

HOUSE BILL NO. 392

INTRODUCED BY J. ETCHART, E. KERR-CARPENTER, K. ZOLNIKOV, T. MOORE, J. GILLETTE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DIRECT-ENTRY MIDWIVES; EXPANDING THE ABILITY FOR DIRECT-ENTRY MIDWIVES TO OBTAIN AND ADMINISTER CERTAIN PRESCRIPTION DRUGS; REQUIRING CERTAIN EDUCATION PRIOR TO THE ABILITY FOR DIRECT-ENTRY MIDWIVES TO ADMINISTER DRUGS; REQUIRING DIRECT-ENTRY MIDWIVES TO ESTABLISH PROTOCOLS FOR DRUG ADMINISTRATION; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 37-27-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-27-302, MCA, is amended to read:

"37-27-302. Administration of prescription drugs -- when prohibited -- exceptions when allowed -- protocols -- rulemaking. (1) ~~Except as provided in subsection (2), a licensed direct-entry midwife may not dispense or administer prescription drugs other than newborn vitamin K (oral or intramuscular preparations), pitocin (intramuscular) postpartum, xylocaine (subcutaneous), and, in accordance with administrative rules adopted by the department of public health and human services, prophylactic eye agents to newborn infants. These drugs may be administered only if prescribed by a physician.~~

(2) A licensed direct-entry midwife who has successfully completed accredited courses in pharmacology and intravenous therapy may, during the practice of midwifery, directly obtain and administer the following:

- (a) oxygen;
- (b) postpartum antihemorrhagic agents, including:
 - (i) pitocin (intramuscular);
 - (ii) methylergonovine;
 - (iii) misoprostol;
 - (iv) tranexamic acid; and

