

Scope of Practice for Midwives

Question

What do healthcare organizations and midwives need to understand about a midwife's scope of practice in terms of liability exposure?

Answer

If midwives perform work outside of their scope of practice, then liability exposure, adverse patient outcomes, and disciplinary actions may ensue. To avoid these risky circumstances, the supervising healthcare providers that monitor midwives at any healthcare organization should provide the appropriate level of supervision to ensure that all midwives work within their scope of practice.

Because the definition of scope of practice for midwives varies among states, it is imperative that midwives and their supervising healthcare providers understand how the scope of practice is defined and regulated in the states in which they practice.

In addition to understanding and adhering to the state's defined scope of practice, midwives also should ensure that a written agreement is in place between them and their healthcare organization that specifically defines their scope of practice. This agreement should specify responsibilities and privileges, standards of care, and mutually agreed on clinical guidelines and pathways. Midwives and supervising providers also should adhere to their healthcare organization's written guidelines specifying midwives' responsibilities, duties, functions, and limitations.

Along with working under supervision, complying with state standards, and having a written agreement, following are some essential risk management strategies for midwives.

- Midwives should educate patients about the outcomes, benefits, and risks of treatments as well as potential side effects and alternatives.

- Midwives should thoroughly document patient encounters, the informed consent process, collaborative management, and any referrals as appropriate in the health record.
- Midwives should be certain that they have the competencies required to perform the tasks that fall under their responsibilities and privileges. Even though a task might fall under a midwife's legal scope of practice, appropriate training and experience are still required.
- Midwives should ask for clarification when assigned a task that they believe is outside of their scope of practice. They should be assertive, but respectful when voicing concerns. If no resolution results, then midwives should take their concerns up the chain of command.
- Midwives should work with organizational leaders in their healthcare organization to help educate providers and staff members about their role and specific responsibilities. This will help others determine appropriate requests and provide patients with adequate and correct information.
- Midwives should collaborate with others in their healthcare organization to address systems-related issues that might lead to circumstances in which providers feel pressured to perform tasks outside of their scope of practice and expertise.

To illustrate the concept of “performing within the scope of practice,” consider situations that may involve shoulder dystocia. Shoulder dystocia occurs when the affected shoulder does not respond to simple maneuvers to facilitate the birth of the body. A midwife caring for a patient with a prior vaginal delivery complicated by shoulder dystocia should consult with an obstetrician, discuss collaborative management of the patient, or refer the patient to the obstetrician, if appropriate.

For a patient without a prior dystocia, the midwife should look for risk factors, including fetal macrosomia, maternal diabetes, prior postdate pregnancy, maternal obesity, estimated fetal weight larger than prior birth weights, and prolonged labor. The midwife, obstetrician, and the patient should be involved in the patient's subsequent plan for delivery to avoid an adverse outcome.

Resources

For more information about professional standards, competencies, and scope of practice for midwives, see the following resources:

- [American College of Nurse-Midwives](#)
- [Midwives Alliance of North America](#)

- [National Association of Certified Professional Midwives](#)
- [North American Registry of Midwives](#)

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