

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Health

AGENDA DATE: Introduction February 9, 2016; Public Hearing February 23, 2016

CONTACT PERSON NAME AND PHONE NUMBER: Robert Resendes, 212-6500

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 8: Nurture and Promote a Healthy, Sustainable Community

SUBJECT:

Approval of an ordinance amending Title 9 (Health and Safety), Chapter 9.44 (Midwives), to delete the entire chapter.

BACKGROUND / DISCUSSION:

The State of Texas has been regulating midwifery since September 1, 1999, through Chapter 203 of the Texas Occupations Code, through a licensing requirement, a complaint committee to which individuals may lodge complaints; and a midwifery board that, among other things, provides its subject matter reports to the Texas Department State Health Services, and possesses disciplinary powers for violations of said state law

PRIOR COUNCIL ACTION:

El Paso City Council and the El Paso City County Health District adopted Title 9, Chapter 9.44 in 1986

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD/COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: _____

Information copy to appropriate Deputy City Manager

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY),
CHAPTER 9.44 (MIDWIVES), TO DELETE THE ENTIRE CHAPTER.**

WHEREAS, the State of Texas has been regulating midwifery since September 1, 1999, through Chapter 203 of the Texas Occupations Code, through a licensing requirement, a complaint committee to which individuals may lodge complaints; and a midwifery board that, among other things, provides its subject matter reports to the Texas Department State Health Services, and possesses disciplinary powers for violations of said state law;

WHEREAS, Section 203.005 of the Texas Occupations Code allows a municipality to adopt a compatible ordinance to regulate midwifery;

WHEREAS, the City Council adopted Chapter 9.44 regarding midwives in 1986; and

WHEREAS, the City Council now wishes to repeal Chapter 9.44 of the City Code, as the State of Texas regulates midwifery through Chapter 203 of the Texas Occupations Code; and

WHEREAS, the City Council believes that the State of Texas regulations on midwifery sufficiently protects the public health and welfare of its citizens.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF EL PASO, TEXAS THAT:**

Section 1. That Title 9 (Health and Safety), Chapter 9.44 (Midwives) shall be deleted as follows:

Chapter 9.44 -~~Midwives~~.

RESERVED

Section 2. The provisions of this amendment shall be effective on February 23, 2016.

Section 3. That except as expressly amended herein Title 9 (Health and Safety) shall remain in full force and effect.

ORDINANCE NO. _____

PASSED AND APPROVED this _____ day of _____, 2016.

CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Josette Flores
Assistant City Attorney

Robert Resendes, MBA, MT (ASCP)
Department of Public Health, Director

ORDINANCE NO. _____

15-1052-446/480775/Delete Chapter 9.44 MIDWIVES/JF