

## Nurse Midwifery: Midwives Exceeded Scope Of Practice.

The patient's obstetrician advised the patient against a home birth and insisted upon admission to the hospital because her fetus was in a transverse lie that could spell complications above and beyond an uncomplicated vaginal delivery.

The patient chose instead to rely on contrary advice from her nurse midwives that she could safely deliver at home. However, as soon as her labor began at 36 weeks it quickly became apparent it was not going to be an uncomplicated delivery. The midwives decided to drive the mother to the hospital but made it only as far as the hospital parking lot, where the mother delivered in the back seat of the car.

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***Rendering medical advice or treatment is beyond the scope of practice of a licensed nurse midwife.***

***Contradicting the advice given to a patient by the patient's physician is not permissible, nor is a midwife permitted to extract a placenta which does not deliver spontaneously.***

SUPERIOR COURT OF CONNECTICUT  
April 5, 2011

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The Superior Court of Connecticut found several aspects of the case went beyond the midwives' scope of practice and amounted to illegal unlicensed practice of medicine.

A midwife cannot legally give medical advice to a patient which contradicts the advice of the patient's own physician. A midwife cannot attempt to extract a placenta which will not deliver spontaneously. The midwives were also in the wrong, according to the Court, when they took control of the newborn infant and refused to allow paramedics and hospital personnel to take the newborn from the parking lot into the hospital for evaluation. ***Albini v. Connecticut Medical Board, 2011 WL 1566994 (Conn. Super., April 5, 2011).***