



## The Ohio Friends of Midwives

The Ohio Friends of Midwives (OFOM) is a non-profit, grassroots, consumer-based organization dedicated to supporting and promoting midwifery, particularly direct-entry midwifery, also known as "lay midwifery", as a quality health care option for Ohio women and their families. OFOM serves as an educational resource for the public and for both professional and non-professional groups who share an interest in the Midwives Model of Care for pregnancy, birth, and postpartum.

**We strongly believe that homebirth should be a safe, legal, and accessible option for all women and families in low risk pregnancies.**

### Immediate Action Needed On Behalf of Midwifery & Homebirth in Ohio!

Families attempting to obtain a birth certificate for babies born at home with midwives will have obstacles to hurdle as of December 1, 2005. Changes to the Ohio Department of Health (ODH) rules for registration of Out-of-Institution Births are now in effect. The changes follow a national model for recording of vital statistics to prevent fraudulent birth registration. The rule requires that parents provide extensive documentation in order to be issued a birth certificate for their new babes. Please see the attached rule 3701-5-16.

At first glance, the rule appears to be reasonable. Midwives ARE qualified health care professionals whose statements have been accepted by the local registrar in the past. However, the local registrar's offices are being told by the Department of Health in Columbus that they cannot accept records or statements from a non-licensed midwife as evidence of pregnancy or live birth. Only licensed midwives are allowed to sign the certificates. As you are aware, a midwife who assists with home births in Ohio currently has no licensing mechanism available, therefore, is no longer being seen as a credible witness of pregnancy and birth in this matter.

Even more ludicrous, the local registrar's office and the ODH have told new parents that they will accept a statement from a neighbor as proof of pregnancy--but not a midwife or even the baby's father! Ohio's Revised Code **§3705.09. Filing and registration of birth certificate; designation of father; social security numbers; new birth record upon paternity finding or acknowledgment**, specifically states that:

(A) A birth certificate for each live birth in this state shall be filed in the registration district in which it occurs within ten days after such birth and shall be registered if it has been completed and filed in accordance with this section.

(C) When a birth occurs outside an institution, the birth certificate shall be prepared and filed by one of the following in the indicated order of priority:

- (1) The physician in attendance at or immediately after the birth;
- (2) Any other person in attendance at or immediately after the birth;
- (3) The father;
- (4) The mother;
- (5) The person in charge of the premises where the birth occurred.

Midwives also clearly fall under (C)(2) of the revised code above. To no longer accept a midwife as a credible witness to the pregnancy and birth of a child in the out-of-institution setting is creating needless challenges for Ohio's families and is a discriminatory act toward those who choose to birth at home. It appears to be one more step towards eliminating a family's right to choose where and with whom to give birth to their children.

# Immediate Action Needed Continued....

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Your voice as a consumer of midwifery care and as a proponent of home birth is needed to motivate the Ohio Department of Health to once again accept the verification of pregnancy and birth from midwives. Please take a few minutes to write a simple letter encouraging the ODH to move toward that commonsense goal. Talking points in your personally written letter might include:

- Verification of home births has been provided by midwives for decades, and midwives should continue to be considered as credible witnesses to pregnancy and birth. Many midwives hold national CPM credentials, which clearly prove them as qualified.
- Determining both pregnancy and live births under the new rule 3701-5-16 is well within the qualifications of a midwife, regardless of licensure status.
- Rule 3701-5-16 does not require that pregnancy/birth verification be provided by a licensed health care provider. This interpretation is subjective on the part of the ODH. Midwives do, however, meet the criteria of “qualified.”
- Requiring an expectant mother to have prenatal visits with a medical provider (physician, public health nurse, chiropractor, etc.) in order to obtain written pregnancy/birth verification puts an unjust time and financial burden on Ohio families, and frankly goes against many home birth families’ wishes and beliefs.
- Personal records and physical examinations by medical professionals in order to apply for birth certificates are unjust expectations of the ODH and an invasion of privacy when a written statement/verification from the attending midwife could be utilized.
- Any other statements that uphold midwifery care in the home setting that you may want to acknowledge.

Your letter asking the ODH to practice a common sense approach with this issue rather than instituting rules that do not serve the citizenship of Ohio in the best fashion will be instrumental in affecting change. Their job, after all, is to register births and keep vital statistics for “incoming” and “outgoing” Ohioans. The sooner the ODH receives many letters on this issue, the sooner favorable resolution will be instituted; and home birthing families will be able to return to a credible and simpler method of filing for birth certificates.

Mail, FAX, or email your letter, and/or make a telephone call in this regard as soon as possible to:

Dr. J. Nick Baird, Director  
Ohio Department of Health  
246 North High Street  
Columbus, OH 43216-0118

Email: [nick.baird@odh.ohio.gov](mailto:nick.baird@odh.ohio.gov)  
Phone: 614-466-2253  
FAX: 614-644-0085

**Silence equals nonexistence. If I don't raise  
my voice, it's like I never existed. -**

*Margaret Cho - Comedienne Revolution*

Thank you for taking the time to uphold continued rights for home birth and the midwives that serve home birthing families in our State! Please do not put this need aside hoping that enough other voices will accomplish the protection of your rights to birth certificate simplicity...YOUR voice is needed NOW! Please share this request with other home birth and midwifery supporters.

In Peace,  
Ohio Friends of Midwives  
Co-Coordinator Linda Keller & Angela Cross  
4344 Haight Avenue  
Cincinnati, OH 45223

Send questions and copies of your letters to: [info@ofom.org](mailto:info@ofom.org)

**Ohio Department of Health Rules  
3701-5-16  
Registration of out of institution birth.**

registrar is not able to verify the facts of birth, the **out of institution** birth may be registered only by a court of competent jurisdiction.

(A) In any case where a birth occurs outside an institution and the birth certificate is filed within ten days of the birth, documentation of the following shall be required in order to register an **out of institution** birth:

- (1) Evidence of pregnancy, such as, but not limited to:
  - (a) prenatal record, or
  - (b) a statement from a physician or other health care provider qualified to determine pregnancy, or
  - (c) a home visit by a public health nurse or other health care provider, or
  - (d) other evidence acceptable to the state registrar.
- (2) Evidence that the infant was born alive, such as but not limited to:
  - (a) a statement from the physician or other health care provider who saw or examined the infant, or
  - (b) an observation of the infant during a home visit by a public health nurse, or
  - (c) other evidence acceptable to the state registrar.
- (3) If the birth occurred in the mother's residence, evidence of the mother's presence in Ohio on the date of the birth, such as but not limited to:
  - (a) a driver's license, or a state issued identification card, which includes the mother's current residence on the face of the license or card, or
  - (b) a rent receipt or any type of utility, telephone or other bill that includes the mother's name and address.
- (4) If the birth occurred outside of the mother's place of residence and the mother is a resident of this state, such evidence shall consist of:
  - (a) An affidavit from the tenant of the premises where the birth occurred that the mother was present on those premises at the time of the birth and;
  - (b) Evidence of the affiant's residence;
  - (c) Evidence of the mother's residence;
  - (d) Any other evidence acceptable to the state registrar.

(B) At the discretion of the state registrar, additional evidence may be required to verify the facts of birth. If the required evidence is not available and the local

Effective:  
12/01/2005  
R.C. 119.032 review dates: 09/01/2010  
CERTIFIED ELECTRONICALLY \_\_\_\_\_  
11/07/2005 \_\_\_\_\_  
Date  
Promulgated Under: 119.03  
Statutory Authority: 3705.02  
Rule Amplifies:  
3705.09  
Prior Effective Dates: None

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**OFOM Membership Form**

**Yes! I would like to show my support for midwifery by becoming a member of OFOM**  
(Please use this form for new membership, membership renewals, address updates, and donations)

OFOM annual membership entitles you to receive a copy of our newsletter (as produced) and notices of events. You may also occasionally be called upon to take timely action on behalf of midwifery on legislative issues. Providing your email address will help us get information to you quickly and economically.  
Please indicate whether this is: a new membership, membership renewal, or other donation (circle one)

- **Matron**..... \$100
- **Supporter**..... \$ 50
- **Organization**.....\$ 35
- **Basic**..... \$ 20
- **Unable to Pay**..... \$ 0
- **Other donation**.....\$ \_\_\_\_

‡ OFOM welcomes those unable to pay dues at this time. We hope you will consider a physical contribution in lieu. Details provided upon request.

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City/State/Zip:** \_\_\_\_\_

**Home phone:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

Visit our website at [www.ofom.org/memberform.html](http://www.ofom.org/memberform.html) to submit member data for statistics. Providing your email allows us to send you urgent updates via the www and to reduce cost of distribution through postal services. Donations are tax deductible to the extent of the law.

**Please make your check or money order payable to Ohio Friends of Midwives, and send with this form to:**

**OFOM, 19006 Stony Point Drive, Strongsville, Ohio 44136.**

**THANK YOU! Your contribution will be used wisely in support of midwifery and public education on the Midwives Model of Care.**

## OFOM Seeking Volunteers Excerpts from a speech at the State House on International Midwives Day

By Linda Keller

Midwives Hold the Future... they embrace our tiny babes as they come into this world... they are next to us during one of our most important rights of passage, supporting our families and our beliefs. I suspect that right now, you could conjure up a pretty clear image of these magical moments. Yet, who embraces the midwives? Who supports them and works to support the validity and importance of their profession?

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OFOM has over 2000 women and families who individually and collectively embrace midwives and the Midwives Model of Care. Who are our member and what do they have in common? OFOM members are diverse and come from all walks of life, yet we are all dedicated to one common cause – embracing midwifery! We have in the past, and will continue in the future to support midwives, promote the Midwives Model of care, and work to improve Ohio citizens access to out-of-hospital maternity services. OFOM is nine years old!! She'll be celebrating her first double-digit birthday this winter. OFOM was formed in February, 1996 during the events which unfolded when SB 154, the Advanced Practice Nursing Bill, slipped through the Senate unopposed. Midwifery supporters from around the state worked together to let their legislators in the House of Representatives know that Ohioans opposed this bill. The Ohio House heard the cries and removed the offensive language from the bill and assigned the Midwifery Study Council the task of investigating how DEM's should be regulated in the State of Ohio. During the time that the Midwifery Study Council met (between November, 1996-November, 1997), OFOM continued to urge its supporters to talk to their legislators and attend hearings and to provide testimony to the study council which they DID with a passion!!

In March, 1998 the final report of the Study Council was published and stated that lay midwifery (or direct-entry midwifery) should be made legal in Ohio and that ambiguities on the issue should be resolved to prevent prosecution of DEM's or parents who choose to use them. For the next two years, OMA worked diligently to draft a bill that addressed the study council findings, and to seek legislators to sponsor the bill. In March, 2000

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Email: info@ofom.org



***"There's No Place Like Home...to Give Birth!"***

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OFOM swung back into high gear. In the next 2 years, we grew our mailing list of supporters, published two newsletters, developed an educational website, rounded up a crew of volunteers, created and distributed flyers, & attended health fairs and conferences. When HB 477 was introduced in January, 2002, we were willing and prepared to shower Ohio legislators with words of support for the creation of a bill that would finally eliminate the ambiguities regarding the legal status of midwives in Ohio. In that same year, Midwife, Freida Miller was charged with practicing medicine without a license and two other charges related to her use of pitocin to stop the bleeding of one of her birthing mothers. OFOM helped to collect over \$2,000 in monetary donations for the Freida Miller Defense Fund, which helped to defray the cost of her legal expenses. In 2006, OFOM looks forward to a renewed consumer interest in support and promotion of midwifery and the Midwives Model of Care. We plan to maintain and strongly embrace our midwives and the formation and passage of legislation which will eliminate the legal ambiguities surrounding direct-entry midwifery practice and care.

If you've received this newsletter, you have probably had the pleasure (at least once!) of experiencing birth with the care of a midwife. You know the beauty of a two-hour prenatal visit over tea; the splendor of birthing in your own "nest". But the reality is that many, and perhaps MOST, people in Ohio (and across our nation) DON'T! They've seen and heard birth on TV and in movies; they've experienced birth in the hospital as a pathological event, a view shared by most doctors. This is their image of birth. I challenge you, as a consumer and supporter of midwifery to take an active role in dispelling the myth, that the medical model of pregnancy and childbirth is more safe, more appropriate, more effective and/or NORMAL! "But," you say, "How can I do that?" Individually you can (1) become an advocate for midwifery and the Midwives Model of Care; talk to friends and neighbors; *plant the seeds* of a new idea. (2) write letters to the editor and/or articles to your local newspaper... *plant the seed*; (3) sport an OFOM bumper-sticker... *plant the seed*; send your home birth announcement to your local newspaper... *plant the seed*. **Join OFOM!** Strengthen the collective power of support for Midwifery in Ohio.

Finally, I ask you in the words of John Lennon to "Imagine"...

Imagine Midwifery care as a standard model for women's health care during reproductive years

Imagine heightened public awareness of midwives through TV shows and movies that depict Midwives as quality care providers

Imagine your local yellow pages with an abundance of midwifery care providers listed

Imagine the day when your grandchildren and great-grandchildren are born safely into the arms of midwives

Midwives Hold The Future!