

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 437

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MIDWIFERY; AMENDING SECTION 54-1403, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING THE COMPOSITION OF THE BOARD OF NURSING; AMENDING
3 TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 55, TITLE 54,
4 IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PRO-
5 VIDE FOR BOARD POWERS AND DUTIES, TO PROVIDE RULEMAKING AUTHORITY, TO
6 PROVIDE FOR LICENSURE AND PENALTIES, TO ESTABLISH PROVISIONS REGARD-
7 ING QUALIFICATIONS FOR LICENSURE, TO PROVIDE EXEMPTIONS, TO ESTABLISH
8 PROVISIONS REGARDING FEES, TO ESTABLISH PROVISIONS REGARDING CLIENT
9 PROTECTION AND UNPROFESSIONAL CONDUCT, TO ESTABLISH PROVISIONS RE-
10 GARDING DISCLOSURE, RECORDKEEPING, AND LICENSE RENEWAL, TO PROVIDE FOR
11 IMMUNITY FROM VICARIOUS LIABILITY, AND TO PROVIDE SEVERABILITY; AND
12 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
13

14 Be It Enacted by the Legislature of the State of Idaho:

15 SECTION 1. That Section 54-1403, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 54-1403. BOARD OF NURSING.

18 (1) (a) Appointment, Removal and Term of Office. There is hereby cre-
19 ated within the division of occupational and professional licenses the
20 board of nursing for the state of Idaho composed of ~~nine (9)~~ twelve (12)
21 members appointed by the governor. Membership of the board shall con-
22 sist of the following:

23 ~~(a)~~ (i) Five (5) persons licensed to practice registered nursing
24 in Idaho;

25 ~~(b)~~ (ii) Two (2) persons licensed to practice practical nursing in
26 Idaho;

27 ~~(c)~~ (iii) ~~One (1) person~~ Two (2) persons licensed as ~~an~~ advanced
28 practice registered nurses in Idaho; ~~and~~

29 (iv) Two (2) persons licensed to practice midwifery pursuant to
30 chapter 55, title 54, Idaho Code; and

31 ~~(d)~~ (v) One (1) person who is a lay person to health care occupa-
32 tions.

33 (b) In making appointments to the board, consideration shall be given
34 to the board's responsibility in areas of education and practice. Mem-
35 bers of the board shall hold office until expiration of the term to which
36 the member was appointed and until his successor has been duly appointed
37 and qualified. Upon expiration of any term or creation of any vacancy,
38 the board shall notify the governor ~~thereof~~, who then shall make such
39 appointment or fill such vacancy within sixty (60) days. Appointments
40 shall be for terms of four (4) years except appointments to fill vacan-
41 cies, which shall be for the unexpired term ~~being filled~~. No member

1 shall be appointed for more than three (3) consecutive terms. All board
2 members shall serve at the pleasure of the governor.

3 (2) Qualifications of Members. No person is qualified for appointment
4 ~~hereunder pursuant to this section~~ unless that person is a citizen of the
5 United States and a resident of the state of Idaho. Members required to be
6 licensed ~~hereunder pursuant to this section~~ shall not be qualified for ap-
7 pointment to the board unless actively engaged in some field of nursing or
8 midwifery in Idaho at the time of appointment. No person is qualified for ap-
9 pointment as a lay member of the board if the person or his spouse is licensed
10 in any health occupation; is an employee, officer or agent of, or has any fi-
11 nancial interest in, any health care facility, institution, or association
12 or any insurance company authorized to underwrite health care insurance; or
13 is engaged in the governance and administration of any health care facility,
14 institution or association.

15 (3) Conduct of Business. The board shall meet at such times as required
16 to conduct the business of the board and shall annually elect from its mem-
17 bers a chairman, vice chairman and such other officers as may be desirable.
18 ~~Five (5) A majority of appointed~~ members shall constitute a quorum, and the
19 vote of a majority of members present at a meeting wherein a quorum is present
20 shall determine the action of the board. Each member of the board shall be
21 compensated as provided by section 59-509 (i), Idaho Code.

22 SECTION 2. That Title 54, Idaho Code, be, and the same is hereby amended
23 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
24 ter 55, Title 54, Idaho Code, and to read as follows:

25 CHAPTER 55
26 MIDWIFERY

27 54-5501. LEGISLATIVE PURPOSE AND INTENT. The legislature finds and
28 declares that the practice of midwifery has been a part of the culture and
29 tradition of Idaho since before pioneer days and that for personal, reli-
30 gious, and economic reasons some Idaho citizens choose midwifery care. The
31 purpose of this chapter is to preserve the rights of families to deliver
32 their children in a setting of their choice, to provide additional maternity
33 care options for Idaho's families, to protect the public health, safety, and
34 welfare, and to provide a mechanism to assure quality care.

35 54-5502. DEFINITIONS. As used in this chapter:

- 36 (1) "Board" means the Idaho state board of nursing.
37 (2) "Certified professional midwife" or "CPM" means a person who is
38 certified by the North American registry of midwives or any successor organ-
39 ization.
40 (3) "Client" means a woman under the care of a licensed midwife, as well
41 as her fetus and newborn child.
42 (4) "Division" means the division of occupational and professional li-
43 censes.
44 (5) "Estimated due date" means the estimated date of delivery with
45 a known date of conception, known date of last menstrual period, or first
46 trimester ultrasound.

1 (6) "Idaho midwifery council" or "IMC" means the professional organi-
2 zation representing midwives in Idaho.

3 (7) "Licensed health care provider" means a physician or physician as-
4 sistant or an advanced practice registered nurse.

5 (8) "Licensed midwife" means a person who holds a current license is-
6 sued by the board pursuant to the provisions of this chapter to engage in the
7 practice of midwifery and who shall be designated "L.M."

8 (9) "Midwifery education accreditation council" or "MEAC" means the
9 organization established in 1991 and recognized by the United States depart-
10 ment of education as an accrediting agency for midwifery education programs
11 and institutions.

12 (10) "National association of certified professional midwives" or
13 "NACPM" means the national organization for certified professional mid-
14 wives.

15 (11) "NACPM essential documents" means the documents adopted by NACPM
16 that identify the nature of and standards of practice for responsible mid-
17 wifery practice.

18 (12) "North American registry of midwives" or "NARM" means the interna-
19 tional certification agency that establishes and administers certification
20 for the CPM credential.

21 (13) "Practice of midwifery" means providing maternity care for women
22 and their newborns during the antepartum, intrapartum, and postpartum peri-
23 ods. The postpartum period for both maternal and newborn care may not exceed
24 six (6) weeks from the date of delivery.

25 54-5503. BOARD OF NURSING -- POWERS AND DUTIES. The board, in addition
26 to the powers and duties set forth in section 54-1404, Idaho Code, shall have
27 the authority and the responsibility to:

28 (1) Receive applications for licensure; determine the qualifications
29 of persons applying for licensure; provide licenses to applicants quali-
30 fied pursuant to this chapter; and renew, suspend, revoke, and reinstate
31 licenses;

32 (2) Establish and collect fees for examination of applicants, for li-
33 censure, and for renewal of licenses;

34 (3) Establish the minimum amount and type of continuing education to be
35 required for each licensed midwife seeking licensure renewal;

36 (4) Investigate complaints against persons who are licensed pursuant
37 to this chapter;

38 (5) Undertake, when appropriate, disciplinary proceedings and disci-
39 plinary action against persons licensed pursuant to this chapter;

40 (6) Promulgate and adopt rules pursuant to chapter 52, title 67, Idaho
41 Code, necessary to administer the provisions of this chapter. To the de-
42 gree they are consistent with the provisions of this chapter, rules shall be
43 consistent with the current job description for the profession published by
44 NARM and consistent with standards regarding the practice of midwifery es-
45 tablished by the NACPM or a successor organization;

46 (7) Authorize, by written agreement, the division of occupational and
47 professional licenses to act as agent in its interest; and

1 (8) Provide such other services and perform such other functions as are
2 consistent with the provisions of this chapter and necessary to fulfill the
3 board's responsibilities.

4 54-5504. RULEMAKING. (1) The rules adopted by the board shall:

5 (a) Allow a midwife to obtain and administer, during the practice of
6 midwifery, the following:

7 (i) Oxygen;

8 (ii) Oxytocin, misoprostol, and methylergonovine as postpartum
9 antihemorrhagic agents;

10 (iii) Injectable local anesthetic for the repair of lacerations
11 that are no more extensive than second degree;

12 (iv) Antibiotics to the mother for group b streptococcus prophylaxis
13 consistent with guidelines of the United States centers for
14 disease control and prevention;

15 (v) Epinephrine to the mother administered for anaphylactic
16 shock;

17 (vi) Intravenous fluids for stabilization of the mother;

18 (vii) Rho(d) immune globulin;

19 (viii) Phytonadione; and

20 (ix) Eye prophylactics to the child.

21 (b) Prohibit the use of other legend drugs, except those of a similar
22 nature and character as determined by the board to be consistent with
23 the practice of midwifery; provided that at least one hundred twenty
24 (120) days' advance notice of the proposal to allow the use of such drugs
25 is given to the board of pharmacy and the board of medicine and neither
26 board objects to the addition of such drugs to the midwifery formulary;

27 (c) Define a protocol for use by licensed midwives of drugs approved in
28 paragraphs (a) and (b) of this subsection that shall include methods of
29 obtaining, storing, and disposing of such drugs and an indication for
30 use, dosage, route of administration, and duration of treatment;

31 (d) Define a protocol for medical waste disposal; and

32 (e) Establish scope and practice standards for antepartum, intra-
33 partum, postpartum, and newborn care that shall, at a minimum:

34 (i) Prohibit a licensed midwife from providing care for a client
35 with a history of disorders, diagnoses, conditions, or symptoms
36 that include:

37 1. Placental abnormality;

38 2. Multiple gestation, except that midwives may provide ante-
39 partum care that is supplementary to the medical care of
40 the physician overseeing the pregnancy, as long as it does
41 not interfere with the physician's recommended schedule of
42 care;

43 3. Noncephalic presentation at the onset of labor or rupture
44 of membranes, whichever occurs first;

45 4. Birth under thirty-seven and zero-sevenths (37 0/7)
46 weeks and beyond forty-two and zero-sevenths (42 0/7) weeks
47 gestational age;

48 5. A history of more than one (1) prior cesarean section,
49 a cesarean section within eighteen (18) months of the esti-

1 mated due date or any cesarean section that was surgically
2 closed with a classical or vertical uterine incision;
3 6. Platelet sensitization, hematological, or coagulation
4 disorders;
5 7. A body mass index of forty (40.0) or higher at the time of
6 conception;
7 8. Prior chemotherapy and/or radiation treatment for a ma-
8 lignancy;
9 9. Previous preeclampsia resulting in premature delivery;
10 10. Cervical insufficiency;
11 11. HIV positive status; or
12 12. Opiate use that places the infant at risk of neonatal ab-
13 stinence syndrome.

14 (ii) Prohibit a licensed midwife from providing care for a client
15 with a history of the following disorders, diagnoses, conditions,
16 or symptoms, unless such disorders, diagnoses, conditions, or
17 symptoms are being treated, monitored, or managed by a licensed
18 health care provider:

- 19 1. Diabetes;
- 20 2. Thyroid disease;
- 21 3. Epilepsy;
- 22 4. Hypertension;
- 23 5. Cardiac disease;
- 24 6. Pulmonary disease;
- 25 7. Renal disease;
- 26 8. Gastrointestinal disorders;
- 27 9. Previous major surgery of the pulmonary system, cardio-
28 vascular system, urinary tract, or gastrointestinal tract;
- 29 10. Abnormal cervical cytology;
- 30 11. Sleep apnea;
- 31 12. Previous bariatric surgery;
- 32 13. Hepatitis;
- 33 14. History of illegal drug use or excessive prescription
34 drug use; or
- 35 15. Rh or other blood group disorders and a physician deter-
36 mines the pregnancy can safely be attended by a midwife.

37 (iii) Require a licensed midwife to recommend that a client see
38 a physician licensed pursuant to chapter 18, title 54, Idaho
39 Code, or an equivalent provision of the law of a state bordering
40 Idaho and to document and maintain a record as required by section
41 54-5510, Idaho Code, if such client has a history of disorders,
42 diagnoses, conditions, or symptoms that include:

- 43 1. Previous complicated pregnancy;
- 44 2. Previous cesarean section;
- 45 3. Previous pregnancy loss in second or third trimester;
- 46 4. Previous spontaneous premature labor;
- 47 5. Previous preterm rupture of membranes;
- 48 6. Previous preeclampsia;
- 49 7. Previous hypertensive disease of pregnancy;
- 50 8. Parvo;

- 1 9. Toxo;
- 2 10. CMV;
- 3 11. HSV;
- 4 12. Previous maternal/newborn group b streptococcus infec-
- 5 tion;
- 6 13. A body mass index of at least thirty-five (35.0) but less
- 7 than forty (40.0) at the time of conception;
- 8 14. Underlying family genetic disorders with potential for
- 9 transmission; or
- 10 15. Psychosocial situations that may complicate pregnancy.

11 (iv) Require that a licensed midwife facilitate the immediate
 12 transfer to a hospital for emergency care for disorders, diag-
 13 noses, conditions, or symptoms that include:

- 14 1. Maternal fever in labor;
- 15 2. Suggestion of fetal jeopardy, such as bleeding or meco-
- 16 nium or abnormal fetal heart tones;
- 17 3. Noncephalic presentation at the onset of labor or rup-
- 18 ture of membranes, whichever occurs first, unless imminent
- 19 delivery is safer than transfer;
- 20 4. Second-stage labor after two (2) hours of initiation of
- 21 pushing when the mother has had a previous cesarean section;
- 22 5. Current spontaneous premature labor;
- 23 6. Current preterm premature rupture of membranes;
- 24 7. Current preeclampsia;
- 25 8. Current hypertensive disease of pregnancy;
- 26 9. Continuous uncontrolled bleeding;
- 27 10. Bleeding that necessitates the administration of more
- 28 than two (2) doses of oxytocin or other antihemorrhagic
- 29 agent;
- 30 11. Delivery injuries to the bladder or bowel;
- 31 12. Grand mal seizure;
- 32 13. Uncontrolled vomiting;
- 33 14. Coughing or vomiting of blood;
- 34 15. Severe chest pain; or
- 35 16. Sudden onset of shortness of breath and associated la-
- 36 bored breathing.

37 A transfer of care shall be accompanied by the client's medical
 38 record, the licensed midwife's assessment of the client's current
 39 condition, and a description of the care provided by the licensed
 40 midwife prior to transfer;

41 (v) Establish a written plan for the emergency transfer and
 42 transport required in subparagraph (iv) of this paragraph and for
 43 notifying the hospital to which a client will be transferred in
 44 the case of an emergency. If a client is transferred in an emer-
 45 gency, the licensed midwife shall notify the hospital when the
 46 transfer is initiated and accompany the client to the hospital if
 47 feasible, or communicate by telephone with the hospital if unable
 48 to be present personally, and shall provide the client's medi-
 49 cal record. The record shall include the client's name, address,
 50 list of diagnosed medical conditions, list of prescription or

1 over-the-counter medications regularly taken, history of previ-
2 ous allergic reactions to medications, if feasible, the client's
3 current medical condition and description of the care provided by
4 the midwife, and next-of-kin contact information. A midwife who
5 deems it necessary to transfer or terminate care pursuant to this
6 section and any rules promulgated pursuant to this section or for
7 any other reason shall transfer or terminate care and shall not be
8 regarded as having abandoned care or wrongfully terminated ser-
9 vices. Before nonemergent discontinuing of services, the midwife
10 shall notify the client in writing, provide the client with names
11 of licensed physicians and contact information for the nearest
12 hospital emergency room, and offer to provide copies of medical
13 records regardless of whether copying costs have been paid by the
14 client.

15 (f) Establish and operate a system of peer review for licensed midwives
16 that shall include but not be limited to the appropriateness, quality,
17 utilization, and ethical performance of midwifery care.

18 (2) The rules adopted by the board may not:

19 (a) Require a licensed midwife to have a nursing degree or diploma;

20 (b) Except as a condition imposed by disciplinary proceedings by the
21 board, require a licensed midwife to practice midwifery under the su-
22 pervision of another health care provider;

23 (c) Except as a condition imposed by disciplinary proceedings by the
24 board, require a licensed midwife to enter into an agreement, written or
25 otherwise, with another health care provider;

26 (d) Limit the location where a licensed midwife may practice midwifery;

27 (e) Allow a licensed midwife to use vacuum extraction or forceps as an
28 aid in the delivery of a newborn;

29 (f) Grant a licensed midwife prescriptive privilege; or

30 (g) Allow a licensed midwife to perform abortions.

31 54-5505. LICENSURE -- PENALTY. (1) The board shall grant a license to
32 any person who submits a completed application, pays the required license
33 fee as established by the board, and meets the qualifications set forth in
34 section 54-5506, Idaho Code.

35 (2) All licenses issued pursuant to this chapter shall be for a term of
36 one (1) year and shall expire on the birthday of the licensee, unless renewed
37 in the manner prescribed by rule and section 54-5510, Idaho Code. Except as
38 set forth in this chapter, rules governing procedures and conditions for li-
39 cense renewal and reinstatement shall be in accordance with section 67-2614,
40 Idaho Code.

41 (3) It is a misdemeanor for any person to assume or use the title or des-
42 ignation "licensed midwife," "L.M." or any other title, designation, words,
43 letters, abbreviations, sign, card, or device to indicate to the public that
44 such person is licensed to practice midwifery pursuant to this chapter un-
45 less such person is so licensed. Any person who pleads guilty to or is found
46 guilty of a second or subsequent offense pursuant to this subsection shall be
47 guilty of a felony.

48 (4) Except as provided in section 54-5507, Idaho Code, it shall be a
49 misdemeanor for any person to engage in the practice of midwifery without a

1 license. Any person who pleads guilty to or is found guilty of a second or
2 subsequent offense pursuant to this subsection shall be guilty of a felony.

3 54-5506. QUALIFICATIONS FOR LICENSURE. A person shall be eligible to
4 be licensed as a midwife if the person:

- 5 (1) Provides proof of current certification as a CPM by NARM or a suc-
6 cessor organization;
- 7 (2) Files a board-approved application for licensure and pays the re-
8 quired fees; and
- 9 (3) Provides documentation of successful completion of board-ap-
10 proved, MEAC-accredited courses in pharmacology, the treatment of shock/IV
11 therapy, and suturing specific to midwives.

12 54-5507. EXEMPTIONS. This chapter shall not apply to any of the fol-
13 lowing:

- 14 (1) Certified nurse midwives licensed by the board, unless a certified
15 nurse midwife chooses to become a licensed midwife. Certified nurse mid-
16 wives who are licensed midwives shall be subject to the provisions of chapter
17 14, title 54, Idaho Code, as well as the provisions of this chapter;
- 18 (2) Student midwives in training under the direct supervision of li-
19 censed midwives as required by NARM;
- 20 (3) A person, in good faith, engaged in the practice of the religious
21 tenets of any church or religious act where no fee is contemplated, charged,
22 or received, whose license to practice midwifery has not been revoked, and
23 who has not plead guilty to or been found guilty of a felony for a violation of
24 the provisions of section 54-5505, Idaho Code;
- 25 (4) A person administering a remedy, diagnostic procedure, or advice as
26 specifically directed by a physician;
- 27 (5) A person rendering aid in an emergency where no fee for the service
28 is contemplated, charged, or received;
- 29 (6) A person administering care to a member of such person's family; or
- 30 (7) The practice of a profession by individuals who are licensed, cer-
31 tified, or registered pursuant to other laws of this state and are performing
32 services within the authorized scope of practice.

33 54-5508. FEES. (1) All fees received pursuant to the provisions of
34 this chapter shall be paid to the department of self-governing agencies,
35 division of occupational and professional licenses, and deposited in the
36 state treasury to the credit of the occupational licenses fund. All costs
37 and expenses incurred pursuant to the provisions of this chapter shall be a
38 charge against and paid from said fund. In no case may any salary, expense,
39 or other obligation of the board be charged against the general fund.

40 (2) The fee for licensure may not exceed one thousand dollars (\$1,000).

41 54-5509. CLIENT PROTECTION -- UNPROFESSIONAL CONDUCT. A licensed mid-
42 wife or applicant for licensure, renewal, or reinstatement may not:

- 43 (1) Disregard a client's dignity or right to privacy as to her person,
44 condition, possessions, or medical record;
- 45 (2) Breach any legal requirement of confidentiality with respect to a
46 client, unless ordered by a court of law;

1 (3) Submit a birth certificate known by the person to be false or fraud-
2 ulent or willfully make or file false or incomplete reports or records in the
3 practice of midwifery;

4 (4) Fail to provide information sufficient to allow a client to give
5 fully informed consent;

6 (5) Engage in the practice of midwifery while impaired because of the
7 use of alcoholic beverages or drugs; or

8 (6) Violate any other standards of conduct as determined by the board in
9 rules adopted for the regulation of the practice of midwifery.

10 54-5510. DISCLOSURE AND RECORDKEEPING -- LICENSE RENEWAL. (1) Before
11 initiating care, a licensed midwife shall obtain a signed informed consent
12 agreement from each client, acknowledging receipt, at a minimum, of the fol-
13 lowing:

14 (a) The licensed midwife's training and experience;

15 (b) Instructions for obtaining a copy of the rules adopted by the board
16 pursuant to this chapter;

17 (c) Instructions for obtaining a copy of the NACPM essential documents
18 and NARM job description;

19 (d) Instructions for filing complaints with the board;

20 (e) Notice of whether or not the licensed midwife has professional lia-
21 bility insurance coverage;

22 (f) A written protocol for emergencies, including hospital transport,
23 that is specific to each individual client;

24 (g) A description of the procedures, benefits, and risks of home birth,
25 primarily those conditions that may arise during delivery; and

26 (h) Any other information required by board rule.

27 (2) All licensed midwives shall maintain a record of all signed in-
28 formed consent agreements for each client for a minimum of nine (9) years
29 after the last day of care for such client.

30 (3) Before providing care for a client who has a history of dis-
31 orders, diagnoses, conditions, or symptoms identified in section
32 54-5504(1)(e)(ii), Idaho Code, the licensed midwife shall provide writ-
33 ten notice to the client that the client must obtain care from a physician
34 licensed pursuant to chapter 18, title 54, Idaho Code, as a condition to
35 her eligibility to obtain maternity care from the licensed midwife. Before
36 providing care for a client who has a history of disorders, diagnoses, condi-
37 tions, or symptoms identified in section 54-5504(1)(e)(iii), Idaho Code, or
38 who has had a previous cesarean section, the licensed midwife shall provide
39 written notice to the client that the client is advised to consult with a
40 physician licensed pursuant to chapter 18, title 54, Idaho Code, during her
41 pregnancy. The midwife shall obtain the client's signed acknowledgment of
42 receipt of said notice.

43 (4) Any licensed midwife submitting an application to renew a license
44 shall compile and submit to the board complete practice data for the calendar
45 year preceding the date of the application. Such information shall be pro-
46 vided in form and content as prescribed by rule of the board and shall include
47 but not be limited to:

48 (a) The number of clients to whom care has been provided by the licensed
49 midwife;

- 1 (b) The number of deliveries performed by the licensed midwife;
2 (c) The apgar scores of the infants delivered by the licensed midwife;
3 (d) The number of prenatal transfers;
4 (e) The number of transfers during labor, during delivery, and immedi-
5 ately following birth;
6 (f) Any perinatal deaths; and
7 (g) Other morbidity statistics as required by the board.

8 54-5511. IMMUNITY FROM VICARIOUS LIABILITY. No physician, hospital,
9 emergency room personnel, emergency medical technician, or ambulance per-
10 sonnel shall be liable in any civil action arising out of any injury result-
11 ing from an act or omission of a licensed midwife, even if the health care
12 provider has consulted with or accepted a referral from the licensed mid-
13 wife. A physician who consults with a licensed midwife but who does not ex-
14 amine or treat a client of the midwife shall not be deemed to have created a
15 physician-patient relationship with such client.

16 54-5512. SEVERABILITY. The provisions of this chapter are hereby de-
17 clared to be severable and if any provision of this chapter or the applica-
18 tion of such provision to any person or circumstance is declared invalid for
19 any reason, such declaration shall not affect the validity of the remaining
20 portions of this chapter.

21 SECTION 3. An emergency existing therefor, which emergency is hereby
22 declared to exist, this act shall be in full force and effect on and after
23 July 1, 2024.