

Complaint Policy

The New York Association of Licensed Midwives (NYSALM) is the professional trade organization for promoting public awareness of midwifery practice and policies enhancing the health of women and infants in New York State.

Occasionally, NYSALM board members receive questions about professional midwifery conduct. NYSALM does not have the authority to develop and maintain a quality assurance or complaint review process. It is our policy to have NYSALM board members make the public aware that the review process for complaints about the practice of a midwife falls under the jurisdiction of the New York State Education Department Office of the Professions.

Professional licensing serves the purpose of protection of the public health. All health care professionals are responsible to report incidents of perceived misconduct by any health professional. Several NY laws protect the reporter from civil liability.

Misconduct is generally defined as "Practicing the profession fraudulently, beyond its authorized scope, with gross incompetence on a particular occasion, or negligence or incompetence on more than one occasion" (NY Ed Law § 6509-(2)).

Statute and regulations further defining misconduct are listed here:

<http://www.op.nysed.gov/title8/subart3.htm>

<http://www.op.nysed.gov/title8/part29.htm>

Midwifery scope of practice and collaborative relationship requirements are defined here:

<http://www.op.nysed.gov/prof/midwife/article140.htm>

<http://www.op.nysed.gov/prof/midwife/midwifeqa.htm>

Instructions for filing a complaint concerning a midwife are here:

<http://www.op.nysed.gov/opd/complain.htm>

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