

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
4 BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

5  
6 MINUTES OF VIDEOCONFERENCE MEETING  
7 October 11, 2021  
8

9 By the authority of AS 08.065.020 and in compliance with the provision of AS 44.62, Article 6, a  
10 scheduled videoconference meeting of the Board of Certified Direct-Entry Midwives was held October  
11 11, 2021, at the State Office Bldg., 9<sup>th</sup> Floor, Conference Room C, Juneau, AK.  
12

13 **Item 1. Call to Order/Roll Call**

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15 The meeting of the Board of Certified Direct Entry Midwives was called to order by Bethel Belisle, Chair  
16 at 9:07 a.m. Members present were:  
17

18 **Board Members Present, constituting a Quorum:**

19  
20 Bethel Belisle, Certified Direct-Entry Midwife, Chair  
21 Hannah St. George, Public Member  
22 Rachel Pugh, Certified Direct-Entry Midwife  
23

24 **Absent from the meeting**

25  
26 Tanya Kirk, Certified Nurse Midwife  
27 Dr. Dana Espindola, Physician/OB Practice  
28

29 **Division Staff present were:**

30  
31 Lacey Derr, Records & Licensing Supervisor  
32 Sara Chambers, Director  
33 Christina Bond, Investigator  
34

35 **Members of the Public Present:**

36  
37 None  
38

39 **Item 2. Review/Amend Agenda**

40  
41 The board reviewed the agenda.  
42

43 **On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved  
44 by majority consent, it was Resolved to approve the agenda as presented.**  
45

46 **Item 3. Ethics Report**

47  
48 No ethics disclosures.  
49

50 **Item 4. Peer Review Regulations**

51  
52 Supervisor Lacey Derr informed the board that their Peer Review regulation packet had completed the  
53 public noticing process and only one public comment had been submitted for the board's consideration.  
54

55 A. Public Comment Review

56  
57 The board reviewed the submitted public comment from Deborah Schneider, Certified Direct-Entry  
58 Midwife.

59  
60 B. Motion to Adopt/Amend

61  
62 Chair Belisle stated she felt the verbiage is not what she had originally drafted and does not seem to  
63 meet the criteria intended and doesn't protect midwives. Rachel Pugh stated she agreed with Chair  
64 Belisle.

65  
66 Supervisor Derr suggested the board may want to consider adopting other parts of the regulation  
67 project and have further discussion and possibly table the peer review section for further editing.

68  
69 Chair Belisle stated the board doesn't want to be required to review all Peer Reviews; the board should  
70 only be involved in cases where a complaint was filed, or the case reflected a death. Ms. Pugh agreed  
71 with the Chair.

72  
73 The board briefly discussed peer review requirements and meeting the Certified Professional Midwife  
74 standards.

75  
76 Supervisor Derr reminded the board that until statutes had been changed, this board wouldn't be  
77 recognized as Certified or Certified Professional Midwives; so regulatory changes must mesh with  
78 current statutory authority.

79  
80 Chair Belisle stated she had concerns with 12 AAC 14.540 as it seems that all that had occurred was  
81 moving reporting and put accountability back on the board; adding this back to the board makes  
82 members a peer review committee which is what the board is trying to avoid. Chair Belisle stated only  
83 in the event of a client death, the board should receive and review a report. Ms. Pugh agreed and  
84 recommended taking (f)(2),(3), and (4) out.

85  
86 Chair Belisle stated the board would be automatically contacted if a hospital, doctor, nurse, etc., reports  
87 a licensee; as shown through peer review audit midwives in Alaska have an amazing sense of  
88 responsibility; additional reporting may cause an undue burden for licensees. Ms. Pugh agreed.

89  
90 Chair Belisle asked Supervisor Derr if it was possible to adopt individual sections of the regulation  
91 project. Supervisor Derr responded they could do this, but to keep in mind any sections that weren't  
92 adopted and would be rewritten would need to go back through the public comment process.

93  
94 **On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved**  
95 **by roll call, taking into consideration submitted public comments, it was Resolved to**  
96 **adopt 12 AAC 14.540 as amended, removing subsections (f)(2), (3), and (4).**

97  
98 **On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved**  
99 **by roll call, taking into consideration submitted public comments, it was Resolved to**  
100 **adopt 12 AAC 14.400 as written.**

101  
102 **On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved**  
103 **by roll call, taking into consideration submitted public comments, it was Resolved to**  
104 **adopt 12 AAC 14.450 as written.**

105  
106 **On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved**  
107 **by roll call, taking into consideration submitted public comments, it was Resolved to**  
108 **adopt 12 AAC 14.900 as written.**

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The board briefly discussed 12 AAC 14.910.

**On motion duly made by Rachel Pugh, seconded by Hannah St. George, and approved by roll call, taking into consideration submitted public comments, it was Resolved to adopt 12 AAC 14.910 as written.**

Supervisor Derr informed the board they were ahead of schedule and had a few minutes before Investigative staff and Director Chambers joined the meeting for their presentations.

**Item 7. Peer Review Report – Midwives Association of Alaska (MAA)**

Supervisor Derr stated this would be the last peer review through this process. Supervisor Derr reported there were a few midwives who had not responded; these were very recently licensed individuals who had been licensed at the end of December 2021 and only been licensed few weeks; these licensees were not able to comply as they hadn't had the opportunity to participate with birthing, so had submitted blank forms as requested by MAA. Supervisor Derr informed the board that these individuals had completed the process with MAA and all seemed well on the report.

Chair Belisle stated that the number of Alaska licensed midwives was concerning: Currently there are only 35 licensed individuals, which is why the board is advocating adopting the CPM model of licensure. Chair Belisle stated the conversations being held and licensee numbers may help the board when seeking legislative changes.

Supervisor Derr briefly reviewed scheduling the board's next in-person meeting; this meeting could be scheduled to coincide with an upcoming legislative session. Supervisor Derr reviewed proper board member processes when seeking legislative changes and when speaking with legislators.

The board briefly discussed dates and traveling to Juneau. Supervisor Derr stated she would reach out to Director Chambers for upcoming legislative session dates and would email the board this information so they could set the meeting date.

**Item 5. Investigations**

Investigator Christina Bond joined and greeted the board.

Investigator Bond reviewed the Investigative Report with the board; for the period of March 24, 2021, through September 23, 2021, there are three open cases, and two cases had been closed since the last board meeting.

Investigator Bond Christina Bond informed the board that the peer review case had been completed, all documents submitted, and the board had reviewed this during their last meeting. Investigator Bond stated the board found no issues or statutory/regulatory violations that warranted the opening of a case, so the matter was closed.

The board thanked Investigator Bond for her time and assistance.

Supervisor Derr informed the board they were ahead of schedule and asked for their assistance in responding to a possible licensee question.

Supervisor Derr informed the board she had been communicating with an individual who isn't a midwife but is a Registered Nurse; this individual has not delivered any babies but is looking to apply for a midwife license. Supervisor Derr asked: "If this individual has not participated in any deliveries and is primarily working as a nurse, how would she apply for a midwife license?"

163  
164 Chair Belisle stated this individual is a Nurse Midwife. Supervisor Derr informed the board the individual  
165 is only a registered nurse and not licensed as a nurse midwife. The board briefly discussed and stated  
166 that she would need to participate in births to meet minimum qualifications in statutes/regulations.

167  
168 Supervisor Derr thanked the board.

169  
170 Chair Belisle initiated a discussion asking whether a CDM could deliver a baby at home if the physician  
171 has verified the fetus is "incompatible with life." The board reviewed statutes and regulations and felt  
172 that it could be allowed if over 37 weeks gestation. St. Cloud also questioned whether reporting  
173 requirements were needed in this case. Chair Belisle also mentioned that stillborn rates are  
174 "skyrocketing" because of the COVID vaccine. St. Cloud said that NICU complications are higher due to  
175 COVID vaccine and due to having COVID. Belisle said the medical community was "shutting down"  
176 discussion about this topic and midwives are left unsure how to proceed. She also indicated that other  
177 complications like placentas in poor condition and cord contortions are also increasing. This could also  
178 be a result of stress.

179  
180 *Recess The board recessed at 9:51 a.m. for a short break; reconvened at 10:04 a.m.*

181  
182 **Item 6. Division Update**

183  
184 Director Sara Chambers joined and greeted board members.

185  
186 A. 3<sup>rd</sup> Quarter Report

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188 Director Chambers reviewed the 3<sup>rd</sup> Quarter Budget Report with the board.

189  
190 B. Military Licensing

191  
192 Director Chambers provided a brief overview and summary of the divisions military licensing process as  
193 required by Senate Bill 21; Director Chambers encouraged the board to begin discussions and drafting  
194 verbiage for regulatory changes as the effective date of the new requirements will be January 1, 2022.

195  
196 Director Chambers urged the board to consider substantially equivalent options for applicants as if an  
197 applicant did meet or exceed substantial equivalents for an Alaska license, a temporary or full license  
198 must be issued. Director Chambers continued the new Military Licensing statutes require a temporary  
199 license option.

200  
201 Director Chambers stated that AS 08.01.063 states a temporary license must be issued within 30-days if  
202 an applicant meets substantially equivalent requirements. The temporary license is valid for 180-days  
203 unless extended at the board's discretion for an additional 180-days.

204  
205 Director Chambers stated this would need to be discussed as part of a regulation drafting process and  
206 may need additional discussion for which the board may want to create a subcommittee; the  
207 subcommittee could draft up verbiage and present to the board for further discussion and fine tuning.

208  
209 Chair Belisle stated the board does have a courtesy license. Supervisor Derr informed the board they  
210 currently have an emergency courtesy license which would be a good starting point to create a  
211 regulation for temporary or courtesy license for individuals applying for full licensure.

212  
213 The board briefly discussed Certified Professional Midwife (CPM) standards and the ease of substantial  
214 equivalency this would allow.

215

216 The board briefly discussed insurance costs for midwives. Director Chambers informed the board that  
217 insurance costs were outside their purview; the board needed to stay within their statutes and  
218 regulations.

219  
220 The board briefly discussed their current emergency courtesy license requirements. Director Chambers  
221 encouraged the board to review regulation 12 AAC 02.957 and make sure new verbiage is compatible  
222 for a new temporary or courtesy license.

223  
224 Director Chambers recommended a point person be assigned for this project to liaise with division in the  
225 event there were any questions or clarification needed; this person would provide the board updates,  
226 summaries of conversations or meetings, and provide the board with those details during a scheduled  
227 meeting.

228  
229 Ms. Pugh volunteered to liaise; the board thanked her.

230  
231 Ms. Pugh asked if the board would need to pay for this statute change. Director Chambers stated the  
232 change had not only been requested on the federal side but had also been requested by the legislature  
233 and was now in statutory requirements which means the requirements are law.

234  
235 The board and Director Chambers briefly discussed the current emergency courtesy license regulation.  
236 Director Chambers stated this seems like a very straightforward was to draft military courtesy or  
237 temporary licenses and asked if Chair Belisle would be available for a 30-minute meeting to discuss.  
238 Chair Belisle stated she would be available.

239  
240 Supervisor Derr asked if the Board of Pharmacy's letter still needed to be addressed by the board.  
241 Director Chambers reviewed the "COVID-19 Practice Guidance for Licensees and Facilities" with the  
242 board. Director Chambers provided a brief background on this statement; it was original requested by  
243 the Pharmacy Board due to pharmacists finding themselves in situations being pressured by clients for  
244 additional pharmacological prescribing which is outside their scope of practice.

245  
246 The board and Director Chambers briefly discussed treatments and agreed as midwives do not have  
247 prescriptive authority, this was a moot point.

248  
249 Director Chambers thanked the board for their time and participation.

250  
251 Supervisor Derr sated they were at the end of their agenda and reviewed task list:

- 252 1. Check the 2022 legislative session start date; this would be emailed to the board so they could  
253 coordinate and set their next meeting date.  
254  
255 2. Email Board of Pharmacy's letter out to board members for review.  
256

257 The board and Supervisor Derr briefly reviewed the military courtesy license regulation process.  
258

259 **Item 8. Public Comment**

260 No public comment was heard.  
261  
262  
263

264 **Item 9. Administrative Business**

265  
266 A. Next Meeting Date – In Person/Juneau  
267

268 *The Board adjourned at 10:43 a.m.*  
269

270 Respectfully submitted:

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272 \_\_\_\_\_  
273 Lacey Derr, Records & Licensing Supervisor  
274

275 Approved:


276  
277 \_\_\_\_\_  
278 Bethel Belisle, CDM, Chairperson  
279 Board of Certified Direct-Entry Midwives  
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281 Date: \_\_\_\_\_  
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284  
285 Approved June 1, 2022

286 

287 \_\_\_\_\_  
288 Sara Chambers, Division Director  
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291 \_\_\_\_\_  
292 Bethel Belisle, CDM, Chairperson