

the performance and repair of episiotomies and the repair of first-degree and second-degree lacerations of the perineum (Business and Professions Code 2746.52).

Treating STDs

Amended into Section 120582 of the Health and Safety Code effective January 1, 2007:

A certified nurse-midwife may dispense, furnish, or otherwise provide a prescription antibiotic drug to the sexual partner or partners of a patient with sexually transmitted chlamydia, gonorrhea, or other sexually transmitted infection without examination of the patient's partners. (AB 2280 Leno stat 2006) (AB 648 Ortiz stats 2001, ch835)

Regulation of Nurse-Midwifery Authority:

Any regulation promulgated by a state department that affects the scope of practice of a certified nurse-midwife shall be developed in consultation with the Board of Registered Nursing. (Business and Professions Code 2746.5 (e))

Furnishing drugs and devices:

BP Code 2746.51 authorizes a certified nurse-midwife to obtain and utilize a "furnishing number" from the Board of Registered Nursing. "Furnishing" is the ordering of a drug or device in accordance with standardized procedure or protocol and transmitting of an order of a supervising physician and surgeon (BP Code 2746.51 (d)). The drugs or devices are furnished or ordered incidentally to the provision of any of family planning services, routine health care or perinatal care, or care rendered, consistent with the certified nurse-midwife's educational preparation or for which clinical competency has been established and maintained, to persons within various specific facilities: clinics, a general acute care hospital, a licensed birth center, or a special hospital specified as a maternity hospital. (BP Code 2746.51 (a)(1))

The drugs or devices are furnished or ordered by a certified nurse-midwife in accordance with standardized procedures or protocols (BP Code 2746.51 (a)(2)) and under physician and surgeon supervision. Supervision requires collaborative development and approval of standardized procedure or protocol by physician and surgeon, and telephonic availability but not the physical presence of the physician ((BP Code 2746.51 (a)(4)). Prior to receiving a furnishing number, the BRN will certify that the CNM has satisfactorily completed at least six months of physician and surgeon supervised experience in the furnishing or ordering of drugs and devices and a course in pharmacology covering the drugs or devices to be furnished or ordered (BP Code 2746.51 (b)(2)). The furnishing number should be included on all transmittals of orders for drugs or devices by the CNM (BP Code 2746.51 (b)(1)).

Furnishing Controlled Substances:

Drugs or devices furnished or ordered by a certified nurse-midwife may include Schedule II or III controlled substances under the California Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code) ((BP Code 2746.51 (a)&(c)). Every certified nurse-midwife who is authorized to furnish or issue a drug order for a controlled substance is required to register with the United States Drug Enforcement Administration (BP Code 2746.51 (b)(1)). If furnishing or ordering Schedule II or III controlled substances, the certified nurse-midwife needs to do so in accordance with patient-specific protocols approved by the treating or supervising physician and surgeon. For Schedule II controlled substance protocols, the provision for furnishing the Schedule II controlled substance shall address the diagnosis of illness, injury, or condition for which the Schedule II controlled substance is to be furnished (BP Code 2746.51 (a)(3)).

The CNM with an active furnishing number, who is authorized by standardized procedure or protocols to furnish, must submit to the BRN an approved course that includes Schedule II Controlled Substances content as a part of the CNM educational program or a continuing education course with required content on Schedule II Controlled substance. The proof of a Schedule II course received by

the BRN will be noticed on the board's website, www.rn.ca.gov, in the verification section (BP Code 2746.51 (b)(4)).

A copy of the standardized procedure or protocol relating to the furnishing or ordering of controlled substances by a certified nurse-midwife shall be provided upon request to any licensed pharmacist who is uncertain of the authority of the certified nurse midwife to perform these functions (BP Code 2746.51 (b)(3)).

Dispensing

Business and Professions Code Section 2725.1 allows registered nurses to dispense (hand to a patient) medications, except controlled substances, upon the valid order of a physician in primary, community, and free clinics.

Business and Professions Code Section 2725.1 was amended to extend to the furnishing certified nurse-midwives authority to dispense drugs including controlled substances, schedule II, III, IV, and V, pursuant to a standardized procedure or protocol in primary, community, and free clinics. (AB1545 (Correa) stats 1999 ch 914).

Request and Receipt of Pharmaceutical Samples and Devices:

Certified nurse-midwives authorized to furnish are also authorized to sign for the request and receipt of complimentary samples of dangerous drugs and devices identified in their furnishing standardized procedure or protocols that have been approved in the standardized procedure (SB 1558 Figueroa stats 2002 ch. 263 amends BP Code Section 4061 of the Pharmacy law).

Signing Birth Certificates:

According to California Health and Safety Code 102405 et seq., CNMs may sign birth certificates.

Veteran's with Disabilities Parking Placards:

Section 5007, 9105, 22511.55 of the Vehicle Code is amended to include nurse practitioners, nurse midwives, and physician assistants as authorized health care professions that can sign the certificate substantiating the applicant's disability for the placard. (AB 2120 Correa stats 2007 ch. 116)

Department of Motor Vehicles is authorized to issue placards to persons with disabilities and veterans with disabilities and temporary distinguishing placards to temporary disabled persons, to be used for parking purposes. Prior to issuing the parking placard or temporary placard, the Department of Motor Vehicles requires submission of a certificate, signed by an authorized health care professional providing a full description substantiating the applicant's disability, unless the disability is readily observable and uncontested. Under law, the authorized health care professional that signs the certificate is required to retain the information sufficient to substantiate the certificate, and make the information available to certain entities request of the department.

Informing patient of Positive and Negative aspects of Blood Transfusions:

Section 1645 of the Health and Safety Code is amended to authorize the nurse practitioner and the nurse-midwife who is authorized to give blood may now provide the patient with information by means of a standardized written summary that is published by the State Department of Public Health about the positive and negative aspects of receiving autologous blood and direct and nondirected homologous blood from volunteers.

Supervision of Medical Assistants by CNM:

A supervising physician and surgeon at the community clinic or free clinic as licensed pursuant to Health and Safety Code 1204 may, at his or her discretion, in consultation with the nurse practitioner, nurse-midwife or physician assistant provide written instructions to be followed by a medical assistant

in the performance of tasks or supportive services. The written instructions may provide that a supervisory function of the medical assistant for these tasks or supportive services may be delegated to the nurse practitioner, nurse-midwife, or physician assistant and that tasks may be performed when the supervising physician and surgeon are not on site. This delegation to the nurse practitioner or nurse-midwife is limited to those licensed clinics under Health and Safety 1204. (Business and Professions Code 2069 (a) (1) and Health and Safety Code 1204) (SB 111, Chapter 358 (Alpert))
Medical Board of California link for Medical Assistant:
[http://www.mbc.ca.gov/allied/medical assistant.training.html](http://www.mbc.ca.gov/allied/medical%20assistant.training.html)

Medical Examination of School Bus Drivers:

According to Vehicle Code Section 12517.2 (a), applicants for an original or renewal certificate to drive a school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle must submit a report of medical examination by a physician licensed to practice medicine, a licensed advanced practice nurse qualified to perform a medical examination, or a physician assistant. (AB139 Bass stats 2007, ch 158)

Citation and Fine:

CNMs as RNs are subject to citation and fine for violations of the Nursing Practice Act (NPA). The Executive Officer, in lieu of filing an accusation against a CNM, may issue a citation that may contain an administrative fine and/or order of abatement against a CNM for any violation of law or an adopted regulation which would be grounds for discipline. The violation would not be of a severity that revocation or restriction of the RN license is necessary. An example of a violation would be using the title CNM without BRN certification. (California Code of Regulation Section 1435.2)

References:

NPA, Business and Professions Code Sections §2746-2746.8
California Code of Regulation Section §1460-1466