
Midwifery bill on its way to Governor after Legislature's approval

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The Midwifery bill, which decriminalizes the practice, has passed both chambers and now awaits the Governor's signature.

This bill has faced many challenges since its first public hearing at a House Judiciary Committee meeting in March, and even faced great challenges Friday (the final day the Legislature was meeting), getting out of the Senate.

The hearing prompted a group of midwives to sit in at the Senate gallery on Thursday night till midnight to petition the Senate to hear their bill. At the time, the Senate was reading, in full, the 537-page Redistricting bill that would take until noon on Friday to complete.

Tensions rose even further after Sen. Bobby Singleton (D-Greensboro) said if the Midwife bill didn't pass, he would ramp up delay tactics in response.

When the Senate adopted a special-order calendar, the Midwife bill was at the top of the list. Despite this, it wasn't voted on until much later. It was pelted with amendment after amendment with the grand total of 7 amendments being proposed.

The first Senator to propose amendments was Sen. Tim Melson (R-Florence). Melson proposed three amendments to the bill pertaining to requiring children to receive tests after they are born. All three of them failed.

Melson then said he was going to leave the podium saying he didn't want to appear as though he was "trying to kill this bill."

Next up was Representative Arthur Orr (R-Decatur) who proposed a successful amendment to create a regulating board for Midwives. Orr added that if his amendment caused controversy in the House, they should scrap it from the bill.

Sen. Paul Bussman (R-Cullman), who as a Co-Sponsor of another Midwifery bill, said the amendment was acceptable.

Finally, the most contentious amendments came from Sen. Mark Blackwell (R-Birmingham) who said he didn't quite understand what level of education was required to be a Certified Midwife. He proposed three amendments.

This move was met with the ire of Sen. Vivian Figures (D-Mobile) who accused Blackwell of filibustering the bill.

“Who are you working for?,” Figures asked.

Figures said Blackwell was trying to “kill this bill.”

The discussion ended with Sen. Rodger Smitherman (D-Birmingham) stalling for time by talking on the floor while Bussman and Blackwell went off the floor to work out their differences on the bill. Smitherman had come out in support of the bill earlier when the Senate convened.

Eventually, the bill was taken off the floor and, after a recess, reappeared almost three hours later. Bussman said they had worked out a compromise between all parties including the Midwives, the Medical Association and the Hospital Association.

The new deal involved a regulating board that would consist of seven members appointed by the Governor. Four who have Certified Midwifery certificates from the North American Registry of Midwives, one Nurse Practitioner, one Certified Nurse-Midwife or Registered Nurse, and someone who has used Midwifery services in the State.

They sent the bill to the House with a 30-0 vote.

Even when it reached the House, there was some doubt it would make it to the Governor's desk.

The House on Friday was full of delay tactics that saw bills read, including an 82-page bill that took an hour and a half to read. Despite this, the bill passed the House 95-1 and was delivered to the Governor Friday evening.

If Governor Ivey signs the bill, Midwives would be able to legally practice Midwifery for the first time since the mid-1970s. This comes after more than a dozen attempts to legalize Midwifery over the past decades.