

MAR 10 2016

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE
REGULATION OF CERTIFIED PROFESSIONAL MIDWIVES.

1 WHEREAS, in Hawaii, the only licensed professionals
2 regulated by the State to provide prenatal care and assist with
3 childbirth are medical licensees such as doctors and nurse
4 practitioners; and

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6 WHEREAS, for women with complications, medical intervention
7 is invaluable, but many women have relatively uncomplicated
8 births in which the services of a trained midwife could be of
9 value in providing an out-of-hospital childbirth; and

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11 WHEREAS, reproductive choice includes choice of
12 practitioner and treatment modality and midwifery should be
13 available to any woman who chooses to pursue home birth; and

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15 WHEREAS, a Certified Professional Midwife is a
16 knowledgeable, skilled, and professional independent midwifery
17 practitioner who has met the standards for certification set by
18 the North American Registry of Midwives and is qualified to
19 provide the Midwives Model of Care; and

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21 WHEREAS, over 200 women and their families across the State
22 each calendar year utilize the services of Certified
23 Professional Midwives; and

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25 WHEREAS, Certified Professional Midwives are regulated and
26 authorized to practice in 30 states and, as of 2016, legislation
27 is pending in 11 more states to regulate Certified Professional
28 Midwives; and



1 WHEREAS, the lack of licensure for Certified Professional
2 Midwives may harm the public while causing confusion amongst
3 Certified Professional Midwives who are licensed in another
4 state and move to this State; and
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6 WHEREAS, the establishment of a licensing program for
7 currently unregulated Certified Professional Midwives in the
8 State under the Department of Commerce and Consumer Affairs will
9 provide necessary oversight; and
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11 WHEREAS, under section 26H-6, Hawaii Revised Statutes, a
12 sunrise analysis by the Auditor must occur prior to initiating
13 the regulation of a previously unregulated profession; and
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15 WHEREAS, in March 1999, a sunrise analysis was conducted by
16 the Auditor pursuant to section 26H-6 and concluded that
17 regulation of Certified Professional Midwives was warranted; and
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19 WHEREAS, the Legislature finds that it has been 17 years
20 since the last sunrise analysis was conducted by the Auditor and
21 since 1990, 26 other states have adopted regulatory programs
22 governing Certified Professional Midwives; now, therefore,
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24 BE IT RESOLVED by the Senate of the Twenty-eighth
25 Legislature of the State of Hawaii, Regular Session of 2016, the
26 House of Representatives concurring, that the Auditor is
27 requested to perform an analysis of the proposed regulation of
28 the profession of Certified Professional Midwife, as proposed in
29 House Bill No. 1899, House Draft 1 (2016); and
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31 BE IT FURTHER RESOLVED that the Auditor is requested to set
32 forth the probable effects of the proposed regulation and to
33 assess whether the proposed regulation is consistent with the
34 policies set forth in section 26H-2, Hawaii Revised Statutes,
35 and whether there are alternative appropriate forms of
36 regulation; and
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38 BE IT FURTHER RESOLVED that the Auditor is requested to
39 transmit findings of the sunrise analysis to the Legislature no
40 later than twenty days prior to the convening of the Regular
41 Session of 2017; and



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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor, Director
3 of Commerce and Consumer Affairs, Auditor, and President of the
4 Midwives Alliance of Hawaii.
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