

10 September 1987

Bronwen Pelvin
Secretary
Domiciliary Midwives Society of New Zealand
Riverside Community
RD 2
UPPER MOUTERE

Dear Bronwen

Thank you for your letter and the enclosed submission on requirements for midwives undertaking domiciliary practice. I have passed the letter on to the Nurse Advisors working on the matter, with the request that you be sent a draft before they are finalised.

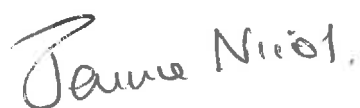
As you will be aware there is a great deal of uncertainty about the direction of the health services at present. I assume that the transition to area health boards will continue, and be completed, over the next 12-18 months. This, in itself, is no threat to domiciliary midwives as it will be no different to working under the present system (certainly Nelson and Northland do not appear to have run into any problems).

The new document setting out the terms and conditions of employment for domiciliary midwives signed by the previous Minister just prior to the selection, ensures at least in the short term that the status quo is maintained. Hopefully consultation would occur before any changes were considered. Even if funding and services are regionalised it should, I would think, still be possible for domiciliary midwives to continue under contract to the Minister, with a special allocation being awarded to fund the service in any given area. In time, it might be possible to bring the service under the wing of the community health umbrella of an area health board, but obviously there could be problems with such a move, if some of those concerned were not interested in maintaining the service.

... I have sent Kelly Grovehills a copy of the new terms and conditions document, but in case she has not yet sent it to you I enclose one for your information. As I explained to Kelly not all the things that had been requested could be included because a change to the fee structure would have given rise to an increase in payment not budgeted for this year. This however does not prevent it being sought in future.

Best wishes.

Yours sincerely

A handwritten signature in cursive script that reads "Jennie Nicol".

Jennie Nicol
SAO
for Acting Manager
Women, Children & Family Health Programme

Encl

TERMS AND CONDITIONS, FOR APPROVED MIDWIVES AND REGISTERED
NURSES PROVIDING DOMICILIARY MATERNITY SERVICES

PURSUANT to section 110 of the Social Security Act 1964, I
MICHAEL EDWARD RAINTON BASSETT, Minister of Health (including
any person who may from time to time hold that office or
undertake the duties of that office), hereby fix the terms and
conditions applicable to approved midwives providing maternity
services in domiciliary practice.

1. In these terms and conditions, unless the context
otherwise requires, -

"Domiciliary practice" means the carrying out of obstetric
nursing, in any place other than an institution under the
control of an area health board or a hospital board or a
licensed hospital within the meaning of Part V of the
Hospitals Act 1956, by a registered midwife or a registered
nurse approved to carry out obstetric nursing under section
110 of the Social Security Act 1964.

2. The Department of Health shall pay the fees that may from
time to time be fixed by the Minister of Health, to approved
midwives in domiciliary practice.

3 No midwife in domiciliary practice shall be entitled to receive any fees from the Department of Health for providing those services without having a contract with the Minister of Health:

Provided that all midwives who are registered and have existing contracts at the time these terms and conditions come into force shall be deemed to be approved by the Minister of Health.

4. Following approval a midwife in domiciliary practice shall receive the fees fixed by the Minister of Health for providing the following services:

- (a) antenatal consultations (up to a maximum of 3);
- (b) attendance on a woman during labour, delivery and immediate post partum (this includes circumstances where transfer may become necessary during the course of labour);
- (c) postnatal visits up to a maximum of 12; the first 2 visits being made within 24 hours of birth;
- (d) travelling related to the provision of maternity services in a domiciliary situation in accordance with the fees in force at the time of service;

5 For the purpose of enabling a midwife to be engaged in domiciliary practice and to enable such midwives to provide adequate services, the Department of Health shall give such midwives access to the pharmaceutical specified as Midwifery Pharmaceutical Requirements in the Prescription Pricing Schedule as defined in Part I of the schedule to the Drug Tariff 1984.

6. Midwives who have been approved by the Minister of Health and who are receiving fees for domiciliary practice shall provide those services personally and not through the use, employment, or engagement of any other person. Where a midwife is unable to personally provide maternity services in any particular case, that midwife shall arrange for those services to be provided by another midwife who has been approved by the Minister of Health.

7 A midwife in domiciliary practice shall provide a domiciliary service in the defined geographical area specified in her application to the Minister of Health:

Provided that a midwife may be reimbursed for maternity services undertaken outside the defined area of practice where special circumstances arise and where the prior written consent of the Medical Officer(s) of Health have been obtained.

8. The Minister of Health may, either following a request from the Domiciliary Midwives Society (Inc) or of his own initiative, consult with the Society when reviewing the Terms, Conditions, and Fees applicable to approved midwives in domiciliary practice.

9. Any contract entered into between the Minister of Health and any approved midwife pursuant to section 110 of the Social Security Act may be terminated by either party, giving to the other party not less than 3 months notice in writing to that effect.

10. Any notice given by a midwife in domiciliary practice pursuant to clause 9 of these conditions shall be accompanied by a list of the women (including names, addresses, and expected date of confinement) to whom she has become engaged to attend in relation to maternity benefits at any time after the date when the notice is intended to take effect or within 1 month before than date.

11. Forthwith after giving notice of her intention to terminate her contract of service, it shall be the duty of the domiciliary midwife to notify the women concerned of the fact that she has given such notice, and of the date on which the contract is to be terminated.

12. These Terms and Conditions shall apply from 1st August 1987.

Dated at Wellington *30 July 1987*



Michael Bassett

Minister of Health

LEGISLATION OF RELEVANCE TO INTENDING
DOMICILIARY MIDWIVES

Midwives seeking to be engaged in domiciliary practice in return for fees from the Department of Health, may apply for a contract on a form to be provided by that department.

Under the terms and conditions for approved midwives providing domiciliary maternity services, the term "domiciliary practice" means the carrying out of obstetric nursing, in any place other than an institution under the control of an area health board or a hospital board or a licensed hospital within the meaning of Part V of the Hospitals Act 1956, by a registered midwife or a registered nurse approved to carry out obstetric nursing under section 110 of the Social Security Act 1964.

All those who apply for a contract with the Minister to provide domiciliary maternity services must comply with the following legislation:

1 The Nurses Act 1977 as amended by the Nurses Amendment Act 1983 (Section 17 & 54)

The major points of note from these sections are:

- (a) To practice as a midwife a person must be either -
- (1) A registered midwife, being a person who was practising midwifery immediately before 1 April 1984; or
 - (2) a registered comprehensive nurse and registered midwife; or
 - (3) a registered general and obstetric nurse and registered midwife;

and

- (b) it is an offence for a person to carry out obstetric nursing unless they comply with (a) above and in any case where a medical practitioner has not undertaken responsibility for the care of the patient;

2 The Obstetric Regulations 1986, sections 8, 9 and 10 in relation to register of patients, clinical records and maintenance, availability and retention of the forementioned; and

3 The Drug Tariff and Misuse of Drugs Act 1977.

It should also be noted that under the Social Security Act, section 122, subsection 11, the Minister may, with just cause and through the appropriate channels, revoke the contract of a domiciliary midwife.

The Health Act delegates authority from the Minister to medical officers of health in specific instances. In conjunction with this section 58 of the Nurses Act 1977, (as amended by the 1983 Nurses Amendment Act), sets out the functions and powers of the medical officers of health in relation to obstetric nursing.