

# FINAL MEETING MINUTES

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY,  
AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSE

BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

550 West 7<sup>th</sup> Ave  
Atwood Building Suite 1620  
Anchorage, AK

February 25-26, 2016

By authority of AS 08.065.020 and in compliance with the provision of AS 44.62, Article 6,  
a scheduled meeting of the Board of Certified Direct-Entry Midwives was held  
October 29-30, 2015, 550 West 7<sup>th</sup> Ave, Room 102 Anchorage, AK

Thursday February 25, 2016

## **Call to Order/Roll Call**

Deborah Schneider called the meeting to order at 9:09 a.m. A quorum of the Board was present.

Cheryl Corrick, CDM, Fairbanks  
Jennifer Swander, Public Member, Secretary, Seward  
Deborah Schneider, CDM, Chair, Wasilla

Present from the Division of Corporations, Business & Professional Licensing

Renee Hoffard, Licensing Examiner  
Brian Howes, Investigator

Public Members in attendance:

February 25, 2016: Kathryn Roberts, Cindy Earley, Dana Brown, Lena McGinnis-Kilic, Laura Gore, Hannah Havesbamp, Kayla Frank, TJ Mowlard, Rachel Pugh, Sara Phillips-Legislative Audit

February 26, 2016: Dana Brown, Judy Davidson, Sara Phillips-Legislative Audit

## **Agenda Item 1 Roll Call & Ethics Reports**

There were no ethics violations to report.

## **Agenda Item 2 - Review/Approve Agenda and Meeting Minutes**

Add letter from the Board to Director Brodie to Agenda Item 10 Correspondence.

Jennifer Swander asked if the letters from the October task list had been completed; Renee Hoffard explained that the three letters had been mailed out. One letter to licensees regarding the regulatory requirements for continuing education completion certificates, one letter in response to Dr. Lemagie, and one letter to division director Janey Hovenden expressing the boards interest in a general investigative fund to offset investigative fees for professional licensing programs.

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57 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
58 **UNANIMOUSLY IT WAS RESOLVED TO ACCEPT THE AGENDA AS AMENDED AND TO TABLE**  
59 **APPROVING THE OCTOBER MEETING MINUTES UNTIL FRIDAY, FEBRUARY 26.**  
60

61 The board moved ahead to agenda item #5, current regulations project until the investigative  
62 staff arrives for the investigative report. The board stated that the regulations project that was  
63 public noticed in January was incorrect; changes the board recommended in October were  
64 not made. Also, some regulations the board added to the project could not be public noticed  
65 as they were not part of the original regulations project from September 2015. Regulations that  
66 were initially noticed could be amended and adopted; any other changes would need to be  
67 the beginning of a new regulations project. Chair Schneider suggested that the board go  
68 through the proposed changes one regulation at a time to ensure the corrections were  
69 accurately made.  
70

71 12 AAC 14.130(e) is amended to read:  
72 (e) An apprentice direct-entry midwife shall submit written notice to the department within 30  
73 days after any addition or change to the relationship with the apprenticeship program  
74 preceptor.  
75

76 The board halted discussion of Agenda Item #5; the investigator arrived to present the  
77 investigative report.  
78

### 79 **Agenda Item 3 - Investigative Report**

80

81 Investigative staff attending the meeting was Brian Howes.  
82 Brian Howes presented the investigative report for the period of October 8, 2015 through  
83 February 19, 2016. Two matters were opened and 4 matters were closed. Investigator Howes  
84 stated he had a consent agreement to present to the board in executive session regarding 2 of  
85 the older cases. He explained that there is movement on the two other cases and he  
86 anticipates resolution soon. Chair Schneider asked why the attorney general declined to move  
87 on the case of unlicensed practice; historically the board has had many unlicensed practice  
88 cases. These cases are a large expense for the board and are a concern for the program. Mr.  
89 Howes stated he would look into why the two cases were declined by the AG's office. Cheryl  
90 Corrick asked about the probation report; the licensee on probation had an option in her  
91 consent agreement to be released from probation after 1 year. Mr. Howes explained that it is  
92 the responsibility of the licensee to request release from probation if they have met the terms of  
93 the consent agreement.  
94

95 **ON A MOTION BY CHERYL CORRICK, SECONDED BY JENNIFER SWANDER, AND APPROVED**  
96 **UNANIMOUSLY IT WAS RESOLVED TO GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH AS**  
97 **44.62.310(C) FOR THE PURPOSE OF DISCUSSING SUBJECTS THAT TEND TO PREJUDICE THE**  
98 **REPUTATION AND CHARACTER OF A PERSON, PROVIDED THE PERSON MAY REQUEST A PUBLIC**  
99 **DISCUSSION. BOARD STAFF RENEE HOFFARD AND INVESTIGATION STAFF BRIAN HOWES TO REMAIN**  
100 **IN ROOM DURING EXECUTIVE SESSION.**  
101

102 Off the record at 9:31 am  
103 Back on record at 10:37 am  
104

105 Chair Schneider stated the board will be tabling the consent agreement provided to the board  
106 until 11:00 am Friday, February 26, 2016.  
107

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### 108 **Agenda Item 4 – Division Update**

109  
110 Sara Chambers, Martha Hewlett and Dawn Hannasch joined the meeting via teleconference to  
111 provide the budget report and division update. Martha reviewed the 2<sup>nd</sup> quarter budget report  
112 with the board. Chair Schneider stated she had concerns regarding the expenses for the  
113 regulations specialist; and added expenses due to the January regulations project being  
114 incorrectly noticed. Sara stated she was unaware of the issue and would look into the situation.  
115 She requested that Renee forward the emails regarding the regulations project to her. Sara  
116 stated she would send a written response to Renee to distribute to the board once she  
117 researched the situation. Jennifer Swander asked Sara how long the board would be allowed  
118 to exist with the current deficit. Sara stated that that is a concern that the legislative auditors  
119 had on the previous sunset audit. Licensing fees have been increased in an effort to recover  
120 costs; the board has been working to reduce their costs. Sara stated that the amount of time  
121 the board is allowed to function with the current deficit in the current fiscal climate is entirely up  
122 to the legislature. Chair Schneider brought up the suggestion to poll the licensee base to  
123 determine if they would be willing to pay a special assessment or if they would be willing to pay  
124 higher licensure fees in order to pay the deficit.

125  
126 Director Hovenden joined the meeting telephonically for the division update. Sara explained  
127 that the board will always incur costs due to investigations of unlicensed practice. Anytime  
128 there is a need for investigators, attorneys, licensing examiners or supervisors time those costs are  
129 a direct expense of the board and those costs are continuing to rise. Cheryl stated that the  
130 budget looks quite encouraging compared to FY14 and FY15.

131  
132 Deborah asked if there was any movement on the special fund for investigations; Sara told the  
133 board that there was nothing happening with that. The division was not able to locate a  
134 sponsor to introduce the statute change that would require.

135  
136 Sara and Director Hovenden discussed the correspondence with Director Brodie at Health and  
137 Social Services regarding Medicare; Director Brodie informed Janey that she thought the matter  
138 had been resolved. Deborah stated that the issues have been addressed more than once; the  
139 board will draft correspondence to Director Brodie during the correspondence time of the  
140 agenda, Friday, 2/26/16. Renee was tasked to ensure that Janey and Sara receive copies of  
141 any correspondence regarding the issue as soon as possible upon her return to the office.

142  
143 Sara informed the board that during Renee's interview with Legislative Audit, the auditor had  
144 mentioned Sec. 18.15.205; screening for congenital heart disease. The auditor was concerned  
145 that the board and licensees were not aware of the requirement. Deborah assured Sara and  
146 Janey that the licensees and board were aware of the requirement; the board will be working a  
147 new regulations project at the meeting and will draft regulations concerning the requirement.

148  
149 On break at 11:33 am  
150 Back on record at 11:39 am

### 151 152 **Agenda Item 5 – Current Regulations Project**

153  
154 12 AAC 14.130(e) is amended to read:  
155 (e) An apprentice direct-entry midwife shall submit written notice to the  
156 department within 30 days after any change to the relationship with the  
157 apprenticeship program preceptor.

158  
159 12 AAC 14 is amended by adding a new section to read:  
160 **12 AAC 14.150. Scope of practice.** (a) A certified direct-entry  
161 midwife shall consult with a physician, advanced nurse practitioner,

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- 162 advance practice registered nurse, or certified nurse midwife, who is  
163 licensed in this state, for a woman who
- 164 (1) has a history of isoimmunization;
  - 165 (2) has a history of epilepsy or seizure disorder;
  - 166 (3) has a history of an asymptomatic heart abnormality;
  - 167 (4) has a current outbreak of genital herpes;
  - 168 (5) has a psychiatric illness that is stable and well-controlled;
  - 169 (6) has well-controlled gestational diabetes mellitus (A1).
- 170 (b) A certified direct-entry midwife may not knowingly deliver a woman  
171 who
- 172 (1) has a history of pulmonary embolism;
  - 173 (2) has pre-existing diabetes or gestational diabetes mellitus (A2);
  - 174 (3) has pre-existing or chronic hypertension;
  - 175 (4) has Rh disease with an affected fetus;
  - 176 (5) has active tuberculosis, syphilis, chlamydia, or gonorrhea;
  - 177 (6) has symptomatic heart or kidney disease;
  - 178 (7) has current chronic substance abuse;
  - 179 (8) has pre-eclampsia or eclampsia;
  - 180 (9) has bleeding with evidence of placenta previa or placenta  
181 abruptio;
  - 182 (10) has a multiple gestation;
  - 183 (11) has a fetus of less than 37 weeks gestation;
  - 184 (12) has a fetus of more than 42 weeks gestation by dates and  
185 examination;
  - 186 (13) has a fetus in any presentation other than cephalic at the  
187 onset of labor;
  - 188 (14) is a nulliparous woman in active labor with a ballotable  
189 presenting fetal part;
  - 190 (15) is a woman in active labor who has ruptured membranes and  
191 ballotable presenting fetal part;
  - 192 (16) has experienced the rupture of membranes greater than 24  
193 hours before active labor;
  - 194 (17) has had a previous cesarean delivery or other uterine surgery;
  - 195 (18) has a fetus with an anticipated need for intervention due to  
196 diagnosed congenital anomalies;
  - 197 (19) has an active seizure disorder or is on seizure medication;
  - 198 (20) has severe psychiatric illness;
  - 199 (21) has first trimester primary outbreak of genital herpes or an  
200 active outbreak of genital herpes within two weeks of delivery;
  - 201 (22) is less than 14 years of age;
  - 202 (23) has any condition determined by the board to be of high risk  
203 to the pregnant  
204 woman, fetus or newborn.
- 205
- 206 12 AAC 14.200(3)(F). Course of Study Requirements.
- 207 (i) review of the side effects and administration of uterotonic agents
  - 208 (ii) performing an episiotomy.

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209 12 AAC 14.210(b)(2) is amended to read:  
210 (2) 10 labor and delivery observations that preceded any primary  
211 responsibility  
212 for labor and delivery, and may have been completed prior to the permit  
213 being issued;

214  
215 12 AAC 14.400(b)(4) is amended to read:  
216 (4) submit copies that are current at the time of certificate renewal  
217 verifying certification in  
218 (A) the Basic Life Support for Health Care Providers Program (BLS);  
219 and  
220 (B) the Neonatal Resuscitation Program (NRP) from the American  
221 Academy of Pediatrics, or neonatal resuscitation approved by the  
222 Midwives' Association of Alaska (MAA); and ...

223  
224 12 AAC 14.500(b) is amended to read:  
225 (b) At the initial prenatal visit, the certified direct-entry midwife shall  
226 recommend that the client undergo a physical examination as required in  
227 AS 08.65.140(1) to screen for health problems that could complicate the  
228 pregnancy or delivery and that includes a review of the laboratory studies  
229 required in (c) of this section. The certified direct-entry midwife shall  
230 obtain a signed written consent from the client reflecting the client's  
231 informed choice regarding the recommended physical examination and  
232 retain the consent in the client's record.

233  
234 12 AAC 14.500(c)(1)(J) is amended to read:  
235 (J) cervical cytology as recommended by the American Society for  
236 Colposcopy and Cervical Pathology (ASCCP) guidelines;

237  
238 12 AAC 14.500(f) is amended to read:  
239 (f) The certified direct-entry midwife shall comply with AS 08.65.140(2)  
240 in obtaining a signed informed consent before the onset of labor.

241  
242 12 AAC 14.500(i) is amended to read:  
243 (i) If, following the consultation set out in (h) of this section, the consulting  
244 provider recommends referral for immediate medical care; the certified  
245 direct-entry midwife shall refer the client for immediate medical care. A  
246 referral for immediate medical care does not preclude the possibility of  
247 an out of hospital delivery if, following the referral, the client does not  
248 have any of the conditions set out in AS 08.65.140(4) and 12 AAC 14.150

249  
250 12 AAC 14.500(j) is amended to read:  
251 (j) During the third trimester, the certified direct-entry midwife shall ensure  
252 that the home birth client is adequately prepared for a home birth by  
253 discussing issues such as sanitation, facilities, adequate heat, availability of  
254 telephone and transportation, plans for emergency evacuation to a  
255 hospital, and the skills and equipment that the midwife will bring to the

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256 birth.

257

258 12 AAC 14.500(k) is amended to read:

259 (k) A certified direct-entry midwife shall make a home visit three to five  
260 weeks before the estimated date of confinement to assess the physical  
261 environment, to determine whether the home birth client has the  
262 necessary supplies, to prepare the family for the birth, and to instruct the  
263 family in correction of problems or deficiencies.

264

265 12 AAC 14.510(d) is amended to read:

266 (d) A consultation or referral as required in (c) of this section does not  
267 preclude the possibility of an out of hospital delivery if, following the  
268 consultation with the consulting provider or referral for medical care, the  
269 client does not have any of the conditions set out in AS 08.65.140(4) and  
270 12 AAC 14.150

271

272 12 AAC 14.560 (a) is amended by adding a new paragraph to read:

273 (4) artificial rupture of the amniotic membranes if the fetal head is  
274 engaged and the client is at least five centimeters dilation:

275 (10) perform an episiotomy.

276

277 12 AAC 14.570(6) is amended to read:

278 (6) oxytocin, administered by intramuscular injection or intravenously after  
279 delivery of the neonate, for the prevention or treatment of postpartum  
280 hemorrhage;

281

282 12 AAC 14.570(7) is amended to read:

283 (7) uterotonic agents such as oxytocin, methylergonovine, carboprost  
284 tromethamine, and misoprostol for the control and treatment of  
285 postpartum hemorrhage;

286

287 12 AAC 14.570(8) is amended to read:

288 (8) lactated ringers, plain or with dextrose five percent, or normal saline,  
289 up to 2,000 MILLILITERS administered intravenously to a client who would  
290 benefit from hydration;

291

292 12 AAC 14.570 is amended to add a section:

293 (12) anti-diarrheal agent such as loperamide or diphenoxylate/atropine

294

295 12 AAC 14.600 is amended to read:

296 12 AAC 14.600. Emergency practices. In addition to the practices  
297 permitted in AS 08.65.140(4), 12 AAC 14.150, and 12 AAC 14.560, in an  
298 emergency a certified direct-entry midwife who has documented training  
299 and skills demonstrating competence as set out in 12 AAC 14.560 may  
300 attend or deliver a woman whose condition is outside the scope of  
301 practice in AS 08.65.140(4).

302

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303 12 AAC 14.610 is readopted without change:  
304 12 AAC 14.610. Emergency transport plan.

305  
306 12 AAC 14.900(b)(6) is amended to read:  
307 (6) provide communication and records to the board and division  
308 investigative staff, as requested by the board or division investigative staff;  
309 and

310  
311 12 AAC 14.900(c) is amended to read:

312 (c) A certified direct-entry midwife shall submit to the board or, if an  
313 organization has been designated under (a) of this section, to that  
314 organization the following information:

315 (1) a copy of the annual summary of primary births attended by  
316 the certified direct-entry midwife, or assisting births that the certified  
317 direct-entry midwife is documenting for purposes of re-licensure, during  
318 the 12-month period that began on January 1 of the preceding year; the  
319 copy must be submitted on or before May 1 of each year;

320 (2) all records required under 12 AAC 14.540 as requested by the board  
321 or the organization providing peer review [for cases selected under (b)(2)  
322 of this section]; and

323 (3) within 14 days after the delivery or transfer of care, all records required  
324 under 12 AAC 14.540 for any case in which a client for whom the certified  
325 direct-entry midwife had primary responsibility in this state

326 (A) died;

327 (B) required emergency hospital transport;

328 (C) required intensive care within the first week after birth; or

329 (D) had any of the complications or conditions listed in AS 08.65.140(4)

330 and 12 AAC 14.150 if the mother was attended in active labor or the  
331 newborn was delivered by a certified direct-entry midwife

332  
333

334 **ON A MOTION BY CHERYL CORRICK, SECONDED BY JENNIFER SWANDER, AND APPROVED**  
335 **UNANIMOUSLY IT WAS RESOLVED TO GO BREAK FOR LUNCH.**

336

337 Break for lunch at 12:44 pm

338 Return at 1:32 pm

339

340 Roll Call:

341 Cheryl Corrick, CDM, Fairbanks

342 Jennifer Swander, Public Member, Secretary, Seward

343 Deborah Schneider, CDM, Chair, Wasilla

344

345 Renee Hoffard, Licensing Examiner

346

347 New Board member Kathryn Roberts, Certified Nurse Midwife, Anchorage joined the meeting.

348 Renee spoke with Sara Chambers during the lunch break and verified that Ms. Roberts was

349 appointed to the board January 2015 to replace Sarah Taygan upon her resignation.

350

351 **Agenda Item 6 – Public Comment**

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352 Lena Kilic – CDM, Chair of Accountability Action Committee, formerly Peer Review. Lena gave a  
353 report of the AAC. Committee is continuing to receive and review reviews. Lena suggested  
354 having the AAC report added as a formal item on upcoming board meeting agendas. Lena  
355 reviewed a letter she had sent the board concerning preceptors under investigation.  
356 Dana Brown – CDM; expressed concerns about preceptors under investigation being treated as  
357 if they are guilty before the investigation is complete.

358  
359 Chair Schneider closed public comment as no other members of the public chose to speak.  
360

361 The board reviewed a final, typed version of the proposed regulations project for any errors.  
362 All regulation changes do not take effect until 30 days after the proposed changes are signed  
363 by the lieutenant governor. All current regulations are in effect until those changes are official.  
364

365 The board asked that a final copy of the version submitted to the Department of Law be  
366 submitted to them for one final review.  
367

368 **HAVING PREVIOUSLY REVIEWED PUBLIC COMMENTS ON MID-JU2015200798, ON A MOTION BY**  
369 **JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED UNANIMOUSLY IT WAS**  
370 **RESOLVED TO GO ADOPT THE REGULATIONS PROJECT AS AMENDED.**

371

372 Break at 2:40 pm

373 Back on record at 2:48 pm

374

### 375 **Agenda Item 7 – Application Review**

376

377 The Board reviewed applications for licensure. There were 7 total applications, 5 for CDM and 2  
378 for apprentice permits.  
379

380 **ON MOTION BY KATHRYN ROBERTS, SECONDED BY JENNIFER SWANDER TO APPROVE FOLLOWING**  
381 **APPLICATIONS WITH THE STIPULATION THAT THE INFORMATION IN THE APPLICANTS' FILES WILL TAKE**  
382 **PRECEDENCE OF THE INFORMATION IN THE MINUTES. ALL IN FAVOR, NO NAYS.**

383

#### 384 Direct Entry Midwives:

385 Cynthia Earley – Kathryn Roberts - Recused

386 Kayla Frank – Deborah Schneider - Recused

387 Tasha Gentile

388

#### 389 Apprentice Direct Entry Midwives:

390 Noa Belisle

391 Jessica Rockhill

392

393 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
394 **UNANIMOUSLY IT WAS RESOLVED TO GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH AS**  
395 **44.62.310(C) FOR THE PURPOSE OF DISCUSSING MATTERS WHICH BY LAW, MUNICIPAL CHARTER, OR**  
396 **ORDINANCE ARE REQUIRED TO BE CONFIDENTIAL. BOARD STAFF RENEE HOFFARD TO REMAIN IN**  
397 **ROOM DURING EXECUTIVE SESSION.**

398

399 Off the record at 4:08 pm

400 Back on record at 5:03 pm

401

402 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
403 **UNANIMOUSLY IT WAS RESOLVED TO TABLE THE CDM APPLICATION OF ELKE SAUNDERS PENDING**  
404 **BOARD REVIEW OF 10 COMPLETE PATIENT CARE CHARTS FOR MOST RECENT ALASKAN BIRTHS THAT**  
405 **WERE NOT PREVIOUSLY SUBMITTED TO PEER REVIEW AS REQUESTED BY THE BOARD IN OCTOBER PER**  
406 **12 AAC 14.540(e).**

407



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408 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY KATHRYN ROBERTS, AND APPROVED**  
409 **UNANIMOUSLY IT WAS RESOLVED TO AMEND THE AGENDA FOR FRIDAY, FEBRUARY 26; ADDING**  
410 **NEW APPLICATION REVIEW TO THE AGENDA AT 2:30 PM.**

411  
412 **ON A MOTION BY KATHRYN ROBERTS, SECONDED BY CHERYL CORRICK, AND APPROVED**  
413 **UNANIMOUSLY IT WAS RESOLVED TO RECESS THE MEETING UNTIL 9:00 AM, FRIDAY, FEBRUARY 26,**  
414 **2016.**

415  
416 Off the record at 5:04 pm

417  
418 Day 2, Friday, February 26, 2016

### 419 **Call to order/Roll Call**

420 Deborah Schneider called the meeting to order at 9:05 a.m. A quorum of the Board was  
421 present.

422  
423  
424 Cheryl Corrick, CDM, Fairbanks  
425 Jennifer Swander, Public Member, Secretary, Seward  
426 Deborah Schneider, CDM, Wasilla, Chair  
427 Kathryn Roberts, CNM, Anchorage

428  
429 Present from the Division of Corporations, Business & Professional Licensing

430  
431 Brian Howes, Investigator  
432 Renee Hoffard, Licensing Examiner

### 433 **Agenda Item 8 – Correspondence**

434 The board drafted a letter to Director Brodie concerning the Medicare changes that resulted in  
435 CDM's not being paid for newborn care after 1 week of life. Jennifer Swander drafted the letter  
436 with input from the board; Renee will submit the final letter to the board for review before  
437 mailing.

438  
439  
440 Break at 10:23 am  
441 Back at 10:28 am

### 442 **Agenda Item 9 – Old Business**

443 (A) **Sunset Audit Update** – Deborah Schneider gave a summary of her interview with  
444 Legislative Audit to the board. She asked Sara Phillips with Legislative Audit, who was  
445 listening to the meeting via teleconference, when the board might receive the results of  
446 the audit. Sara Phillips informed the board that the audit should be completed by the  
447 end of March. The board discussed changing the board meeting's to one day meetings  
448 instead of two day meetings.

449  
450  
451 The Board stopped working on agenda item 9 to return to discussion of the investigative report,  
452 Investigators Ed Riefle and Brian Howes joined the meeting.

453  
454 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
455 **UNANIMOUSLY IT WAS RESOLVED TO GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH AS**  
456 **44.62.310(C) FOR THE PURPOSE OF DISCUSSING SUBJECTS THAT TEND TO PREJUDICE THE**  
457 **REPUTATION AND CHARACTER OF ANY PERSON, PROVIDED THE PERSON MAY REQUEST A**  
458 **PUBLIC DISCUSSION. BOARD STAFF RENEE HOFFARD AND INVESTIGATIVE STAFF ED RIEFLE AND**  
459 **BRIAN HOWES TO REMAIN IN ROOM DURING EXECUTIVE SESSION.**

460  
461 Off the record at 10:56 am  
462 Back on record at 11:42 am

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463 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
464 **UNANIMOUSLY IT WAS RESOLVED TO ACCEPT THE CONSENT AGREEMENT OFFERED TO LORNA**  
465 **MAZOFF AS PROVIDED BY THE INVESTIGATIVE STAFF.**  
466

467 Chair Schneider stated for the record that the board will be discussing a disciplinary policy for  
468 standards the board expects in future consent agreements or other disciplinary sanctions for  
469 certified direct entry midwives and midwife apprentices.  
470

### 471 **Agenda Item 9 – Old Business**

472 **(B) Future Regulations Project:** The board discussed the following regulations changes;  
473 drafting a new regulations project.  
474

475 12 AAC 14.130(g) is amended to read:

476 (g) In this section, "apprenticeship program preceptor" means an individual who meets  
477 the supervisory requirements of AS 08.65.090(b); has a license in good standing and is not  
478 under notice of investigation for a significant delivery of care issue.  
479

480 The introductory language of 12 AAC 14.430(b) is amended to read:

481 (b) A continuing education program sponsored or approved by any of the following  
482 organizations that meets the requirements of (a) of this section is considered approved  
483 by the board:  
484

485 12 AAC 14.430(c) is amended to read:

486 (c) A self-study continuing education program sponsored or approved by one of the  
487 organizations listed in (b) of this section that meets the requirements of (a) of this section  
488 is considered approved by the board.  
489

490 12 AAC 14.530. INFANT CARE. is amended to read

491 (a).....shall consult with a pediatric care provider.....{remove physician}

492 (e) A certified direct-entry midwife shall recommend to the client an evaluation of the  
493 infant by a pediatric care provider {remove physician} within one week of birth, or sooner  
494 if it becomes apparent that the infant needs medical attention.  
495

496 12 AAC 14.530 Add

497 (g) A certified direct-entry midwife shall ensure that, as close to 24 hours after the birth as  
498 feasible, screening for congenital heart defects through pulse oximetry equipment and  
499 methods appropriate for use on a newborn is performed on the newborn, unless  
500 screening is refused by one or both parents.  
501

502 12 AAC 14.300(c)

503 Remove "no later than 60 days before the scheduled date for the examination"  
504

505 12 AAC 14.110 (c)

506 Amended to read:

507 "A complete application for certification and all supporting documents, including the  
508 requirements of (b) of this section, must be received by the division's Juneau office  
509 before the board will review the application.  
510

511 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
512 **UNANIMOUSLY IT WAS RESOLVED FORWARD THE PROPOSED REGULATIONS CHANGES TO THE**  
513 **DIVISION REGULATIONS SPECIALIST. AT THIS TIME THE BOARD DOES NOT FORESEE AND COST TO**  
514 **PRIVATE PERSONS, OTHER STATE AGENCIES OR MUNICIPALITIES. THE BOARD WILL NOT BE**  
515 **ACCEPTING ORAL TESTIMONY ON THIS REGULATIONS PROJECT DURING THE PUBLIC NOTICE**  
516 **PERIOD.**  
517

518 Break for lunch at 12:44

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519 Return at 1:36 pm

520

### 521 **Agenda Item 10 – Annual Report**

522 The board discussed revisions to the FY16 Annual report. The report is due to the division in May  
523 2016; Jennifer Swander will write the narrative and provide it to Renee.

524

525 The board went back to Agenda Item 7, application review.

526

527 **ON A MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK, AND APPROVED**  
528 **UNANIMOUSLY IT WAS RESOLVED TO GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH AS**  
529 **44.62.310(C) FOR THE PURPOSE OF DISCUSSING MATTERS WHICH BY LAW, MUNICIPAL CHARTER,**  
530 **OR ORDINANCE ARE REQUIRED TO BE CONFIDENTIAL. BOARD STAFF RENEE HOFFARD TO**  
531 **REMAIN IN ROOM DURING EXECUTIVE SESSION.**

532

533 Off the record at 2:21 pm

534 Back on record at 3:15 pm

535

536 **ON MOTION BY KATHRYN ROBERTS, SECONDED BY JENNIFER SWANDER THE BOARD VOTED TO**  
537 **APPROVE FOLLOWING THE APPLICATION WITH THE STIPULATION THAT THE INFORMATION IN THE**  
538 **APPLICANTS' FILES WILL TAKE PRECEDENCE OF THE INFORMATION IN THE MINUTES. ALL IN FAVOR,**  
539 **NO NAYS.**

540 Holly McMillan – Certified Direct Entry Midwife

541

542 **ON MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK THE BOARD VOTED TO**  
543 **ACCEPT THE OCTOBER MEETING MINUTES AS AMENDED ALL IN FAVOR, NO NAYS.**

544

### 545 **Agenda Item 15 – Board Business**

546

A. Task List:

547

B. Sign wall certificate – none to sign this meeting

548

C. Schedule future meetings – The board scheduled a teleconference for June 3, 2016 at  
549 9:00 am to discuss the new regulations project; the fall board meeting was scheduled for  
550 September 22-23, 2016.

551

D. Sign Meeting Minutes – Chair Schneider signed the approved October meeting minutes.

552

553 Break at 3:39 pm

554 Return at 3:43 pm

555

556 The board discussed a disciplinary policy to be distributed to the licensee base and the division  
557 staff; the policy outlines the minimum standards the board would like Consent agreements for  
558 standard or delivery of care issues to have.

559 • Education component – must take continuing education in the area pertaining to the  
560 issue that resulted in discipline.

561 • Probation time and Fines – Either the CNM or one of the CDM's on the board must be  
562 consulted with during the drafting of the consent agreement to ensure sanctions are in  
563 line with the charges.

564

565 • **\*\*Preceptors – Preceptors under investigation for significant delivery of care issues will not**  
566 **be permitted to precept.**

567 • Licensees on probation will not be permitted to precept for the duration of their  
568 probation.

569

570 • Licensees on probation may petition the board to be released from probation after  
571 meeting all other terms of the consent agreement and after a period of at least 1 year.

572

573 • **\*\*Memo of understanding will be issued for minor or administrative infractions.**

574

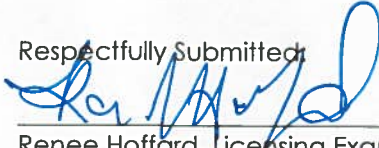
FINAL MEETING MINUTES

575 ON MOTION BY JENNIFER SWANDER, SECONDED BY CHERYL CORRICK THE BOARD VOTED TO  
576 ADJOURN THE MEETING. ALL IN FAVOR, NO NAYS.

577  
578 Ms. Schneider adjourned the meeting at 4:20 p.m.

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591

Respectfully Submitted,



Renee Hoffard, Licensing Examiner



Deborah Schneider, CDM Chair

2/5/2020

Date

FINAL