

## **A History of Midwifery in North Carolina**

Prepared by Linda T. May, CNM

The first statutory reference to midwives in North Carolina was in 1917. The law said, "All persons, other than regularly registered physicians, practicing midwifery in this state shall register, without fee, their names and addresses with the secretary of the North Carolina State Board of Health, as required by the provisions of article 14, entitled Inflammation of Eyes of Newborn, of the chapter Public Health." This same law made failure to register a misdemeanor subject to a fine of from ten to fifty dollars, and made it "unlawful for any person who habitually gets drunk, or who is addicted to the excessive use of cocaine or morphine or other opium derivative, to practice midwifery for a fee." The law continued to say, "It shall be unlawful for any midwife or other person who practices midwifery for fees to touch or otherwise handle the private parts of the person of any patient whom such person is in attendance unless the person in attendance shall first and immediately previous thereto thoroughly wash and disinfect his or her hands." The law referred to as Eyes of Newborn was also enacted in 1917 and was entitled An act to prevent blindness in infancy, designating certain powers and duties and otherwise providing for the enforcement of this act. The midwife could no longer attend the infant except "she may act under a physician's instructions."

The Biennial Reports of the NC State Board of Health of 1924-26 stated that midwives delivered more than 30% of babies in NC and that more than 5,000 midwives were in active practice. That year also marked the adoption of Model County Midwife Regulations, in which local health authorities had a director in control of midwife practice. Requirements to practice included a physical examination and the mandate to receive instruction and demonstrations given by doctors and nurses in conduct of a normal delivery. Permits were given by the local health department if one existed. Otherwise, a permit was given by the Maternal and Child Health Section of the NC State Board of Health.

In 1930 there seems to have been a renewed effort to control midwives and the numbers in practice declined. Nurses were sent into counties that did not have full time health directors. The estimated number of midwives was 3,000, of which 2,200 held properly granted permits; by 1950 that number was down to 1,000.

From 1951-58 an annual Institute was held for midwife training at the State Teachers College in Fayetteville. This Institute was discontinued in 1959 as the number of midwives was reduced to less than 350 for the whole state. The responsibility for training midwives was then put on the local health departments. Recommended standards for midwife practice were established and enacted in 1956 and revised as Minimum Standards for Midwife Practice in 1964. A Manual for Midwife Practice in NC was established in 1969. The last "midwife" permitted by the county health department system was in 1964.

In 1973 the Medical Practice Act and the Nurse Practice Act were amended to allow an expanded role for registered nurses. The title bestowed to advanced practice nurses was "RN approved to perform Medical Acts" and included a mechanism by which the approved RN could prescribe medications. Regulation was by a joint subcommittee of the Board of Medical Examiners and the Board of Nursing; agreement of both boards was necessary for actions to be implemented.

A need for new legislation was recognized in 1981 in part due to a renewed public interest in home birth, especially attended by midwives. There were applications for midwifery permits under the 1917 law, received from two lay midwives and the Board of Medical Examiners opposed CNM attendance at home births, even with physician back up. A study commission was formed by the legislature to "study the safety and efficacy of out-of-hospital delivery and to examine the State's role in licensing or otherwise permitting the activities of birth attendants functioning in the non-hospital setting" (HB695, 1981). Under HB695, some of the state's CNMs attended home births with good outcomes. The results of the 1981 out-of-hospital study, along with recommended legislation for the practice of midwifery in NC, was submitted to the 1983 legislature. This recommended legislation was not "site" limited due to findings of the out-of-hospital delivery report. Today's statutory base of midwifery

practice resulted from these recommendations to the 1983 legislature.

The 1983 Act to Regulate the Practice of Midwifery provides for a Midwifery Joint Committee, which include CNMs, for the regulation of midwifery practice. Lay midwives were excluded from this legislation and would no longer be legal with the exception of Lisa Goldstein who was "grandfathered" into this law. The Midwifery Law removed the previously required approval of the entire Board of Medical Examiners and the Board of Nursing in matters relating to the regulation of midwifery. The law further defines midwifery and sets forth qualifications for practitioners of midwifery in NC. As of January 1999 there were 140 Certified Nurse Midwives approved to practice in NC. CNMs provide services in hospitals, clinics, birth centers, and in the home. There are an unknown number of lay midwives attending home births.

Important dates in NC midwifery history:

April 7, 1979: First meeting of the NC Chapter of the American College of Nurse Midwives in Raleigh.

January 1992: The first class for the Midwifery Program at Eastern Carolina University was admitted.