



"AN ACT TO AMEND CHAPTERS 65 AND 66 OF TITLE 33 OF THE PUBLIC HEALTH LAW OF THE LIBERIAN CODE OF LAWS REVISED AND TO GRANT AUTONOMY TO THE LIBERIAN BOARD FOR NURSING AND MIDWIFERY IN THE REPUBLIC OF LIBERIA"

APPROVED JUNE 17, 2016

PUBLISHED BY AUTHORITY  
MINISTRY OF FOREIGN AFFAIRS  
MONROVIA, LIBERIA

PRINTED JULY 18, 2016

“An Act to Amend Chapter 65 and 66 of Title 33 of the Public Health Law of  
the Liberian Code of Laws Revised and to Grant Autonomy to the Liberian  
Board for Nursing and Midwifery in the Republic of Liberia”

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Preamble

Whereas, in the administration of the safe, orderly and competent practice of nursing and midwifery, it has become necessary to appropriately address the problems facing the nursing and midwifery profession; and,

Whereas, the Liberian Board for nursing and midwifery has determined it imperative that Chapters 63 and 66 of the Title 33 of the Liberian Code of laws Revised be amended to make the Liberian Board for nursing and midwifery an autonomous agency with exclusive power and authority to regulate and monitor nursing and midwifery practice in the Republic of Liberia.

Now therefore,

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:

Chapter 65 Nursing

Part I Preliminary Provisions

65.1 Title

65.2 Short Title

65.3 Definition

65.4 Effect of Amendment

65.5 Application of the Act

65.6 Scope of Nursing Practice

65.7 Nursing and Midwifery Board

65.1 Title: An Act Grant Autonomy to the Liberian Board for Nursing and Midwifery to Regulate and Monitor Nursing and Midwifery Practice in the Republic of Liberia.

65.2 Short Title: This Law shall be cited as the Nursing and Midwifery Act of 2013.

### 65.3 Definitions

The terms herein below shall have the following meaning except as otherwise expressly provided by this Act in reference to other definitions:

a. Advanced Practice Nurse

Any person who holds a current license to practice professional nursing and has satisfactorily completed a formal basic educational program which primary purpose is to prepare nurses for advance or specialized practice for at least one academic year, example, Registered Nursing Anesthesia, Mental Health Clinicians, Dental Nurse, Ophthalmic Nurse, Registered Nurse Midwife.

b. Board means the Liberian Board for Nursing and Midwifery

c. Certification

Certification is approval by the Board of Nursing and Midwifery, which authorizes the certificate holder to practice nursing/midwifery after completing the requirements set by the Board of Nursing and Midwifery.

d. Clinic

A facility often associated with a hospital where outpatients are given medical treatment or advice.

e. Foreign Nurse

A nurse, who has successfully attended an accredited school of nursing or midwifery in a country other than Liberia, has sat and passed that country's Board Examination and is duly licensed and applies to practice nursing in Liberia.

f. Graduate Nurse

Graduate nurse is a person who has graduated from an accredited school of nursing and is awaiting the registered nurse licensure, but is permitted to practice nursing under the supervision of a registered nurse or licensed practical nurse.

g. Health Center

Community based that plays a vital role in the provision of ambulatory primary contact health services. They provide approaches to improve the health status of communities as well as social and enabling services to the population.

h. Hospital

An institution providing medical and surgical treatment and nursing and care for the sick, injured or infirm.

i. Institution of control

Institution of control refers to medical facilities, mental health centers, and other facilities that provide medical treatment for persons suffering from any kind of illness.

j. Licensed Practical Nurse

A Licensed Practical Nurse ("LPN") is an individual who has successfully completed a prescribed nursing education program from an accredited nursing institution; sits and passes the state Board Exams for a licensed practical nurse. An LPN shall hold a current valid license issued by the Board that authorizes him or her to practice as an LPN.

k. Licensure

The process sanctioned by law of granting exclusive power or privilege to persons meeting established standards which allows them to engage in a given occupation or profession and to use a specific title.

l. Minimum Competency

Minimum competency refers to the basic requirements set by the Board to practice Nursing and Midwifery in Liberia.

m. Nurse

A person who has successfully completed a prescribed program of basic nursing education from an accredited institution and is qualified and authorized by the appropriate regulatory in her/his country to practice nursing.

n. Nurse Aide

A person, not a nurse or midwife, who has been trained on the job at a hospital, clinic or recognized health center to engage only in basic patient care under the supervision of a nurse or physician.

o. Nursing

A profession that encompasses autonomous and collaborative care of individuals of all ages, families, groups and communities, sick or well and in all settings. Nursing includes the promotion of health, prevention of illness, and the care of ill, disabled and dying people. It is the advocacy, promotion of a safe environment, research, participation in shaping health policy and in patient and health systems management and education.

p. Operating Room Technician

An Operating Room Technician is a person trained in a hospital setting to assist physicians in the operating room by cleaning instruments, passing instruments, preparing patients for surgery, and preparing operating room tables. Operating Room Technicians work under the supervision of nurses, physicians and midwives, but are not nurses or midwives.

q. Registered Nurse

A Registered Nurse ("RN") is an individual who has successfully completed a prescribed nursing education program from an accredited nursing

institution; sits and passes the State Board Exams for Registered Nurse. An RN shall hold a current valid license issued by the Board authorizing him or her to practice as a registered nurse. An RN provides holistic health care to individuals, families, groups and communities.

r. Registration by Reciprocity

Registration by reciprocity is the process by which a nurse or midwife of a foreign country may have their nursing and midwifery licenses and certificates validated in Liberia.

#### **65.4 Effect of Amendment**

Section 65.2, Definition of practice of nursing and 65.4, Liberian Board for nursing and midwifery are hereby specifically amended as provided herein and new sections 65.5, 65.6 and 65.7 are hereby added.

#### **65.5 Application of the Act.**

This chapter is applied to the profession of nursing and covers the provision under this Act except that it shall not be interpreted as prohibiting:

- a. The care of the sick by domestic servants, housekeepers, nursemaids, companions or household aides of any type, whether employed regularly or because of any sudden illness, provided such person does not hold himself or herself out, or accept employment as a professional or practical nurse in accordance with the provision of this Act;
- b. Any family member providing nursing assistance in the case of an emergency, not including the administering of non prescribed medicine, which is strictly prohibited;
- c. The practice of nursing by students enrolled in registered schools as may be incidental to their course of study;

- d. The practice of nursing in Liberia by a foreign nurse whose application for registration by reciprocity is pending for 1-3 months; such practice of nursing must be under the supervision of a nurse or physician licensed in the Republic of Liberia.
- e. The practice of nursing in Liberia by any legally qualified nurse of another state or country whose engagement requires him or her to accompany and care for a patient temporarily residing in Liberia during the period of such engagement, provided such person does not represent or hold himself or herself out as a nurse registered to practice in Liberia.
- f. Nursing or care of the sick with or without compensation or personal benefit when done in the practice of religious tenets by adherents thereof as long as they do not engage in the practice of nursing as defined in this Act.
- g. The practice of nursing by graduates of Board-registered school pending the result of the licensing examinations, whose applications have been approved by the Board following graduation. Such practice shall only be permitted under the supervision of licensed nursing or medical professionals. The practice of nursing by a graduate shall terminate if the graduate fails to take the first licensing examination after graduation.

## **65.6 Scope of Nursing Practice**

### **a. Who may practice**

Any a person licensed or otherwise authorized under the provisions of this chapter shall practice nursing, limited however to the capacity licensed or authorized. A Nurse practicing or offering to practice nursing in Liberia for compensation or personal profit shall be required to submit evidence that she or

he is qualified to practice, and shall be registered and licensed as provided in section 65.3 (b) (c) (d).

**b. Duration of License**

A title, sign, card or device indicating an individual's license status shall be valid for only two calendar years as of the date of issuance for the following:

1. Registered Nurse ("RN")
2. Licensed Practical Nurse ("LPN")
3. Anesthesia Nurse
4. Registered Nurse Midwife ("RNM")
5. Operating Room Technician
6. Certified Midwife ("CM")
7. Trained Traditional Midwife
8. Registered Midwives ("RM")
9. Ophthalmic Nurse ("ON")

**c. Extent of practice**

The extent of practice of nursing and midwifery refers to the activities for which they are education and authorized to perform and complemented by standards, guidelines and policy positions of nursing and midwifery regulatory bodies. The breadth and depth of these activities are influenced by the individual's level of competency, requirements and policies of the employer, needs of the clients, and practice setting.

Employers can determine which activities are within the scope of nursing and midwifery based on the complexity of the patient requirements and need for clinical expertise.

**d. Administration of Anesthesia by Registered nurse Anesthetics**



Where a duly licensed surgeon is permitted to administer anesthetics, a nurse anesthetic that has been duly licensed may administer the anesthetics, in the presence and under the supervision of a surgeon.

**e. Unauthorized Practice of Nursing**

1. Anyone not authorized to practice nursing under the provision of this Chapter, but who practices or holds herself/himself out as being able to practice nursing in which a license is a pre-requisite, or who aids, abets or facilitates an unlicensed person to practice nursing or midwifery, or who fraudulently sells, files, furnishes, obtains or attempts to sell, file, furnish or obtain a diploma, license, record or permit purporting to authorize the practice of medicine, has committed a felony of the second degree.
2. Any person or entity not authorized to teach the practice of nursing or midwifery under the provisions of this Chapter but who holds itself out to be able to teach the practice of nursing or midwifery, or who aids, abets, or facilitates an unlicensed school in the teaching of nursing or midwifery has committed a felony of the second degree.

**65.7: Nursing and Midwifery Board**

**a. Establishment of the Board:**

There shall be established a Liberian Nursing and Midwifery Board which shall be autonomous and separate from the Ministry of Health and Social Welfare.

**b. Powers of the Board**

The Liberia Nursing and Midwifery Board is a legal statutory body with its own seal and insignias and identifying signals that distinguish it from other bodies. In the performance of its functions, the Board shall have the capacity and authority to:

1. Enter into contracts for the performance and enhancement of its works, including borrowing money in line with the Public Financial Management Act and soliciting grants as may be needed for the achievement of its statutory mandate and for its operations and related purposes;
  2. Hold, purchase, or otherwise acquire, secure, charge, dispose of or alienate movable or immovable property, in the course of and in furtherance of its functions and mandate;
  3. Sue and be sued in its name;
  4. Create regulations, policies, and methods of punishment to regulate the practice of nursing and midwifery;
  5. Control, supervise and administer the assets and funds of the Board in such manner and for such purposes as best supports the purpose for which the Board was established;
  6. Receive grants, gifts, donations, or endowments in furtherance of the betterment of the practice of nursing and midwifery;
  7. Establish standing and ad hoc committees for the smooth operation of the Board;
  8. The Board shall upon its sitting appoint a full Executive Secretary who shall be head of the Secretarial to the Board.
  9. Engage in any activity relating to the practice of nursing midwifery.
- c. Functions of the Board:  
The Board shall:
- a. Register all persons engaging in, or desiring to engage in, the practice of nursing and midwifery.

#### **d. Composition and Tenure of Board**

The Liberian Nursing and Midwifery Board shall be appointed by the Minister of Health and Social welfare upon the recommendation of professional nursing and midwifery institutions and be composed of not less than 13 and not more than 17 members and shall comprise of:

1. One advanced practice Nurse (RNM, Ophthalmic Nurse, Anesthetic etc.)
2. One Registered Nurse who is not from an advance practice
3. One Certificate/Registered Midwife
4. One faculty member from a nursing school offering a Bachelor's degree
5. One faculty member from a nursing school offering an Associate degree
6. One faculty member from a nursing school offering a diploma in nursing
7. One faculty member from a nursing school offering a certificate in midwifery
8. One Licensed practice Nurse
9. One Representative from the Liberian Nursing Association
10. The Chief Nursing officer of the Republic of Liberia
11. The Chief Nursing officer of the Liberian Midwives Council
12. One Chairperson of the West African College of Nursing
13. A Legal Advisor (Ex-Officio)

The legal advisor shall have no voting powers. Board member shall serve a term of 4 years and shall be reinstated if members of her or his organization or the Board so desires. However, a Board member cannot serve for more than two consecutive terms.

A Chairperson and Vice Chairperson shall be elected by the membership of the Board.

#### **e. Qualifications of Board Members:**

Each person appointed to the Board as a licensed professional nurse/midwife shall be a citizen of Liberia and must have all of these additional qualifications:

1. Be a graduate of a state-approved educational nursing/ midwifery program in Liberia.
2. Be currently licensed.
3. Have a minimum of five years successful nursing/midwifery experience in an administrative, Clinical, Teaching capacity or advanced practice.
4. Be actively engaged in professional nursing/midwifery in Liberia immediately preceding and during appointment.
5. A person is eligible for appointment to the Board so long as the person does not own, control, or manage a business entity which provides health services.

**f. Rules and Regulations**

The Board shall make such rules and regulations as are necessary to regulate its profession, and to carry out the purposes and enforce the provisions of this Act. The Board shall formulate by-laws to govern its functions.

**Chapter 66 Midwifery**

Sections 66.3 of the Public Health Law are hereby amended to read as follows:

**66.2 Definitions of Practice of Midwifery**

**a. Midwife**

A person who, having been regularly admitted to a midwifery educational program duly recognized in the county in which it is located, has been education and trained to proficiency in the essential competencies for basic midwifery practice and demonstrated competency in the practice of midwifery and is legally permitted to use the title:

## **Midwifery**

The autonomous provision of support, care and advice in partnership with women to promote self-care and health of mothers before, during pregnancy, labour and following delivery and post partum.

### **b. Practice of Midwifery**

The practice of the profession of Midwifery is defined as the art of assisting at children. Midwifery is a profession that works in partnership with women, adolescents, their families and communities to promote the sexual and reproductive health of women and newborns. Midwives give the necessary support, care and advice during pregnancy, labor, delivery and postpartum period. Midwifery includes preventive measures such as the promotion of normal birth, the detection of complications in mother and child, taking prompt and appropriate actions, including health counseling and education. The work should involve antenatal education, preparation for parenthood, women's health including sexual and reproductive health, and child care.

### **c. Traditional Trained Birth Attendants**

A Traditional trained birth attendant is a person who is not a midwife but who has been trained at the community level to identify complications for prompt referral and escort pregnant women to the hospital when they are in labour.

### **66.3. Scope of Practice of Midwifery**

Midwifery refers to those activities which midwives are educated, competent and authorized to perform which include:

- a. Provision of care and advice for women during pregnancy, labour and during postpartum period.
- b. Health counseling and education for women, the family and the community including preparation for parenthood.
- c. Provision of family planning

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### **66.3. Scope of Practice of Midwifery**

Midwifery refers to those activities which midwives are educated, competent and authorized to perform which include:

- a. Provision of care and advice for women during pregnancy, labour and during postpartum period.
- b. Health counseling and education for women, the family and the community including preparation for parenthood.
- c. Provision of family planning

- d. Detection of abnormal conditions in the mother and child
- e. Execution of primary and secondary emergency measures in the absence of medical help.

**Effective Date**

This Act shall take effect immediately upon publication into handbills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING.

**-2015-**

**FOURTH SESSION OF THE FIFTY-THIRD LEGISLATURE  
OF THE REPUBLIC OF LIBERIA**

**HOUSE'S ENGROSSED BILL NO. 13 ENTITLED**

**"AN ACT TO AMEND CHAPTERS 65 AND 66 OF TITLE 33 OF  
THE PUBLIC HEALTH LAW OF THE LIBERIAN CODE OF LAWS  
REVISED AND TO GRANT AUTONOMY TO THE LIBERIAN  
BOARD FOR NURSING AND MIDWIFERY IN THE REPUBLIC  
OF LIBERIA"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Tuesday, July 7, 2015 @ 11:50 G.M.T.

On motion, the Bill was taken from Committee Room for its second reading. On motion under the suspension of the rule, the second reading of the Bill constituted its third and final reading, and the Bill was adopted, passed into the full force of the law, and ordered engrossed today, Thursday, August 20, 2015 @ 13:26 G.M.T.

  
CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

**-2016-**

**FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF  
THE REPUBLIC OF LIBERIA**

**SENATE'S ENDORSEMENT TO HOUSE'S ENGROSSED BILL  
NO.13 ENTITLED:**

**"AN ACT TO AMEND CHAPTER 65 AND 66 OF TITLE 33 OF  
THE PUBLIC HEALTH LAW OF THE LIBERIAN CODE OF  
LAWS REVISED AND TO GRANT AUTONOMY TO THE  
LIBERIAN BOARD FOR NURSING AND MIDWIFERY IN  
THE REPUBLIC OF LIBERIA"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Tuesday, August 25, 2015 @ 12:18 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the Suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, February 25, 2016 @ 14: 18 G.M.T.

  
SECRETARY, LIBERIAN SENATE, R.L.



ATTESTATION TO:

“AN ACT TO AMEND CHAPTERS 65 AND 66 OF TITLE 33 OF THE PUBLIC HEALTH LAW OF THE LIBERIAN CODE OF LAWS REVISED AND TO GRANT AUTONOMY TO THE LIBERIAN BOARD FOR NURSING AND MIDWIFERY IN THE REPUBLIC OF LIBERIA”

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VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/  
PRESIDENT OF THE SENATE

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SECRETARY, LIBERIAN SENATE

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SPEAKER, HOUSE OF REPRESENTATIVES, R.L.

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CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.



# THE HONORABLE HOUSE OF REPRESENTATIVES

Capitol Building  
P. O. Box 9005  
Monrovia, Liberia  
Website: www.legislature.gov.lr



*Office of the Chief Clerk*

-2016-

FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE REPUBLIC OF LIBERIA

SCHEDULE OF HOUSE'S ENROLLED *BILL NO.1* ENTITLED:

"AN ACT TO AMEND CHAPTERS 65 AND 66 OF TITLE 33 OF THE PUBLIC HEALTH LAW OF THE LIBERIAN CODE OF LAWS REVISED AND TO GRANT AUTONOMY TO THE LIBERIAN BOARD FOR NURSING AND MIDWIFERY IN THE REPUBLIC OF LIBERIA"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE APPROVAL.

APPROVED THIS 17<sup>th</sup> DAY OF JUNE A.D. 2016

AT THE HOUR OF 2:40 P.M.

  
\_\_\_\_\_  
THE PRESIDENT OF THE REPUBLIC OF LIBERIA.