Informed Consent Form (revised 11/12)

Required by National College of Midwifery

This form is created by the student in MOD8-HON390G: Midwifery Laws & Regulations Course

- Your Informed Consent Form is a sample of what you plan to use in your future practice.
- It must satisfy both NARM requirements and the requirements of the state you plan to practice in the future.
- Be sure to include areas for both the client and midwife to sign the form.
- Never put your name on the form or indicate that you are a midwife before you actually are licensed or certified.

Purpose:

- The student creates a complete Informed Consent Form for her/his future midwifery practice.
- The student researches and understands the Informed Consent requirements of the following:
  - NARM
  - Midwifery Practice Guidelines of the student’s state
  - Laws & Statutes governing midwifery in the state in which she/he will practice following midwifery licensure or certification.
- This form is required by NARM when applying for the NARM exam, and required by NCM for graduation.

Value:

- This information is invaluable to midwives; this form is required for midwifery practice.
- Midwives are required to follow Practice Guidelines of the jurisdiction in which they practice, is a requirement for CPM certification, is part of midwifery “best-practices” and should be used by all midwives.
- An Informed Consent form outlines the Midwife’s and Client’s responsibilities to each other.
- It is an educational tool for prospective mothers and their families.
- Properly constructed Informed Consent forms can give some protection in the case of a lawsuit.

Procedure:

- Student researches NARM’s guidelines for the Informed Consent Form.
- Student researches the laws and Practice Guidelines of the state in which she/he is studying or plans to practice in the future. If the student is international, she/he may use the guidelines from the state of New Mexico.
- Student researches samples from other midwives and birth centers.
- Using these, the student constructs her/his own Informed Consent Form.
- If the student decides to use the Informed Consent form used by her/his preceptor, then the student must check it to ensure that it adheres to state law and practice guidelines.
- The preceptor reviews and approves the student’s Informed Consent Form as part of the MOD8-HON390G: Midwifery Laws & Regulations Course
- The completed blank form is submitted to the National College of Midwifery prior to graduation.

Resources:

Below are links to NARM, and the states of NM, and CA. Students may have to do further research for appropriate resources.

NARM REQUIREMENTS:
http://narm.org/accountability/informed-consent/

NEW MEXICO GUIDELINES AND STATUTES:

- Practice Guidelines-New Mexico:
  http://www.health.state.nm.us/PHD/midwife/NMMA%202008%20practice%20guidelines.pdf
- Midwifery Statutes-New Mexico:
  http://www.nmcpr.state.nm.us/nmac-parts/title16/16.011.0003.htm

16.11.3.12  E.  INFORMED CONSENT: The licensed midwife must obtain written, informed consent regarding the care to be provided by the licensed midwife from the woman upon accepting her for care. At a minimum, the licensed midwife must first honestly explain the following to any woman seeking midwifery care to ensure that her choices are comprehensive and informed

  (1)  Midwife’s educational background
The risks and benefits of midwifery care
(3) The nature and scope of the care to be given; and
(4) The nature and terms of the financial agreement

CALIFORNIA OUTLINE, GUIDELINES, & STANDARDS:

• OUTLINE OF INFORMED CONSENT FORM-CALIFORNIA:
  http://www.mbc.ca.gov/forms/midwives_disclosure.pdf

• GUIDELINES- CALIFORNIA:
  http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&group=02001-03000&file=2505-2521:
  2508. (a) A licensed midwife shall disclose in oral and written form to a prospective client all of the following:
  (1) All of the provisions of Section 2507.
  (2) If the licensed midwife does not have liability coverage for the practice of midwifery, he or she shall disclose that fact.
  (3) The specific arrangements for the transfer of care during the prenatal period, hospital transfer during the intrapartum and postpartum periods, and access to appropriate emergency medical services for mother and baby if necessary.
  (4) The procedure for reporting complaints to the Medical Board of California.
  (b) The disclosure shall be signed by both the licensed midwife and the client and a copy of the disclosure shall be placed in the client's medical record.
  (c) The Medical Board of California may prescribe the form for the written disclosure statement required to be used by a licensed midwife under this section.

  2507. (a) The license to practice midwifery authorizes the holder, under the supervision of a licensed physician and surgeon, to attend cases of normal childbirth and to provide prenatal, intrapartum, and postpartum care, including family-planning care, for the mother, and immediate care for the newborn.
  (b) As used in this article, the practice of midwifery constitutes the furthering or undertaking by any licensed midwife, under the supervision of a licensed physician and surgeon who has current practice or training in obstetrics, to assist a woman in childbirth so long as progress meets criteria accepted as normal. All complications shall be referred to a physician and surgeon immediately. The practice of midwifery does not include the assisting of childbirth by any artificial, forcible, or mechanical means, nor the performance of any version.
  (c) As used in this article, "supervision" shall not be construed to require the physical presence of the supervising physician and surgeon.
  (d) The ratio of licensed midwives to supervising physicians and surgeons shall not be greater than four individual licensed midwives to one individual supervising physician and surgeon.
  (e) A midwife is not authorized to practice medicine and surgery by this article.
  (f) The board shall, not later than July 1, 2003, adopt in accordance with the Administrative Procedure Act (Chapter 3.5 commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, regulations defining the appropriate standard of care and level of supervision required for the practice of midwifery.(SEE LINK TO CALIFORNIA STANDARDS below)


Links to resources and samples for the courses: Protocols & Laws and Regulations (These links are also available on the NCM website - ASM Academics page):

• Sample Emergency Transport/Transfer Forms:
  o Florida Emergency Transport Form
  o California Informed Disclosure and Care Outline
  o NARM Sample Emergency Transport Form

• Sample Informed Consent Forms:
  o NARM Sample Informed Consent Form
  o NARM Requirements for Informed Consent Forms
  o California Disclosure Form Outline

• Midwifery Practice Guidelines:
  o New Mexico Practice Guidelines
  o California Practice Guidelines

• Laws and Statutes Governing Midwifery:
  o New Mexico
  o California
  o Tennessee
  o MANA page with links to many more state's midwifery laws: http://mana.org/laws.html