is licensed on the  
27 effective date of secs. 1 - 39 of this Act to practice midwifery under AS 08.65, as amended by  
28 secs. 6 - 24 of this Act, for a two-year period.

29 (b) Notwithstanding AS 08.65.090, as amended by sec. 12 of this Act, a person who  
30 holds on December 31, 2022, an unexpired permit to practice as an apprentice direct-entry  
31 midwife issued under AS 08.65.090, as that section reads on December 31, 2022, is permitted

1 on the effective date of secs. 1 - 39 of this Act to practice as an apprentice midwife under  
2 AS 08.65.090, as amended by sec. 12 of this Act, for a two-year period.

3 \* **Sec. 39.** The uncodified law of the State of Alaska is amended by adding a new section to  
4 read:

5 TRANSITION: NEW BOARD MEMBERS. (a) Within 60 days after the effective  
6 date of secs. 1 - 39 of this Act, the governor shall appoint an advanced practice registered  
7 nurse licensed under AS 08.68 to be a member of the board to replace the physician member  
8 of the board for the remainder of the term of the physician member.

9 (b) Within 60 days after the effective date of secs. 1 - 39 of this Act, the governor  
10 shall appoint an advanced practice registered nurse licensed under AS 08.68 to be a member  
11 of the board to replace the certified nurse midwife member of the board for the remainder of  
12 the term of the certified nurse midwife member.

13 (c) The board, as constituted under (a) and (b) of this section, shall begin operating as  
14 the board when the legislature has confirmed the members appointed under (a) and (b) of this  
15 section.

16 (d) In this section, "board" means the Board of Licensed Midwives established by  
17 AS 08.65.010, as amended by secs. 6 and 7 of this Act.

18 \* **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to  
19 read:

20 TRANSITION: REGULATIONS. The Board of Direct-Entry Midwives established  
21 by AS 08.65.010, as that section reads on December 31, 2022, shall adopt, repeal, or amend  
22 regulations as necessary to implement the changes made by secs. 1 - 39 of this Act. The  
23 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before  
24 January 1, 2023.

25 \* **Sec. 41.** Section 40 of this Act takes effect immediately under AS 01.10.070(c).

26 \* **Sec. 42.** Except as provided in sec. 41 of this Act, this Act takes effect January 1, 2023.