



Australian College of Midwives  
PO Box 87, DEAKIN WEST 2600  
Ph: 02 6230 7333, [studentcmt@midwives.org.au](mailto:studentcmt@midwives.org.au)  
[www.midwives.org.au](http://www.midwives.org.au), ABN 49 289 821 863

## **The Australian College of Midwives Student Advisory Committee**

### **Response to the Senate Community Affairs Committee Inquiry into Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related Bills.**

The Student Advisory Committee of the Australian College of Midwives is pleased to note the Government facilitating new measures to enhance and expand the role of Midwives in the provision of health care with the introduction of the Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related bills, the Midwife Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009 and Midwife Professional Indemnity (Run-off Cover Support Payment) Bill 2009. The Student Advisory Committee (SAC) is composed of six members some of whom are undertaking Midwifery studies, and others who are recent graduates. We have representatives in most states of Australia, and as such represent the wider voice of Midwifery Students. We are proud to represent the future of Australia's Midwifery workforce.

We feel that recognition of the Midwife's role in the maternity care system in Australia is long overdue and welcome the proposed Medicare funding, access to the Pharmaceutical Benefits Scheme and professional indemnity insurance. However, it is our view that the exclusion of the home setting for intrapartum care, or home birth, is unacceptable.

As the Senate will be aware, the Health Practitioner Regulation National Law 2009 is due to come into effect on the 1<sup>st</sup> July 2010 and this law will prevent registered health professionals from practicing without PII. Since the medical insurance fall-out of 2001, Midwives in private practice have been unable to procure professional indemnification. With the intersection of the

Health Practitioner Regulation National Law 2009 and the abovementioned bills, Midwives in private practice will be prevented from attending home births.

The International Confederation of Midwives, International Federation of Gynecology and Obstetrics and the World Health Organisation released their Definition of a Midwife in 2005:

*A Midwife is a person who, having been regularly admitted to a Midwifery education programme, duly recognized in the country in which it is located, has successfully completed the prescribed course of studies in Midwifery and has acquired the requisite qualifications to be registered and/or legally licensed to practice Midwifery.*

*The Midwife is recognized as a responsible and accountable professional who works in partnership with women to give the necessary support, care and advice during pregnancy, labour and the postpartum period, to conduct births on the Midwife's own responsibility and to provide care for the newborn and infant. This care includes preventive measures, the promotion of normal birth, the detection of complications in mother and child, the accessing of medical or other appropriate assistance and the carrying out of emergency measures.*

*The Midwife has an important task in health counselling and education, not only for the woman, but also within the family and community. This work should involve antenatal education and preparation for parenthood and may extend to women's health, sexual or reproductive health and childcare.*

*A Midwife may practice in any setting including the home, community, hospitals, clinics or health units.*

The three bills that are the focus of this inquiry, along with the Health Practitioner Regulation National Law 2009, will put Australia out of step with the rest of the world in restricting Midwives from practicing in the home setting. In other countries, such as the United Kingdom and New Zealand, a woman's right to choose her place of birth is protected by law. The SAC is concerned that these pieces of legislation will leave women in the untenable position of being unable to access a registered, qualified midwife for their intrapartum care at home.

The SAC requests that the Senate Community Affairs Legislation Committee considers the impact of this legislation as it is currently written. By excluding intrapartum care at home from PII, registered midwives will be unable to provide care for home birthing women, leaving these women with no qualified and registered health professional to attend them. The midwife's scope of practice will be restricted, contravening the International Definition of a Midwife. The SAC

Australian College of Midwives Student Advisory Committee: Response to the Senate Community Affairs Committee Inquiry into Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related Bills

proposes that Medicare funding, access to the Pharmaceutical Benefits Scheme and professional indemnification be extended to include all settings, including intrapartum care at home.

The SAC has welcomed the opportunity to comment on these items of concern. As the future workforce of the maternity system, the student body hopes that the Government will support Midwifery students to work in an environment where their skills are respected and valued. Chronic work force shortages in health sectors such as Midwifery necessitate amendments to the above bills to ensure the Midwives of the future remain in the maternity workforce.

Student Advisory Committee  
The Australian College of Midwives  
*studentcmt@midwives.org.au*  
20<sup>th</sup> July 2009