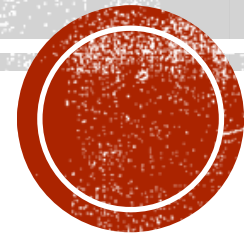


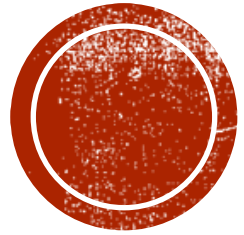
# LM RULE & LICENSE RENEWAL UPDATES

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Katrina Nardini, CNM, WHNP-BC, MPH

January 20, 2023





**THIS IS JUST A SUMMARY**

Please review the current LM Rule!!!  
You are responsible for following it as published!

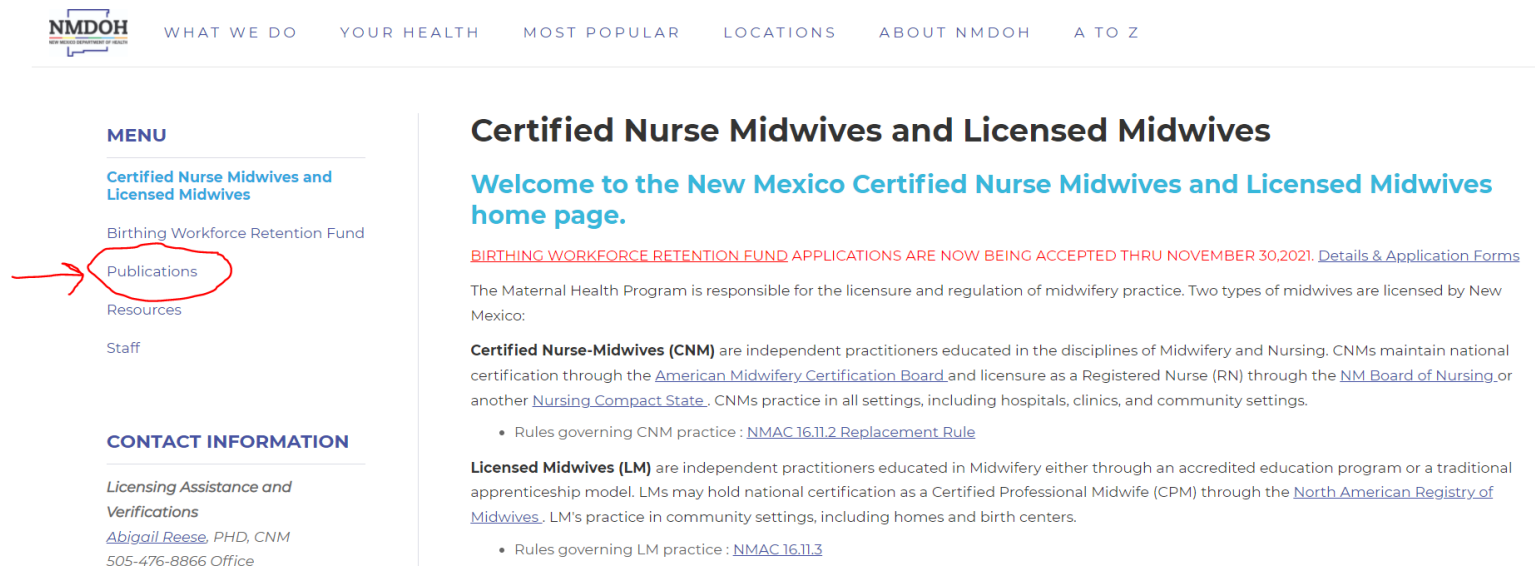
# DEFINITIONS (16.11.3.6)

- There are some new definitions including: “client”, “formulary”, “permitting period”, and “student midwife”
- Some definitions have been changed to add clarification – these will be discussed throughout the presentation
  - Some examples: “peer review”, “licensing period”, “midwifery instructor”, “contact hour” and “continuing education”.



# DOCUMENTS INCORPORATED BY REFERENCE (16.11.3.8)

- Note names of documents:
  - “Department of health practice guidelines for New Mexico licensed midwives”
    - The “Formulary” referred to in the LM Rule is referenced here
  - “Standards and core competencies of practice for licensed midwives in New Mexico”
- Note that these documents can be found on the DOH website:



The screenshot shows the NMDOH website header with navigation links: WHAT WE DO, YOUR HEALTH, MOST POPULAR, LOCATIONS, ABOUT NMDOH, and A TO Z. The left sidebar contains a 'MENU' section with links for 'Certified Nurse Midwives and Licensed Midwives', 'Birthing Workforce Retention Fund', 'Publications' (highlighted with a red circle and arrow), 'Resources', and 'Staff'. Below the menu is 'CONTACT INFORMATION' for 'Licensing Assistance and Verifications' with contact details for Abigail Reese, PHD, CNM. The main content area is titled 'Certified Nurse Midwives and Licensed Midwives' and includes a welcome message, a link to 'BIRTHING WORKFORCE RETENTION FUND APPLICATIONS ARE NOW BEING ACCEPTED THRU NOVEMBER 30, 2021', and text about the Maternal Health Program. It lists 'Certified Nurse-Midwives (CNM)' and 'Licensed Midwives (LM)' with their respective rules: NMAC 16.11.2 Replacement Rule and NMAC 16.11.3.



# PERMITS (16.11.3.9)

- New permitting structure
- **All apprentices/students that “lay hands” on NM residents must apply for a permit**
- NM recognizes 3 pathways: state, PEP, MEAC
  - State process = apprentice midwife = apply for permit (\$60)
    - Needs proof of HS grad/GED or higher ed PLUS Preceptor Relationship form
  - PEP or MEAC process = student midwife = apply for modified permit (\$30)
    - Needs proof of enrollment in PEP or school PLUS Preceptor Relationship form
- All permits good for 3 years and can renew one time





# DEFINITION OF MIDWIFERY INSTRUCTOR:

- Is credentialed as a LM, certified professional midwife (CPM), certified nurse-midwife (CNM), or certified midwife (CM) and must be a licensed provider by a state or jurisdiction to provide midwifery care;
- Has an additional two years of experience after credentialing or proof of 50 primary births beyond entry-level CPM requirements;
- Has 10 continuity of care births beyond entry-level CPM requirements;
- Has attended a minimum of 10 out-of-hospital births as primary midwife in the last two years;
- Has a formal training and supervisory relationship with an apprentice midwife that is documented in writing; **and**
- Is approved and listed with the division per division protocol.



# LICENSURE (16.11.3.10)

- License renewal expiration dates have been changed to BIRTHDAY month
  - CEs: will be able to use CEs from 24 months back

Renewal Information Post LM Rule Change			
	For March 2023 Renewals		
If your birthday is in:	Your new license will expire:	New CE cycle:	Months of license:
January	January 31, 2025	Feb 1, 2023 - Jan 2025	22
February	February 28, 2025	March 1, 2023 - Feb 2025	23
March	March 31, 2025	April 1, 2023 - March 2025	24
April	April 30, 2024	May 1, 2022 - April 2024	13
May	May 31, 2024	June 1, 2022 - May 2024	14
June	June 30, 2024	July 1, 2022 - June 2024	15
July	July 31, 2024	Aug 1, 2022 - July 2024	16
August	August 31, 2024	Sept 1, 2022 - Aug 2024	17
September	September 30, 2024	Oct 1, 2022 - Sept 2024	18
October	October 31, 2024	Nov 1, 2022 - Oct 2024	19
November	November 30, 2024	Dec 1, 2022 - Nov 2024	20
December	December 31, 2024	Jan 1, 2023 - Dec 2024	21



# CE RENEWAL REQUIREMENTS

- CEs: 30 total, **2 of the 30 must be pharmacology related** with emphasis on the division-approved drug formulary.
  - If you have a shorter, prorated renewal cycle, you must still do 2 new CEs of pharm content





# CE RENEWAL REQUIREMENTS

- Definitions of contact hours and CEs have changed slightly:
  - **“Contact hour”** means a unit of 50 to 60 minutes of a formal organized learning experience that directly relates to maternal, infant, and reproductive health and related professional, ethical, legal, or business topics and is approved by an accredited continuing education (CE) sponsoring organization.
  - **“Continuing education (CE)”** means participation in a formal learning experience of which the CEs have been granted by an accrediting organization such as the midwifery education accreditation council (MEAC), American college of obstetricians and gynecologists (ACOG), American college of nurse-midwives (ACNM), association of women's health, obstetric and neonatal nurses (AWHONN), American academy of family physicians (AAFP), state health departments, nursing associations, or perinatal associations.



# CE RENEWAL ALTERNATIVES

- Alternatives to gain CEs:
  - **Preparation and presentation of a midwifery topic** that has received contact hour approval by an accredited CE sponsoring agency will count for twice the number of contact hours for which the presentation is approved with a maximum award of 15 contact hours per licensure period; the same presentation cannot be credited more than once;
  - **Sole or primary authorship of one midwifery related article** published in a department-approved professional medical or midwifery journal may be accepted in place of ten (10) contact hours per licensure period;
  - **Completion of a formal university or college course** directly related to midwifery or clinical practice; each university or college unit shall be credited as 15 hours of continuing education; and
  - **Acting as primary preceptor for a midwifery student**; each ten (10) hours of precepting shall be credited as one continuing education hour, and up to five (5) contact hours will be allowed per student, with a maximum award of ten (10) contact hours; verification shall be provided on division-approved form.



# AUDITS

- DOH has started performing random audits of CEs
- We will be performing audits on a quarterly basis to ensure compliance with CE requirements
- Messages about audits are sent through CE Broker
- Failure to respond to a message requesting clarification or additional information regarding CEs risks disciplinary action
  - Please ensure your contact information is updated at all times in the licensing system and in CE Broker



# ADDITIONAL RENEWAL REQUIREMENTS

- Submit an annual (no longer quarterly) report of practice data in a format as directed by the division
  - We will no longer use MANA Stats (you can submit in March 2023 if that is what you have completed)
  - We have a new division approved Annual Report on the website (under Publications)

Name:

Please fill out for previous two calendar years.

LM Annual Report		Year: <input type="text"/>	Year: <input type="text"/>
1	Do you practice in a setting where you share client load (ie birth center?)  If yes, how many midwives total (including you) participate in the practice?  List total number of clients who enrolled in care at your practice/setting (include those who transferred out of your care or who are still pregnant):	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
2	List the number births you attended as primary midwife:	<input type="text"/>	<input type="text"/>
3	List the number of prenatal transfers (prior to labor beginning) as primary midwife:	<input type="text"/>	<input type="text"/>
4	List the number of transfers of client during labor, delivery, and immediately following birth (as primary midwife):	<input type="text"/>	<input type="text"/>
5	List the number of newborn transfers:	<input type="text"/>	<input type="text"/>
6	List the number of fetal losses after 20 weeks gestation (total in practice if you share a case load):	<input type="text"/>	<input type="text"/>
7	List the total number of neonatal deaths (post live-birth) in your practice (total in practice if you share case load):	<input type="text"/>	<input type="text"/>
8	List the number of VBACs in your setting (do not include clients transferred in antepartum or intrapartum period): List the number of multiple (twin, etc) births in your setting (do not include clients transferred in antepartum or intrapartum period): List the number of breech births in your setting (do not include clients transferred in antepartum or intrapartum period):	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
9	Are you a Medicaid provider?  If yes, list the numer of total clients enrolled in Medicaid:	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
10	Do you see people for routine reproductive health care (non-pregnancy) care?  If yes, list the number of visits/encounters with clients that were for GYN only care (non-OB):	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>



# ADDITIONAL RENEWAL REQUIREMENTS

- Evidence of current certification that includes a **hands-on** component in:
  - Cardiopulmonary resuscitation of the adult, infant/child
  - Neonatal resuscitation program of the American academy of pediatrics
  - Current competency in IV therapy via certification course
    - IV requirement is detailed in the Guidelines
    - Use the IV Certification form found on the DOH website (under Publications)
- Evidence of peer review participation within the two (2) years preceding application
- You must complete the fields on the application to provide details on the activity you participated in (please provide *adequate details*)
  - Topics reviewed
  - Who participated in this Peer Review?
  - Describe your participation



# IV CERTIFICATION

- Please use the form found on the NMDOH website under documents to document your IV Certification.
- You do not need to submit a certificate of completion but rather submit this form.

## NEW MEXICO DEPARTMENT OF HEALTH INTRAVENOUS THERAPY (IV) CERTIFICATION FORM

### NECESSARY COMPONENTS OF CERTIFICATION IN IV THERAPY

1. Uses of IV therapy in midwifery care
2. Different IV fluids and their uses
3. Basic anatomy and physiology of the vasculature
4. Initiation and maintenance of an IV line
  - a. Administration of IV fluids, including rate control
  - b. Changing and discontinuing an IV line
  - c. Attaching a saline lock
  - d. Complications and troubleshooting the IV line
5. Administration of IV medications, including antibiotics and Pitocin
6. Practical skills evaluation, including:
  - a. Successful initiation of an IV line (NMDOH requires LMs to successfully start an intravenous catheter on a volunteer at least once every two years)
  - b. Administration of IV fluids
  - c. Changing and discontinuing an IV line
  - d. Attaching a saline lock
  - e. Adding medication to an IV line

I certify that I have satisfied the components of this requirement by:

Taking a course that includes a hands-on component approved by the NMDOH (including courses provided by national or state organizations and education programs)

Name of course instructor: \_\_\_\_\_  
Signature of course instructor: \_\_\_\_\_ Date of course: \_\_\_\_\_  
(May provide certificate of course completion with evidence of hands-on component if instructor unable to sign)

Working in a healthcare role that requires performance of IV starts and maintenance on a regular (every shift) basis for at least three months during the previous two years (RN/EMT)  
Place of Employment: \_\_\_\_\_ Healthcare Role: \_\_\_\_\_  
Name of Supervisor: \_\_\_\_\_ Dates Employed: \_\_\_\_\_  
Signature of Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Teaching an in-person IV Certification Course that includes the hands-on component at least two times per year.  
Dates of course taught: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_



# FEE CHANGES

Change in Fees with new LM Rule			
Item	Old Fee	New Fee	Total Fee if late fee applies:
Apprentice Midwife Permit Initial	\$ 50.00	\$ 60.00	
Apprentice Midwife Permit Renewal	\$ 50.00	\$ 60.00	\$ 85.00
Student Midwife Modified Permit Initial	n/a	\$ 30.00	
Student Midwife Modified Permit Renewal	n/a	\$ 30.00	\$ 55.00
Late fee (in addition to renewal fee)	n/a	\$ 25.00	
LM License Initial	\$ 50.00	\$ 100.00	
LM License Renewal	\$ 50.00	\$ 50.00	
Reinstatement of licenses lapsed <4 years (in addition to renewal fee)	\$ 20.00	n/a	
Late fee for renewing a license or for voluntary lapse of a license (in addition to renewal fee)	n/a	\$ 75.00	\$ 125.00
Reinstatement of a revoked or suspended license or reactivation of a lapsed license (in addition to renewal fee)	n/a	\$ 100.00	\$ 150.00
Verification of license by FAX or letter	n/a	\$ 25.00	



# E-PAY

- March renewals will be able to pay via e-pay through a bank transfer (no charge) or credit card payment (service charge % of renewal fee)
- Please note payment is due by midnight on the 5<sup>th</sup> of the month, or you will be automatically charged a late fee





# DISCIPLINARY ACTION (16.11.3.11)

- Minor changes and clarifications
- Clarified processes to ensure that complaints against licensees are evaluated and adjudicated in a fair and impartial manner that complies with due process while continuing to give the public confidence in this licensed profession



# COURSE OF EDUCATION (16.11.3.12)

- Increased reference to Student Workbook (can be found on DOH webpage)
- Clinical experience now references the Student Workbook and skills/knowledge and clinical experience
- Removed numbers required
- Addition of pharmacological management to Theoretical Instruction



# EXAMINATION (16.11.3.13)

- State exam called the “Jurisprudence Exam”
- Now an online exam
- Must wait 3 months for the opportunity to repeat exam if score <80%
- Fee is set by DOH (currently included in licensure fee)



# RESPONSIBILITIES AND SCOPE OF PRACTICE

## (16.11.3.14)

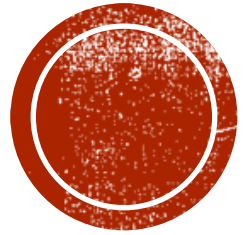
- Gender-neutral language
- Clarified the time for newborn care is up to six weeks of age
- Addition that LM may purchase and use specific drugs and medications as outlined in the department-approved formulary set out in the department's practice guidelines for licensed midwives in New Mexico
- Removal of required physician visit
- Addition of certified nurse-midwives for consultation
- Changes on what content an informed consent should contain and the responsibility to maintain a copy in the client records
- Requirement to retain records for 25 years (vs 10)
- Obligations of maintaining the current and accurate contact information on file with the department



# ADVISORY BOARD (16.11.3.15)

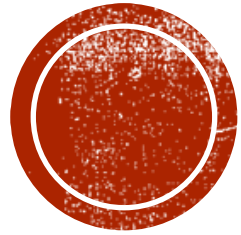
- New definition of the general public member
- Allows the Board to recommend changes to the department's practice guidelines for New Mexico Licensed Midwives





**THIS IS JUST A SUMMARY**

Please review the complete LM Rule!!!



# QUESTIONS?

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DOH website: <https://www.nmhealth.org/about/phd/fhb/mwp/#nmac>