

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0520.01 Brita Darling x2241

HOUSE BILL 26-1092

HOUSE SPONSORSHIP

Luck and Willford, Bacon, Bottoms, Bradley, Brooks, DeGraaf, English, Garcia, Joseph, Ricks

SENATE SPONSORSHIP

(None),

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENSURING ACCESS BY LICENSED MIDWIVES TO MEDICAL**

102 **STAFF PRIVILEGES AT PUBLIC HEALTH FACILITIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill prohibits a public health facility from denying, restricting, or conditioning the granting, use, or exercise of full medical staff privileges to a certified nurse midwife or a certified midwife (licensee) engaged in independent practice within their scope of practice solely on the basis of their licensure. If granted, privileges extended to a licensee must include admitting and discharge privileges, be consistent with those

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

of other medical staff, and permit a licensee to exercise the same voting rights as other members of the medical staff.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that certified nurse midwives and certified midwives
4 licensed in Colorado are qualified health-care professionals authorized to
5 practice independently within their education, training, and national
6 certification.

7 (2) The general assembly further finds and declares that:

8 (a) Inconsistent hospital credentialing practices have limited
9 access to midwifery care despite state law authorizing independent
10 practice; and

11 (b) Nondiscriminatory medical staff privileging is necessary to
12 protect patient access, continuity of care, and public health.

13 **SECTION 2.** In Colorado Revised Statutes, **add 25-3-135** as
14 follows:

15 **25-3-135. Certified nurse midwife - certified midwife -**
16 **nondiscrimination with respect to the granting, use, or exercise of**
17 **medical staff privileges at public health facilities - definitions.**

18 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES:

20 (a) "CERTIFIED MIDWIFE" MEANS A CERTIFIED MIDWIFE, AS
21 DEFINED IN SECTION 12-255-104 (3.2), WITH PRESCRIPTIVE AUTHORITY
22 PURSUANT TO SECTION 12-255-112.

23 (b) "CERTIFIED NURSE MIDWIFE" MEANS AN ADVANCED PRACTICE
24 REGISTERED NURSE, AS DEFINED IN SECTION 12-255-104 (1), WITH
25 PRESCRIPTIVE AUTHORITY PURSUANT TO SECTION 12-255-112 WHO IS

1 AUTHORIZED PURSUANT TO SECTION 12-255-111 (2) TO USE THE TITLE
2 "CERTIFIED NURSE MIDWIFE" OR THE ABBREVIATION "C.N.M."

3 (c) "LICENSEE" MEANS A CERTIFIED NURSE MIDWIFE OR A
4 CERTIFIED MIDWIFE.

5 (d) "PUBLIC HEALTH FACILITY" MEANS A HEALTH FACILITY
6 CERTIFIED PURSUANT TO SECTION 25-1.5-103 (1)(a)(II).

7 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A
8 PUBLIC HEALTH FACILITY THAT OFFERS LABOR AND CHILDBIRTH SERVICES
9 SHALL NOT DENY, RESTRICT, OR CONDITION THE GRANTING, USE, OR
10 EXERCISE OF FULL MEDICAL STAFF PRIVILEGES TO A LICENSEE ENGAGING
11 IN INDEPENDENT PRACTICE WITHIN THEIR SCOPE OF PRACTICE SOLELY ON
12 THE BASIS OF THEIR LICENSURE.

13 (b) PUBLIC HEALTH FACILITY PRIVILEGES EXTENDED TO A
14 LICENSEE MUST:

15 (I) INCLUDE DIRECT ADMITTING PRIVILEGES AND DIRECT
16 DISCHARGE PRIVILEGES, WITHOUT A REQUIREMENT FOR COSIGNATURE BY
17 A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHY;

18 (II) BE CONSISTENT WITH THE PRIVILEGES OF OTHER MEDICAL
19 STAFF; AND

20 (III) PERMIT A LICENSEE TO EXERCISE THE SAME VOTING RIGHTS
21 AS OTHER MEMBERS OF THE MEDICAL STAFF.

22 (3) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS LIMITING
23 OR AFFECTING THE AUTHORITY OF OTHER ADVANCED PRACTICE
24 REGISTERED NURSES TO PRACTICE IN A HEALTH FACILITY OR TO SEEK
25 MEDICAL STAFF PRIVILEGES CONSISTENT WITH THE ADVANCED PRACTICE
26 REGISTERED NURSE'S SCOPE OF PRACTICE PURSUANT TO ARTICLE 255 OF
27 TITLE 12.

1 **SECTION 3. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2026 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.