

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 582
Department or Agency: Alabama State Board of Midwifery
Rule No.: 582-X-1-.04
Rule Title: Midwifery Board
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Noel Leithart
Noel Leithart

Date

Wednesday, June 18, 2025

REC'D & FILED
JUN 18, 2025
LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF MIDWIFERY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Midwifery

RULE NO. & TITLE: 582-X-1-.04 Midwifery Board

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
update expiration date of board members to coordinate with Governor's office

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
Will accept written comments until 8/4/2025

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Monday, August 4, 2025

CONTACT PERSON AT AGENCY:
Noel Leithart
NLeithart@alsbm.org

Noel Leithart

Noel Leithart

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Midwifery Board.

(1) *Membership.* Members are appointed by the Governor and subject to confirmation by the Senate in accordance with the composition specified in Act 2017-383. Four members shall hold a valid CPM credential from NARM and shall be appointed from a list of names submitted by the Alabama Birth Coalition or its successor organization. One member shall be a nurse practitioner. One member shall be a licensed CNM or RN licensed in the state of Alabama under Article 5 of Chapter 21 and shall be appointed from a list of names submitted by the Alabama Board of Nursing. One member shall have used midwifery services in the state and shall be appointed from a list of names submitted by the Alabama Birth Coalition or its successor organization. A record of attendance shall be kept at each meeting. Code of Ala. 1975, §34-19-12(g)

(2) *Officers.* Alabama State Board of Midwifery shall elect a chair from the members. The chair is selected by the Alabama State Board of Midwifery as the term of appointment expires or a vacancy is otherwise created. The chair shall be the presiding officer of the Alabama State Board of Midwifery, shall not serve longer than 2 years, and shall not serve consecutive terms. Code of Ala. 1975, §34-19-12(f)

(3) *Terms of office.* The members of the Alabama State Board of Midwifery serve for staggered initial terms in accordance with the composition specified by Act 2017-383. After the initial terms have been fulfilled, members shall serve for a minimum of four years or until his or her successor has been appointed and qualified, with the terms of members expiring on January ~~31st~~^{9th} after full terms have been served. Code of Ala. 1975, §34-19-12(d)

(4) *Meetings.*

(a) *Frequency.* The Alabama State Board of Midwifery shall meet at least semi-annually and at other times when called by the ASBM. Notice of the time, date, place and purpose of meetings shall be provided to the members by e-mail or by telephone, at least seven days in advance of each meeting. Normal meetings should be held in person when reasonably possible, electronic methods are acceptable when deemed necessary. Code of Ala. 1975, §34-19-12(e)

(b) *Quorum.* A majority of the ASBM's members constitutes a quorum for the transaction of business at any meeting. A majority is defined as more than one-half of the membership. The ASBM may act only by majority vote of its members present. Each member shall be entitled to one vote. Proxy

votes shall not be allowed. In case of a tie vote, the chair's vote will be the tie breaker.

(c) *Subcommittees*. Subcommittees of the ASBM shall be appointed only from the membership of the ASBM by the chair with such powers and responsibilities as shall be delegated to them by the chair.

(d) *Workgroups*. The ASBM may convene ad hoc working groups consisting of board members, Certified Professional Midwives, consumers, and other stakeholders, as necessary.

(e) *Minutes*. Minutes of all ASBM meetings shall be prepared and transmitted to the members for their review prior to subsequent meetings.

(f) *Public participation*. Anyone wishing to address the board at a regularly scheduled board meeting will be required to submit a written request to the board no later than two weeks prior to the board meeting date. The request should include the topic to be addressed and the name(s) of the presenter(s). If time permits, the matter will be placed on the board's agenda; otherwise, the matter will be placed on the agenda for the next regularly scheduled board meeting. All presenters may be limited to fifteen (15) minutes to present their requests to the board.

(g) *Travel Reimbursement*. Each Alabama State Board of Midwifery member is entitled to receive regular per diem and travel allowances as authorized for state employees in accordance with subsection 34-19-12 (k).

Author: Alabama State Board of Midwifery

Statutory Authority: Code of Ala. 1975, §§34-19-12, et seq.

History: New Rule: Filed September 24, 2018; effective November 9, 2018. Amended: Published _____ ; effective _____ .