

**Health Professions Act**  
**MIDWIVES REGULATION**

**PROPOSED**

**TO AMEND**  
**B.C. REG. 281/2008**

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**Definitions**

1 In this regulation:

~~"aboriginal" means relating to the Indian, Inuit or Métis peoples of Canada;~~

~~"aboriginal midwifery" means~~

~~(a) traditional aboriginal midwifery practices such as the use and administration of traditional herbs and medicines and other cultural and spiritual practices;~~

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~~(b) contemporary aboriginal midwifery practices which are based on, or originate in, traditional aboriginal midwifery practices, or~~

~~(c) a combination of traditional and contemporary aboriginal midwifery practices;~~

**“Indigenous”** means relating to the aboriginal peoples of Canada within the meaning of section 35 of the *Constitution Act, 1982*;

**“Indigenous midwifery”** means

- (a) traditional Indigenous midwifery practices including the use and administration of traditional herbs and medicines and other cultural and spiritual practices,
- (b) contemporary Indigenous midwifery practices which are based on, or originate in, traditional Indigenous midwifery practices, or
- (c) a combination of traditional and contemporary Indigenous midwifery practices;

**"Act"** means the *Health Professions Act*;

**"compound"** means to mix with one or more other ingredients;

**"dispense"** has the same meaning as in the *Pharmacy Operations and Drug Scheduling Act*, but excludes a sale as defined in that Act;

**"Drug Schedules Regulation"** means the Drug Schedules Regulation, B.C. Reg. 9/98;

**"hospital"** has the same meaning as in the *Hospital Act*;

**"midwifery"** means the health profession in which a person provides the following services during normal pregnancy, labour, delivery and the ~~post-partum~~ postpartum period:

- (a) assessment, monitoring and care for ~~women, newborns and infants, including the carrying out of~~ patients, newborns and infants, including carrying out appropriate emergency measures when necessary;
- (b) counselling, supporting and advising ~~women, including provision of persons, including providing~~ advice and information regarding care for newborns and infants;
- (c) conducting internal examinations of ~~women patients~~, performing episiotomies and amniotomies and repairing episiotomies and simple lacerations;

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(d) contraceptive services for ~~women patients~~ during the 3 months following a birth;

**"midwifery diagnosis"** means a clinical judgment of ~~a woman's mental or physical condition, or that of her newborn~~ a patient's mental or physical condition, or that of the patient's newborn, to determine whether

(a) the condition can be ameliorated or resolved by services that the registrant is authorized to provide, or

(b) consultation with, or transfer of responsibility for care to, another health professional is necessary or appropriate;

**"narcotic"** has the same meaning as in the Narcotic Control Regulations made under the *Controlled Drugs and Substances Act (Canada)*;

**"patient"** means a person who

(a) is pregnant,

(b) is in labour or is delivering a child, or

(c) is in the postpartum period;

**"parenteral instillation"** means instillation directly into the blood stream;

**"prescribe"** means to issue a prescription as defined in the *Pharmacy Operations and Drug Scheduling Act*, except a prescription issued in respect of an animal;

**"registrant"** means a registrant who is authorized under the bylaws to practise midwifery;

**"reserve"** means a reserve as defined in the *Indian Act (Canada)*;

**"substance"** includes air and water, but excludes

(a) a drug specified in Schedule I, IA, II or IV of the Drug Schedules Regulation, and

(b) Repealed. [B.C. Reg. 274/2016, s. 1 (c).]

[am. B.C. Regs. 155/2009, s. 1; 274/2016, s. 1.]

**College name**

~~2. The name "College of Midwives of British Columbia" is the name of the college established under section 15 (1) of the Act for midwifery.~~

**College name**

2. The name of the college responsible for carrying out the objects of the Act in respect of midwifery is “British Columbia College of Nurses and Midwives”.

### **Reserved title**

3 The title "midwife" is reserved for exclusive use by registrants.

### **Scope of practice**

4 (1) A registrant may practise midwifery.

~~(2) An aboriginal registrant may practise aboriginal midwifery.~~

(2) A registrant who is Indigenous may practise Indigenous midwifery.

### **Provisional registrant classes**

4.1 The college is authorized to establish, under section 19(1) (i) of the Act, a class of provisional registrants for the purposes of section 20(4.3) of the Act.

### **Restricted activities**

5 (1) A registrant in the course of practicing midwifery may do any of the following:

(a) make a midwifery diagnosis identifying a condition as the cause of signs or symptoms of an individual;

(b) perform a procedure on tissue below the dermis or below the surface of a mucous membrane, for the purposes of

(i) performing episiotomies or amniotomies,

(ii) repairing episiotomies or simple lacerations, or

(iii) taking a swab or specimen required for a screening or diagnostic test;

(c) insert acupuncture needles under the skin for the purpose of pain relief during labour or the ~~post-partum~~ postpartum period;

(d) for the purpose of collecting a blood sample, perform venipuncture;

(e) for the purpose of wound care during the ~~post-partum~~ postpartum period, administer a solution by irrigation;

(f) administer a substance by

(i) injection,

(ii) inhalation, or

(iii) parenteral instillation

for the purposes of

(iv) pain relief,

(v) preventing or treating dehydration or blood loss,

(vi) resuscitation or other emergency measures, or

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- (vii) other purposes as required for midwifery practice;
- (g) put an instrument or a hand or finger
  - (i) beyond the point in the nasal passages where they normally narrow, for the purpose of suctioning a newborn,
  - (ii) beyond the pharynx, for the purpose of intubating a newborn,
  - (iii) beyond the opening of the urethra, for the purpose of catheterization of ~~a woman during labour or the post-partum period~~ a patient during labour or the postpartum period,
  - (iv) beyond the labia majora, for the purposes of
    - (A) conducting internal examinations of ~~women patients~~,
    - (B) performing episiotomies or amniotomies,
    - (C) repairing episiotomies or simple lacerations, or
    - (D) conducting the vacuum-assisted emergency delivery of a baby,
  - (v) beyond the anal verge, for the purposes of
    - (A) assessing perineal repairs,
    - (B) administering a substance, or
    - (C) assisting in the emergency delivery of a baby, or
  - (vi) into an artificial opening into the body, for the purpose of assisting in the surgical delivery of a baby;
- (h) manage labour or normal, spontaneous vaginal delivery of a baby;
- (i) apply ultrasound for the purpose of fetal heart monitoring;
- (j) give an instruction or authorization for another person to apply, to a named individual, ultrasound for diagnostic or imaging purposes, including any application of ultrasound to a fetus;
- (k) in respect of a drug specified in Schedule I or IA of the Drug Schedules Regulation that is prescribed by a medical practitioner or a nurse practitioner,
  - (i) compound the drug,
  - (ii) dispense the drug, or
  - (iii) administer the drug by any method;
- (l) in respect of a drug specified in Schedule I or IA of the Drug Schedules Regulation,
  - (i) prescribe the drug,
  - (ii) compound the drug,
  - (iii) dispense the drug, or
  - (iv) administer the drug by any method;
- (m) in respect of a drug specified in Schedule II of the Drug Schedules Regulation,

- (i) prescribe the drug,
- (ii) compound the drug,
- (iii) dispense the drug, or
- (iv) administer the drug by any method.

(1.1) Only a registrant may provide a service that includes the performance of an activity set out in subsection (1).

(2) Subsection (1.1) does not apply on a reserve to an ~~aboriginal~~ Indigenous person who practised ~~aboriginal~~ Indigenous midwifery prior to March 15, 1995.

### **Limits or conditions on services and restricted activities**

6 (1) A registrant must consult with a medical practitioner or nurse practitioner regarding any deviations from the normal course of pregnancy, labour, delivery and the ~~post-partum~~ **postpartum** period that indicate pathology and transfer responsibility for care to another health professional when necessary or appropriate.

(2) A registrant may provide a service that includes the performance of an activity described in section 5 (1) (c), (g) (iv) (D) or (vi) or (l) only if the registrant has successfully completed a certification program established, required or approved under the bylaws to ensure registrants are qualified and competent to provide the service and perform the activity.

(3) A registrant may perform an activity described in section 5 (1) (k) only after consulting with a medical practitioner or a nurse practitioner, unless the registrant is authorized under section 5 (1) (l) and subsection (4) of this section to perform the activity.

(4) A registrant may perform an activity described in section 5 (1) (l) in respect of a drug included in a category of drugs set out in

(a) Column 1 of Schedule A, only for a purpose shown opposite in Column 2 of Schedule A, and

(b) Column 1 of Schedule B, only for a purpose shown opposite in Column 2 of Schedule B.

(5) Repealed. [B.C. Reg. 274/2016, s. 3 (d).]

(6) A registrant may perform an activity described in section 5 (1) (k) to (m) only in respect of ~~a woman or her newborn, as the case may be, during pregnancy, labour, delivery or the post-partum period~~ a patient or the patient's newborn, as the case may be, during pregnancy, labour, delivery or the postpartum period.

[en. B.C. Reg. 155/2009, s. 4; am. B.C. Reg. 274/2016, s. 3.]

**Patient relations program**

7 The college is designated for the purposes of section 16 (2) (f) of the Act.

**Schedules 1 and 2**

Repealed. [B.C. Reg. 155/2009, s. 5.]

**Schedule A**

[en. B.C. Reg. 155/2009, s. 5; am. B.C. Reg. 274/2016, s. 4.]

<b>Column 1 Category Description</b>	<b>Column 2 Purposes</b>
Antibiotics	intra-partum chemoprophylaxis for Group B strep treatment of topical infection treatment of breast infection treatment of urinary tract infection prophylaxis of ophthalmia neonatorum
Anaesthetics	performance of episiotomies repair of episiotomies and lacerations treatment of topical inflammation localized pain prophylaxis
Anti-coagulants	prophylaxis of venous thromboembolism
Anti-fungals	treatment of candidiasis
Anti-nauseants / Anti-emetics	treatment of nausea and vomiting
Anti-virals	suppression of viral infections during pregnancy and the <del>post-partum</del> <b>postpartum</b> period, excluding HIV/AIDS management
Benzodiazepines	therapeutic rest in prodromal labour short term management of excessive anxiety in the postpartum period
Corticosteroids	treatment of skin inflammation and haemorrhoids
Galactagogues	enhancement of breast milk production
Histamine antagonists	treatment of anaphylaxis related to the administration of drugs, vaccines or sera

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Immune globulins	prophylaxis in the neonate prophylaxis or treatment of the <del>woman</del> -patient in pregnancy or the postpartum period
Inhalants	pain relief in labour or the immediate postpartum period
Narcotic antagonists	reversal of narcotic-induced depression
Narcotics	pain relief in labour or the postpartum period
Nitrates	treatment of hypertonic uterine contractions with non-reassuring fetal status
Non-steroidal anti- inflammatories	relief of inflammation and pain
Sympathomimetics	treatment of anaphylaxis or allergic reaction following the administration of a drug, vaccine or serum neonatal resuscitation
Uterotonic agents	prophylaxis and treatment of uterine atony and postpartum haemorrhage
Vaccines	establishing an immune response
Vitamin and mineral supplements	nutritional therapy and support



**Schedule B**

[en. B.C. Reg. 155/2009, s. 5.]

<b>Column 1 Category Description</b>	<b>Column 2 Purposes</b>
Antibiotics	treatment of infection not included in Schedule A
Anti-virals	HIV/AIDS management
Cervical ripening agents	induction of labour
Contraceptives	prevention of conception
Epidural analgesia (continuous infusion maintenance)	pain relief during labour and delivery, in a hospital only
Oxytocin (intravenous infusion)	induction or augmentation of labour, in a hospital only

[Provisions relevant to the enactment of this regulation: *Health Professions Act*, R.S.B.C. 1996, c. 183, section 12 (2)]