

HB 1538 – AS INTRODUCED

2014 SESSION

14-2487  
01/04

HOUSE BILL            **1538**

AN ACT                relative to medical intervention in the provision of midwife services.

SPONSORS:            Rep. Lambert, Hills 44

COMMITTEE:          Health, Human Services and Elderly Affairs

---

ANALYSIS

This bill clarifies medical intervention in the provision of midwife services.

---

Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                   relative to medical intervention in the provision of midwife services.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Section; Midwifery. Amend RSA 326-D by inserting after section 12 the following new  
2 section:

3           326-D:12-a Informed Refusal of Medical Intervention. Nothing in this chapter shall be  
4 construed to prevent the client from maintaining the ultimate authority in deciding the location,  
5 management, and individuals involved in her care and the care of her baby, both prior to delivery  
6 and during the postpartum period. If at any point a medical intervention is recommended by a  
7 person she has hired to provide for intrapartum care, that person shall provide information about the  
8 risks and benefits of such medical intervention. The client may then opt to sign a waiver stating that  
9 she is informed of the risks and benefits of such medical intervention and is refusing such  
10 intervention and declining treatment. “Medical intervention” shall include any intervention into the  
11 course of an unmanaged, physiological delivery, including the physical movement of the client from  
12 her chosen birth place or the involvement of medical care or medical professionals assigned to her  
13 care. If the client refuses recommended intervention, the midwife who is caring for her may choose  
14 to continue to support her or may call the local hospital to notify it that she is unable to continue  
15 care. No individual who supports a woman in the process of normal physiological birth shall be  
16 sanctioned for providing support to a woman in unmanaged labor.

17           2 Effective Date. This act shall take effect 60 days after its passage.