

## 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 occur. According to MedPro Advisory Board member, Scott Hayworth, MD, FACOG, "It's key that whoever is monitoring midwives should provide the appropriate level of supervision and ensure that nobody is working beyond their scope of practice."

Dr. Hayworth shared a common example of shoulder dystocia to illustrate his point. When shoulder dystocia occurs, 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 document consultation with an obstetrician, discuss collaborative management of the patient, and/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. "The key components are collaboration and communication between the midwife, obstetrician, and the patient," Dr. Hayworth said.

In healthcare organizations, midwives should be supervised so they perform actions only within their scope of practice. However, the definition of scope of practice for midwives varies among states. Therefore, it is imperative that midwives and their supervising healthcare providers understand how it 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.

- Educate the patient about the outcomes, benefits, and risks of treatments as well as potential side effects and alternatives.
- Thoroughly document patient encounters, the informed consent process, collaborative management, and any referrals as appropriate.
- Be certain that you have the competencies required to perform the tasks that fall under your responsibilities and privileges. Even though a task might fall under your legal scope of practice, appropriate training and experience are still required.
- Ask for clarification if you are assigned a task that you believe is outside of your scope of practice. Be assertive, but respectful when you raise concerns. If no resolution results, then take your concerns up the chain of command.
- Work with organizational leaders to help educate providers and staff members about your role and specific responsibilities. This will help others determine appropriate requests and provide patients with adequate and correct information.
- Work with others in your 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.

## 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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