



MISSOURI SENATE

JEFFERSON CITY

John Loudon
7th Senate District

CAPITOL BUILDING, ROOM 422
JEFFERSON CITY, MO 65101

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**Contact: Mike Reid
(573) 751-9763**

STATEMENT

By Senator John Loudon on State Supreme Court's Decision to Uphold Midwifery Law

JEFFERSON CITY – Sen. John Loudon, R-Chesterfield, today issued the following statement on today's decision by the Missouri Supreme Court to uphold a law passed by the General Assembly in 2007 that allowed certified midwives to freely practice the delivery of home-based births. (Until passage of House Bill 818, midwives in Missouri had to engage the supervision of a licensed physician.)

In a 5-2 ruling, the Missouri Supreme Court overturned a lower state court's decision that had ruled the measure unconstitutional. In today's ruling, the State Supreme Court determined the medical plaintiff associations who filed the lawsuit had no legal standing to challenge the constitutionality of the midwifery provision contained in last year's legislation.

“This is a great victory for families and a great victory for midwives. I have always measured every legislative action with my ‘freedom litmus test.’ Does it add a freedom or take it away? This matters in terms of free market and commerce options as well as personal freedom.

“While my wife has always chosen hospital births, I do not want people to overlook the fact that this is about letting pregnant women, not the government, make the safest choice for their child. There is simply no evidence that women are too foolish to be denied this choice so government should decide.

“Our experience all along has been that the doctors would not come to the table because they had the upper hand. The votes have always been against them, so they have abused the filibuster.

“I pray now, that the playing field is leveled, that we can work out an agreement that gets roughly 1,000 Missourians a year out of the status of committing felonies by having babies out of hospitals.”

-State Senator John Loudon