

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

- * The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- * Please address questions regarding information on this notice to the agency.
- * The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- * The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
State Admin Rule Filing Id:		Time filed:	

		Agency No.		Rule No.		Section No.
Utah Admin. Code Ref (R no.):	R	156	-	44a	-	609
Changed to Admin. Code Ref. (R no.):	R		-		-	

1.	Agency:	Commerce/Division of Occupational and Professional Licensing			
	Room no.:				
	Building:	Heber M. Wells Building			
	Street address 1:	160 East 300 South			
	Street address 2:				
	City, state, zip:	Salt Lake City UT 84111-2316			
	Mailing address 1:	PO Box 146741			
	Mailing address 2:				
	City, state, zip:	Salt Lake City UT 84114-6741			
	Contact person(s):				
	Name:	Phone:	Fax:	E-mail:	
	Suzette Farmer	801-530-6789	801-530-6511	sfarmer@utah.gov	

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2.	Title of rule or section (catchline):	Standards for Out-of-State Programs Providing Certified Nurse Midwife Clinical Experiences in Utah			
3.	Type of notice:	New ___; Amendment XXXX; Repeal ___; Repeal and Reenact ___			
4.	Purpose of the rule or reason for the change:	<p>The Division and Certified Nurse Midwife Board reviewed the rule and determined this new section needs to be added. With the proliferation of online and distance education programs for nurse midwifery, Utah residents may be completing a program of study via distance education. In most situations, distance education students are expected to complete their clinical practicum near where they reside. The Certified Nurse Midwife Board is seeking the addition of this rule based on its interpretation of Subsection 58-1-307(1)(b) and (c). The Board seeks to establish, through rule, the minimum standards which would be required for Division approval of the educational program.</p>			
5.	This change is a response to comments from the Administrative Rules Review Committee.	No XXX; Yes ___			
6.	Summary of the rule or change:	Section 609 is being added to require out-of-state nurse midwifery programs, seeking clinical placements in Utah, to present satisfactory documentation to the Board that the educational program meets minimum expectations for program quality.			
7.	Aggregate anticipated cost or savings to:				

	Date Issued		
	Issue, or version		
	ISBN Number (optional)		
	ISSN Number (optional)		
	Cost of Incorporated Reference		
	Action: Adds, updates, or removes		
	(If this rule incorporates more than two items by reference, please attach additional pages)		
12.	The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)		
	A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):	05/01/2015	
	B) A public hearing (optional) will be held:		
	On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
13.	This rule change may become effective on (mm/dd/yyyy):	05/08/2015	
	NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.		
14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")); may not include the name of the agency:		
	licensing	midwifery	
	certified nurse midwife		
15.	Attach an RTF document containing the text of this rule change (filename):	R156-44a.pro	
To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.			
AGENCY AUTHORIZATION			
Agency head or designee, and title:	Mark B. Steinagel, Director	Date (mm/dd/yyyy):	03/10/2015

R156. Commerce, Occupational and Professional Licensing.

R156-44a. Nurse Midwife Practice Act Rule.

R156-44a-609. Standards for Out-of-State Programs Providing Certified Nurse Midwife Clinical Experiences in Utah.

(1) In order to qualify for the exemption set forth in Subsection 58-1-304(1)(b), approval of a nurse midwifery education program located in another state that uses Utah health care facilities for clinical experiences with certified nurse midwives for one or more students shall, prior to placing a student, submit a request for approval in writing to the Certified Nurse Midwife Board and demonstrate to the satisfaction of the Board that the program:

(a) has been approved, if required, by the regulatory body responsible for certified nurse midwives in the program's home state;

(b) holds current accreditation from the Accreditation Commission for Midwifery Education (ACME);

(c) has clinical faculty who are employed by the nurse midwifery education program;

(d) is affiliated with an institution of higher education;

and
(e) has established criteria for selection and supervision of:

(i) onsite preceptors; and

(ii) the clinical activities.

(2) Following approval by the Board, the nurse midwifery program shall:

(a) reapply for Board review and approval when the program's ACME accreditation is reaffirmed; and

(b) notify the Board, in writing, of any change in its accreditation status.

KEY: licensing, midwifery, certified nurse midwife

Date of Enactment or Last Substantive Amendment: [~~January 22, 2013~~]2015

Notice of Continuation: January 16, 2014

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-44a-101