

By: Paxton

S.B. No. 1102

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of certain drugs by a midwife.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 203.256, Occupations Code, is amended to
5 read as follows:

6 Sec. 203.256. TRAINING IN NEWBORN SCREENING,
7 ADMINISTRATION OF CERTAIN DRUGS, AND BASIC LIFE SUPPORT
8 CARDIOPULMONARY RESUSCITATION. A person who practices midwifery in
9 this state must provide the department with satisfactory evidence
10 that the person:

11 (1) is trained to:

12 (A) perform the newborn screening tests under
13 Section 203.354 or has made arrangements for the performance of
14 those tests; and

15 (B) administer the drugs described by Section
16 203.3525; and

17 (2) holds:

18 (A) a current certificate issued by the American
19 Heart Association in basic life support cardiopulmonary
20 resuscitation; or

21 (B) another form of certification acceptable to
22 the department that demonstrates proficiency in basic life support
23 cardiopulmonary resuscitation for adults and children.

24 SECTION 2. Subchapter G, Chapter 203, Occupations Code, is

1 amended by adding Section 203.302 to read as follows:

2 Sec. 203.302. CONTINUING EDUCATION IN PHARMACOLOGY. The
3 commission by rule shall require a licensed midwife to complete, in
4 addition to the minimum number of hours of continuing education
5 required to renew a license, a course in pharmacology that includes
6 training in the administration of the drugs described by Section
7 203.3525.

8 SECTION 3. Subchapter H, Chapter 203, Occupations Code, is
9 amended by adding Section 203.3525 to read as follows:

10 Sec. 203.3525. ADMINISTRATION OF CERTAIN DRUGS. (a) A
11 midwife may administer:

12 (1) a drug commonly used in labor or postpartum care,
13 including an antihemorrhagic drug, intravenous fluids, or a local
14 anesthetic; or

15 (2) a prophylactic drug that meets the applicable
16 standard of care for a woman or newborn.

17 (b) The administration of a drug by a midwife under this
18 section does not constitute the practice of medicine as defined by
19 Subtitle B.

20 SECTION 4. Section 203.401, Occupations Code, is amended to
21 read as follows:

22 Sec. 203.401. PROHIBITED PRACTICES. A midwife may not:

23 (1) provide midwifery care in violation of commission
24 rule, except in an emergency that poses an immediate threat to the
25 life of a woman or newborn;

26 (2) administer a prescription drug to a client other
27 than:

1 (A) a drug administered under the supervision of
2 a licensed physician in accordance with state law;

3 (B) prophylaxis approved by the Department of
4 State Health Services to prevent ophthalmia neonatorum; ~~or~~

5 (C) oxygen administered in accordance with
6 commission rule; or

7 (D) a drug described by Section 203.3525;

8 (3) use forceps or a surgical instrument for a
9 procedure other than cutting the umbilical cord or providing
10 emergency first aid during delivery;

11 (4) remove placenta by invasive techniques;

12 (5) use a mechanical device or medicine to advance or
13 retard labor or delivery; or

14 (6) make on a birth certificate a false statement or
15 false record in violation of Section 195.003, Health and Safety
16 Code.

17 SECTION 5. Not later than December 1, 2025, the Texas
18 Commission of Licensing and Regulation shall adopt rules as
19 required by Section 203.302, Occupations Code, as added by this
20 Act.

21 SECTION 6. Section 203.302, Occupations Code, as added by
22 this Act, applies only to the renewal of a midwife license on or
23 after February 1, 2026. The renewal of a license before February 1,
24 2026, is governed by the law in effect immediately before the
25 effective date of this Act, and the former law is continued in
26 effect for that purpose.

27 SECTION 7. Section 203.401, Occupations Code, as amended by

1 this Act, applies only to conduct that occurs on or after February
2 1, 2026. Conduct that occurs before February 1, 2026, is governed
3 by the law in effect immediately before the effective date of this
4 Act, and the former law is continued in effect for that purpose.

5 SECTION 8. (a) Except as provided by Subsection (b) of this
6 section, this Act takes effect September 1, 2025.

7 (b) Section [203.256](#), Occupations Code, as amended by this
8 Act, and Section 203.3525, Occupations Code, as added by this Act,
9 take effect February 1, 2026.