Clinical Privileging and Medical Staff Provisions in Law and Rule

A Brief Consideration of State Policies Pertaining to Certified Nurse-Midwives (CNM®) and Certified Midwives (CM®)

Data as of August 2012
Explanation of Categories Used

Many of the statutes and regulations pertaining to medical staff membership and clinical privileging are relatively ambiguous; they are notable for what they say as much as what they do *not* say. The categories assigned to states are ACNM’s interpretation of the applicable law or rule and should be viewed as guidance only.

Notably, most states leave the interpretation to individual hospital governing bodies, which means that there is conceivably much variability in the privileges granted to midwives. Many anti-discrimination rules do not explicitly extend to midwives.
Explanation of Categories Used

Privileges were considered to be explicitly granted when midwives were specifically included as eligible practitioners.

Conversely, privileges were considered to be explicitly denied when there was language that noted that clinical privileges or medical staff membership “shall be” or “must be” limited to certain practitioners, typically physicians.

Many of the states’ provisions fell into gray areas and necessitated categorization by implication.

A full description of the rationale behind each state’s categorization may be found in the “Clinical Privileging and Medical Staff Provisions” state policy brief.
Medical Staff Provisions for Certified Nurse-Midwives (CNM®) in Law and Rule

- Medical Staff Membership is Allowed (25)
- Medical Staff Membership is Implied (9)
- Medical Staff Membership is not Granted (5)
- Medical Staff Membership is not Granted (Implied) (12)
Medical Staff Provisions for Certified Midwives (CM®) in Law and Rule

- Medical Staff Membership is Allowed (4)
- Medical Staff Membership is Implied (0)
- Medical Staff Membership is not Granted (1)
- Medical Staff Membership is not Granted (Implied) (0)
- CM® Credential is not Recognized (46)
Clinical Privileging Provisions for Certified Nurse-Midwives (CNM®) in Law and Rule

Clinical Privileges Granted in Law or Rule (31)
Clinical Privileges are Implied (19)
Clinical Privileges are not Granted (0)
Clinical Privileges are not Granted (Implied) (1)
Clinical Privileging Provisions for Certified Midwives (CM®) in Law and Rule

- Clinical Privileges Granted in Law or Rule (4)
- Clinical Privileges are Implied (1)
- Clinical Privileges are not Granted (0)
- Clinical Privileges are not Granted (Implied) (0)
- CM® Credential is not Recognized (46)