



Board of Certified Direct-Entry Midwives

Alaska Division of Corporations, Business and Professional Licensing
Minutes of a meeting held Jan 25, 2023 at 12:00 PM AKST

The minutes of this meeting were approved at the February 21, 2023, meeting of the board.

Present:

Members: Bethel Belisle, Hannah St. George, Darcy Lucey, Rachel Pugh

Staff: Sara Chambers, Boards and Regulations Advisor

Guests: Mary Yanagawa, MAA; Deborah Schneider, Madi Grimes

Call to Order

Chair Belisle called the meeting to order at 12:02 pm. All members were present and declared they had no conflicts of interest. Rachel; Darcy approved agenda unanimously.

Review and Approve Meeting Minutes

Motion by Rachel Pugh to approve minutes from October 26, 2022, December 16, 2022, and January 11, 2023. Seconded by Darcy Lucey. Passed unanimously.

Review Legislative Proposal

Ms. Pugh reviewed each section of the legislative proposal she had updated since the January 11 meeting. She read a statement clarifying the purpose of the changes to the makeup of the board that could be used in articulating to legislators and others who may be concerned by this change. Ms. Pugh had already shared this draft with a sitting legislator who is considering sponsorship. Chair Belisle stated that at the previous week's MAA meeting, everyone sounded supportive of the removal of the physician seat but was split on removing the APRN/CNM. Ms. Pugh said she had spoken with members of the APRN Alliance, who opposed removal of these professions from the board. Ms. Lucey, the current APRN on the board, mentioned that she sees pros and cons to both sides and doesn't feel strongly either way. Having the right APRN could be beneficial, but historically, there has not been a lot of engagement/buy-in by APRNs or physicians on the board. She is unclear why these positions were placed on the board to begin with and said the decision should be up to the licensed midwives. Ms. Chambers informed the board about the physical therapists' success with HB 99 in 2022, which also changed the makeup of the board.

The board debated how to align CPM submission to reduce cost and paperwork on midwives in AS 08.65.050. Obtaining one's CPM without state licensure is \$1400. With state licensure is \$150. Ms. Chambers discussed keeping the process streamlined and lowering license fees. Creating a multitiered license may not be in the best interest of the applicant or the state. Chair Belisle agreed.

The board discussed deleting AS 08.65.060 and AS 08.65.070 because the same criteria are included in AS 08.65.050 Qualifications for licensure. This would further streamline the application process for midwives and the state.

The board deliberated on removing the word “NARM” in AS 08.65.090 for consistency. They also reviewed AS 08.65.090(b)(1) and determined it should be removed; however, to bolster the board’s ability to consider preceptorship in regulations, they discussed adding “by the board in regulations” in the lead-in language for that section.

There was considerable discussion about whether to include the drafted language in AS 08.65.140 that would mandate the board to adopt regulations requiring midwives to be able to perform within their full scope of practice as listed in the NARM Candidate Information Bulletin. The board wavered about whether this took too much authority out of their hands and placed it into NARM’s. They also discuss whether they wanted to require midwives to have to work to the limit of their CPM or if the board should have greater flexibility and control in regulation.

The public was invited to comment on the proposal. Deborah Schneider offered reasons to supporting keeping the APRN on the board. She also had concerns that the scope of practice was moving back into statute under the proposal after the board had moved it to regulations in 2014 legislation.

Ms. Pugh offered further thoughts on reasons why the makeup of the board may be opposed by certain stakeholders.

Motion by Rachel Pugh: With the exception of the wording regarding scope of practice in .140, I move that the board support the legislative proposal discussed in this meeting, with the following changes: Delete .060 and .070; take out the word “NARM” in .090; delete (b)(1) from .090 and add “by the board in regulations” in the lead-in language. I further encourage the board to consider how to approach codifying scope of practice legislation at its February meeting. Seconded by Darcy Lucey. Passed unanimously.

General Public Comment

The board provided the opportunity for public comment on other items, but none was offered.

Administrative Business

Ms. Chambers walked through the plan for the February in-person meeting: Arrive in Juneau the morning of Feb. 22 and convene at 11 a.m. over a working lunch in a conference room in the CBPL office. The board could discuss their legislative appointment agenda, which Ms. Pugh will arrange, take up any other board business, and then recess until a time certain the following afternoon. They can then debrief about

their legislative meetings before heading home that evening. Ms. Chambers reminded them they will need to pair up and may include MAA members or other midwives; however, they could not meet together in groups of three or more per the Open Meetings Act. She encouraged Ms. Pugh to contact her if she needed any guidance. Chair Belisle reminded the board that they should also be seeking sponsorship of their sunset legislation, which is of prime importance.

The board was joined by AAG Megyn Weigand, Senior Investigator Sonia Lipker, and Investigator Christina Bond.

Executive Session for Investigative Matters

Motion by Chair Belisle: In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential; board staff is requested to remain during the session. Seconded by Ms. Pugh. Passed unanimously.

Off the record at 1:57

On the record 2:23

Motion by Rachel Pugh: The Board of Certified Direct-Entry Midwives for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case No. 2017-000004, Respondent, certificate number MIDM44, adopts the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board. The Division may enforce the Consent Agreement by immediately suspending Respondent's certificate, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement. Seconded by Chair Belisle. In favor: Pugh, Belisle, Lucey. Abstain: St. George. Motion passed.

Motion to adjourn by Rachel Pugh. Seconded by Darcy Lucey. Passed unanimously.

The meeting adjourned at 2:30 pm.