



Board of Certified Direct-Entry Midwives

Alaska Division of Corporations, Business and Professional Licensing
Jan 11, 2023 at 1:00 PM AKST

Members Present: Bethel Belisle, chair; Darcy Lucey, Rachel Pugh, Hannah St. George
Staff: Sara Chambers, AAG Harriet Milks, Jun Maiquis
Guests identified: Mary Yanagawa, MAA; Morgan Bunch, Madi Grimes, Deborah Schneider
Absent: None

1. Call to Order

Meeting called to order at 1:02 p.m. Every board member declared they had no ethical conflicts.

2. New Business: Discussion of patient care

Due to nursing shortages, several clients have been unable to be induced or taken into hospital care unless they are in an emergency situation. AAG Harriet Milks suggested 12 AAC 14.600 would suffice to cover midwives in that circumstance; she recommended the board define "emergency" in regulation to affirmatively include this situation. Ms. Lucey stated that the amendment should address "falling out of scope" when it's not an "emergency."

The chair suggested that this be drafted by a board member offline, discussed by MAA to get more input, and taken up at a future meeting. No member was assigned to this task. In the meantime, the board highly advises that midwives who find themselves in this situation document discussions with medical staff who are refusing to see the client.

3. Old Business

Status of Regulations:

The board reviewed several minor edits and wording suggestions from the Department of Law regarding the regulations project the board adopted at their October meeting. These edits were offered to add clarity and reduce any confusion; there were no substantive changes requiring additional public notice or readoption; however, the board's insight was sought on several areas where attorneys may not be familiar with midwifery terms of art. AAG Harriet Milks, Jun Maiquis, Regulations Specialist, and Sara Chambers, DCCED Boards and Regulations Advisor, assisted the board's detailed discussion.

Motion by Rachel Pugh, and seconded by Darcy Lucey, to make the following minor edits to the regulations adopted in October currently pending with LAW:

12 AAC 14.200. Adjusted language for clarity:

Course of study requirements. (a) On or after ____/____/_____, *{fill in effective date of regulation}* the board will accept any midwifery education program whether online or in person.

(b) An applicant shall document completion of a course of study that meets the requirements of this section by submitting an official transcript, diploma, or certificate of graduation or completion, sent directly to the department from a **Midwifery Education Accreditation Council (MEAC)** accredited institution or from a midwifery school or program where the applicant completed the course of study.

12 AAC 14.430: Repeal to streamline and clarify that CPM certification satisfies midwife CE requirements

12 AAC 14.500 (throughout): Stay with version that was adopted. Using “client” in all situations loses important clarity and adds confusion.

12 AAC 14.500(a)(5): Accept LAW’s suggested edit:

(5) provide each client with contact information for 24 hour on-call availability by a certified direct-entry midwife throughout pregnancy, intrapartum, and postpartum;

12 AAC 14.500(a)(10): Adjusted language for clarity:

(10) inspect the perineum and vagina postpartum for lacerations and stabilize or repair as appropriate;

12 AAC 14.520(c)(3): Delete redundant “if”

12 AAC 14.530(a)(O): Withdraw subsection (O) for future work on the concerns raised by LAW

12 AAC 14.530(a) (throughout): Retain all adjectives; they are helpful and have meaning to practicing midwives.

12 AAC 14.560: Accept LAW’s suggested edits:

1. **12 AAC 14.560(a)** – After “who”, added “, in accordance with (c) of this section,” to clarify the scope of the requirement (especially in regard to whether documentation must be provided in advance of performing a permitted practice, which is a question left unclear in (a) if not read in conjunction with (c)).
2. **12 AAC 14.560(c)** – After “been provided” added “to the certified direct-entry midwife” for general clarity/consistency.

The motion passed with unanimous consent.

Status of Renewal: Ms. Chambers let the board and public know that the regulations project they just worked on was one of two regulations projects that needed to be filed with the Lt. Governor's office by February 1 in order for licensees to have adequate notice to complete the new requirements for renewal by March 31. (The other project is the fee change the board recommended last fall.) Chambers stated that if the project was not filed timely, the board would need to adopt emergency regulations pushing renewal back again. These delays were due to new procedures in the Department of Law's LRLR Section, which have been creating roadblocks in the process but which are expected to result in a quality product once the kinks are worked out.

Chambers stated that peer review regulations have already been filed and posted on the web site, and a letter was sent out to all licensees at that time. A letter will go out with additional information about renewal regulations and timelines once these two projects are filed. She noted that MAA president Mary Yanagawa was in attendance and highly recommended that MAA members be notified through industry channels to ensure no one was caught off guard by new regulatory requirements.

4. Legislative Business

The board briefly discussed the Legislative Audit, pointing out that it is in the packet for member review and on the Legislative Audit web site for public review. Ms. Chambers stated that she would be available to work with the chair, who would be expected to respond to the audit findings and recommendations during legislative testimony. Because the meeting was running longer than the anticipated two hours, the board postponed the discussion to the next meeting.

The board briefly walked through Rachel Pugh's proposed legislative changes. The primary goals of the changes offered were to:

1. Convert "Certified Direct-Entry Midwives" to "Licensed Midwives"
2. Strengthen statutes to promote insurance coverage of midwifery services
3. Move away from entanglements with nurse midwives and physicians
4. Streamline licensing requirements, especially to clarify the CPM requirement being adopted in regulation

The board continued to ask questions and discuss possible changes, such as continuing to allow physicians and nurse midwives to serve as preceptors, just not primary preceptors. This would keep options open for midwives but reduce confusion created when APRN or MD preceptors are not adhering strictly to midwifery laws and practices.

Motion by Bethel Belisle, and seconded by Darcy Lucey, to conceptually support the idea of legislative changes and to empower Rachel Pugh to continue working on this draft and to seek a sponsor for the sunset legislation. The motion passed with unanimous consent.

Chair Belisle turned the meeting to Ms. Pugh to chair and left at 3:45.

5. Administrative Business

Acting Chair Rachel Pugh opened the floor for public comment:

Deborah Schneider requested that MAA/industry be given the opportunity to review statutory changes and offered support to help shop the bill to her elected officials. She asked whether the board would be amenable. Ms. Pugh asked Ms. Chambers to advise, and her response encouraged Ms. Schneider to help make introductions between her legislators and Ms. Pugh.

Mary Yanagawa offered to help bring a draft forward to MAA if provided by and then provide feedback to the board. She also offered legislative support and can travel to Juneau to join in meetings and hearings. She stated the draft that was discussed was a good starting point based on the 2022 legislative proposal and that MAA was excited to see these legislative changes. She said she was also happy to meet with APRNs and other groups that had expressed concern about 2022 legislation. She asked if a member of the board could speak to the draft at MAA’s January 20 meeting. Ms. Chambers was again asked to advise and offered that this support and early consensus building would likely lead to better legislative outcomes.

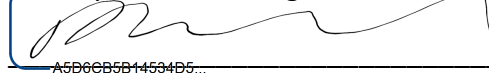
Ms. Pugh asked if she could circulate a draft to MAA. Chambers said that until the board approved the document, they would need to be careful about circulating it. It would need to be clearly mared on every page that it was a draft that had not been approved by the board. Good communication is key, and it is important at this point to send a message that the board is actively working on this but nothing has been approved. She encouraged MAA members to attend the next meeting to hear the board’s discussion.

Due to time constraints, approval of minutes was moved to the next meeting. The next meeting was set for 11am on January 25 and will focus on legislative changes, as well as take up any renewal concerns.


The board also approved a meeting in Juneau on one of the following days: February 21, 22, or 23. Ms. Pugh would text Chair Belisle to see which day worked for her and send that to Ms. Chambers, who would then inform the rest of the board and MAA, in addition to initiating a travel request and public notice.

A motion to adjourn was made at 4:30 p.m. by Darcy Lucey, seconded by Hannah St. George, and passed by unanimous consent.

I certify these meeting minutes are true and correct to the best of my knowledge:


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Bethel Belisle, Chair


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Sara Chambers, Department Boards and Regulations Advisor