

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

BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

550 West 7th Ave
Atwood Building Room 1270
Anchorage, AK

August 16-17, 2012

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 September 8-9, 2011 in the Atwood Building, 550 West 7th Ave Suite 1860 Anchorage, AK

August 16, 2012

Agenda Item 1 Call to Order

The meeting of the Board of Certified Direct-Entry Midwives was called to order by Cheryl Corrick, CDM Chair on August 16, 2012 at 9:07 a.m.

This meeting was public noticed in the Anchorage Daily News on July 15, 2012.

Present, constituting a quorum of the board were:

Cheryl Corrick, CDM, Chair, Fairbanks
Mary 'Jennie' Grimwood, Public Member, Secretary, Cordova
Barbara Norton, ANP, CNM, Anchorage
Peggy Downing, MD, Wasilla
Deborah Schneider, CDM, Wasilla

Ms. Corrick welcomed Deborah Schneider to her first meeting as a board member.

Present from the Division of Corporations, Business & Professional Licensing:

Connie Petz, Licensing Examiner
Margo Mandel, Investigator
Misty Frawley, Administrative Officer (via telephone)
Don Habeger, Directory of CBPL (via telephone)
Sara Chambers, Operations Manager
Jun Maiquis, Regulations Specialist (via telephone)

Public Members present on **August 16, 2012**: Lena Kilic, Onica Sprokkreeff, Autumn Loken, Kaye Kanne, Dana Brown, Darcy Lucey, Judi Davidson and Stella Lyn

Public Members present on **August 17, 2012**: Lena Kilic, Onica Sprokkreeff, Autumn Loken, Kaye Kanne,

Agenda Item 2 Review / Approve Agenda

**ON A MOTION MADE BY DR. DOWNING, SECONDED BY DEBORAH SCHNEIDER
IT WAS RESOLVED TO APPROVE THE AGENDA. ALL IN FAVOR, NO NAYS.**

No further discussion.

Agenda Item 3 Review / Approve Minutes

February 23-24, 2012 minutes reviewed by board.

**ON A MOTION MADE BY DR. DOWNING, SECONDED BY BARBARA NORTON;
IT WAS RESOLVED TO APPROVE THE FEBRUARY 23-24, 2012 MINUTES.
ALL IN FAVOR, NO NAYS.**

Deborah Schneider questioned agenda item 14, Barbara Norton explained what is stated in the minutes reflected the discussion as it occurred. Ms. Schneider asked to hold discussion regarding use of the wording Health Care Providers.

**ON A MOTION MADE BY DEBORAH SCHNEIDER, SECONDED BY DR.
DOWNING AMEND THE AGENDA to hold additional discussion.
ALL IN FAVOR, NO NAYS.**

The Board held additional discussion as to the wording Health Care Providers on a BLS card. It was noted, this is directly from the wording in 12 AAC 14.110 (c) basic life support for Health Care Providers. Deborah Schneider was concerned because not everyone uses that wording on their cards. It was determined that the intent is clear in saying Health Care Provider in how the regulation is worded and therefore, there was nothing more to discuss without making a regulation change.

Agenda Item 4 Ethics Reporting

Staff recapped the reason for ethics reporting and explained ex parte communication and board member duty/responsibilities. Board members should not hold conversation with any applicant prior to licensure. Board members should not discuss any type of a licensing violation or complaint concerns with a licensee or individual. Board members should not hold conversations with each other related to board business outside of a regularly scheduled board meeting.

All of the above situations limits the Board in their ability to perform board business, be included in board meeting discussions and could hinder the Board with the risk of not having a quorum to make a board determination or decision.

Board members need to understand that if they have interaction with applicants for licensure or even someone under investigation that they could be at risk for ex parte which is an ethical violation.

There were no ethics violations to report by any board member or staff.

Agenda Item 5 Investigative Report

Investigator Margo Mandel shared her investigation report. The Board of Certified Direct-Entry Midwives had seven (7) open complaints and/or cases. The investigation unit opened two cases and closed two cases since the last Board meeting.

The Board was concerned about the length of time it takes for a case to come to closure. Ms. Mandel explained the investigative unit has limited human resources available to manage their case load, unless the board was willing to spend the money for another investigator.

The department has a website available for reporting license violations concerns or complaints to the investigation unit and to assist in understanding the process.

http://www.commerce.state.ak.us/occ/home_investigations.html

The board packet included some of the available information on the website of the investigation unit.

- Investigative process
- License action process (flow chart)
- Initial complaint form

OPEN COMPLAINTS/CASES:

| Number: | Alleged Violation: | Status: |
|----------------|--------------------------------|----------------|
| 2010-000966 | Standard of Care | Active |
| 2010-000576 | Standard of Care | Active |
| 2011-000766 | Unlicensed Practice | Active |
| 2011-000767 | Violating Licensing Regulation | Active |
| 2011-000769 | Violating Licensing Reg. | Active |
| 2012-000305 | Standard of Care | Active |
| 2012-000505 | Application Problem | Active |

CLOSED:

| Number: | Alleged Violation: | Closure Status: |
|----------------|-----------------------------|----------------------------------|
| 2011-000479 | Violation of Licensing Reg. | License Action/Consent Agreement |
| 2011-000256 | Violation of Licensing Reg. | License Action/Consent Agreement |

The meeting was ahead of schedule so Dr. Downing told the Board that some pediatricians had asked her if midwives did hearing tests on babies. It was thought most newborns are not given hearing tests in birth centers or home births but that parents are provided information which directs them to public health agencies for a hearing test.

It was stated that some birth centers around the state have been provided with hearing test machines by the state so they can perform the tests. It was noted, even if a 'free' hearing test is not offered by public health professional or other providers, hearing tests are available for a fee in most areas with medical facilities.

The board believes that the majority of certified direct-entry midwives are providing their patients with hearing test information to encourage them to have their child's hearing screened.

Deviated to Agenda Item 7 CLEAR conference discussion

Cheryl Corrick, Deborah Schneider and Mary 'Jennie' Grimwood all attended the CLEAR conference. Ms. Corrick thought the conference had helpful and valuable information for her as a board member. She liked the 'Decision Making Tree' which provides guidance during the process of making decisions and to aide in consistent decisions. Ms. Corrick thought it might benefit the board to consider doing a self-evaluation. She thought asking members of the public to evaluate how the board is doing could be beneficial too.

Jennie Grimwood would have liked the presentation to include more instruction on how to be more effective as a board member.

Deborah had no comment about the conference.

Agenda Item 8 Training for Travel Authorization Process

Staff explained the travel process for board members. They have the opportunity to maximize travel during board meetings but they are required to follow the guidelines as established in travel regulations. Alaska Statute 39 defines how and what can be reimbursed for Travelers on state business. It identifies reimbursement will be for actual and necessary expenses incurred by travelers while in travel status.

Disclosure of any intended travel deviations should happen at the very beginning of the travel authorization process. This prevents confusion and disappointment if some costs are not reimbursed. Staff will assist in the process and encourages the board to ask whenever they have questions.

Break off record at 10:07 a.m. and back on record at 10:31 a.m.

Deviated back to Agenda Item 6 FY12 Annual Report and Budget Report

The Boards FY12 Annual Report was completed on time and can be viewed on the website of Corporations, Business and Professional Licensing under the quick link titled: FY 2012 Annual Performance Reports.

<http://www.commerce.state.ak.us/occ/home.htm>

Cheryl told the Board the annual report was submitted with only one legislative recommendation because it was the only item directly related to legislative change.

Sara Chambers attended the meeting in person and Misty Frawley attended (via telephone) to answer questions related to the current \$46,000.00 budget deficit.

Ms. Chambers informed the Board increased license fees have not yet been adopted. The division is closely watching the budget and is aware of the need to increase fees but the Governors' office has a hold on all license fee increases at this time.

Ms. Frawley told the Board the division has completed an extensive fee analysis for all licensing programs along with redistribution of costs which definitely benefited this board.

Deborah Schneider asked what the Board could do to help keep costs down.

Ms. Chambers explained having adequate fees to support the program is important. One way is to reduce travel costs, which the board has done by holding meetings in Anchorage. She also said making sure the licensing process is clear to the licensees will avoid confusion which might lead to an investigation. Avoiding confusion that might lead to a legal case or denial of a license where someone might not believe there is statutory authority for denial. When you begin to involve department of law, office of administrative hearings, administrative law judges etc... the costs will begin to grow.

Staff explained the sunset audit process to the Board. Legislative auditors will review files for applicants for licensing, board packets' and other all documentation related to this Boards practices. The auditors' role is to determine if the board is fulfilling its role, that the laws are being followed and enforced. When the auditors begin reviewing records they will be looking to see how the Board and licensing process is functioning. Then they will make the determinations to either sunset (terminate the board) or recommend the board continue.

Cheryl was very concerned that the board has such a high deficit. She feels very strongly that the board needs to look at the license fees to cover costs and also to explain to the professionals that the biggest cost to the board is investigations.

The Board asked the public to share their thoughts on the fees.

Kaye Kanne, an ex-board member said when the board was established, they committed to keep fees that would cover the cost of having a board. She thought the board should increase the fee to \$2500.00 with a cap. Repeat offenders of investigative issues and those with unlicensed activities are generally the reason license fees are high.

Onica Sprokkreeff was concerned that increasing the fees for a CDM would discourage those with small practices from having a license.

Deborah Schneider thought that having a license fee with a cap for a few license periods would help with the overall costs of the board.

Judi Davidson, thought appropriating a fine for certain types of investigations with some teeth in it would be helpful, something which actually gives the violator some consequences. She does not think the fee for an apprentice permit is high enough and that going to college or any type of education has a higher cost than what is currently charged for an apprentice permit fee. She thought an apprentice permit should be a least one thousand dollars or higher.

Autumn Loken said she has a small home birth practice. Raising the license fee will not be prohibitive to renew her license but not knowing how much the fee will be makes it impossible for her to budget. She told the board that she does not understand how the costs can be so high for such a small licensing group. How can only 37 licensed CDM's take so much staff time? Why are the Boards' costs so high?

Cheryl explained that the license and permit fees cover board meetings, licensing issues, staff for the board and the cost of investigations which is the highest cost to the board.

Dana Brown, an ex-board member recalled past investigations have cost the board thousands of dollars. She remembered revocation of a license where the person continued to practice without a license and then a baby died. Investigation of unlicensed practice caused the license fees to increase. It was noted that not all investigations are 'illegal' activity but licensees who violate statutes and regulations. Ms. Brown supports license fees being higher for both licensed CDM's and apprentices.

Darcy Lucey told the Board she recently finished her certified nurse midwife education at the cost of \$35K, she did not think the current apprentice permit fee was adequate and is in support of a fee increase for apprentices.

Lena Kilic felt that the fees should not be related to other types of professional licenses.

Dana Brown felt for public safety there needs to be a working relationship between the Board of Midwives and the investigative unit.

Cheryl Corrick deviated to a question from conversation at a prior board meeting where Kaye Kanne asked the board to write a letter of support of legislative change from the Board to Representative Munoz.

Kaye Kanne said the board also needs to address the issue that apprentices should be able to count births outside of Alaska because it was never the intent of the board to not count births from outside.

Cheryl Corrick said she thought the statute 08.65.090(b)(2) could be a very easy fix, just remove the wording, "who is certified in this state", because she does not think this makes any sense that the preceptor needs to be licensed in Alaska so it can be removed from the statute.

Dana Brown also wanted the board to look at changing the preceptor requirement to be more than 2 years in practice.

Staff reminded the Board that their role is to enforce the statutes and regulations as they currently exist, not to initiate legislative change. Regulations are drafted from the statute as it is written as these are statutes which the legislators have adopted. Staff also reminded the board that it is not the role of the board to work for the Midwives Association of Alaska. The role of the board is to work for licensing, regulations, and disciplinary actions specifically for the protection of the public.

Barbara Norton thought that the Board could write a letter in support of legislative change during the meeting. Cheryl will draft a letter for the board to approve.

ON A MOTION BY DEBORAH SCHNEIDER, SECONDED BY BARBARA NORTON, THE BOARD WILL DRAFT A LETTER IN SUPPORT OF THE MIDWIVES ASSOCIATION SUPPORTING LEGISLATIVE CHANGE AS THE BOARD HAS DISCUSSED. ALL IN FAVOR, NO NAYS. BARBARA NORTON HAD STEPPED OUT OF THE ROOM SO SHE DID NOT VOTE.

The Board supports Cheryl Corrick, the Board chair, writing a letter in support of MAA the Midwives Association of Alaska's project for changes to AS 08.065.140 Required Practices to allow it to be regulated by the Board.

Staff explained to the board that if they (MAA) succeeds' in repeal of the statute, then they (the Board) will not have authority to write a regulation for required practices. Perhaps MAA could consider working towards rewording the statute. The current statute as written is protecting the public.

LUNCH off the record at 11:55 a.m. and back on the record at 1:38 p.m.

All board members were present.

Staff explained to the Board the response from her supervisor, Sher Zinn who said typically a Board waits to write any letter of support towards legislative change until the legislation has been introduced. This is when the Board would know exactly what it is they are supporting. But, if the Board chooses to write a letter, it is very important that the board be very specific as to what they are supporting.

The board approved the letter Cheryl Corrick drafted in support of MAA.

TASK: Staff will send letter drafted by Cheryl Corrick to Ms. Munoz.

Agenda Item 9 Public Comment

Stella Lynn - Apprentice permit holder asked the board for clarification on how to count birth observations. Prior to Ms. Lynn beginning her apprenticeship program in Alaska she was an apprentice in Oregon. If needed, she would like to be able to count some of those births observations from Oregon. She wanted the board to provide direction now, 6 months before her program ends.

Cheryl Corrick recalled it was okay to count observes prior to apprentice licensure and said that the practice was they don't need to have the permit to observe.

Barbara Norton brought up that a lawyer had said they could not count births outside. She asked if this meant primaries or what? The point is that if it's out of state, then we don't know if they are licensed and the board can't speak to quality of care issues. That was the reason the attorney said and the Board needs to follow what he said.

Staff reminded the board if it was during the apprenticeship program, while holding an apprentice permit you are under the regulations for the apprentice program 12 AAC 14.220 which states they (the apprentice) needs to meet the requirements as outlined in the regulation. Staff then directed the board to read 12 AAC 14.210 (b) which includes the 10 observes. Staff asked the board to consider what is outlined in the apprentice program. The regulation says they have to meet the requirements of a program preceptor and includes everything under 12 AAC 14 200 and 12 AAC 14.210.

Dana Brown spoke up and said we have licensed by reciprocity before from other states and they know we don't agree with that lawyer but we have accepted births from other states and countries.

Cheryl Corrick said the goal of the board is public safety. Is this a problem with public safety? No. She said she reads that it can be under 12 AAC 14.210 (a)(2) licensed 2 years in another state. Cheryl said that we are not talking about a program when we are talking about observations.

Staff thought that looking at 12 AAC 14.210 (a)(2) if referring to someone applying by credentials in order to qualify the supervised clinical experience requirements.

Both Barbara Norton and Cheryl Corrick believe there is a conflict in the regulation 12 AAC 14.220 and still do not understand why this was written this way, meaning the requirement in 08-65-090(b)(2) 'certified in this state'.

Staff asked the Board to clarify if the board saying that she (Ms. Lynn) wants to count observes births prior to beginning the apprenticeship program in Alaska.

Cheryl Corrick said the question is if she can count observes before the apprentice program in Alaska. Ms. Lyns' preceptor in Oregon was a licensed midwife. Cheryl said that the board knows that OR law meets AK law so it is equivalent.

Kay Kanne spoke up saying she thought it sounds like the board has the discretion to decide if they want to accept observes. Barbara Norton said she is fine with accepting observes and told staff not to ask for an opinion from Dept of Law.

Cheryl Corrick said all statutes and regulations are open to interpretation and that is one of the boards' jobs, to interpret them. Barbara Norton agreed.

Stella Lyn told the board her purpose of asking this question 6 months in advance is to have it on the record that she could count her observes and have a formal approval from the board.

The board did not see any reason why they could not accept observes. Cheryl Corrick and Barbara Norton said he, (Dan Branch) gave a legal opinion not a ruling so they thought that there was no reason they could not accept observes.

Staff asked the board what form would need to be provided for documentation by Ms. Lyn for observes. Ms. Lyn said she could provide forms from her preceptor and a copy of her preceptors' license. Cheryl Corrick said the board needs to use its' discretion and will review the forms with the application.

ON A MOTION BY BARBARA NORTON, WHEN A LICENSEE SUBMITS HER APPLICATION, THE BOARD IS WILLING TO INCLUDE OBSERVES FROM ANOTHER STATE IF THE APPLICANT INCLUDES A VERIFICATION OF OBSERVE SIGNED BY THE ATTENDING SUPERVISING MIDWIFE, PHYSICIAN OR CERTIFIED NURSE MIDWIFE AND THEIR CONTACT INFORMATION FOR VERIFICATION OF THOSE OBSERVES, NOT TO INCLUDE ASSISTS OR PRIMARIES. SECONDED BY DEBORAH SCHNEIDER, ALL IN FAVOR, NO NAYS.

Compilation of all the discussion - when it comes to counting observes, prior to an apprentice license being issued and the apprenticeship program beginning; an apprentice may count birth observations, as long as there is valid documentation.

The board will review and decide, at the Boards' discretion if they will count observes. The board has determined there is no physical contact so there is no risk to the public. Also, birth observations are generally during a time when the person may be trying to determine if they want to consider a career in midwifery.

Lena Kilic asked about the process of applications for 'yes' answers. Cheryl explained that there is a barrier crimes matrix which would be an item which an applicant should look at if they have a yes answer. Staff explained answering questions with full disclosure is better than non disclosure which can result in denial of a license.

After all public comment concluded, the board held further discussion regarding the budget deficit and understands that license fees need to be adequate to cover the cost of this professional licensing program. The Board has been concerned that the fees have fluctuated from very high to very low. The board would prefer license fees be more consistent and stable to allow midwives the ability to budget for their license fee. The Board discussed that the apprentice fees are nominal in comparison to other professional educational costs and would like to have the apprentice permit fee raised to an amount higher than it has historically been.

ON A MOTION BY DR. DOWNING, SECONDED BY JENNIE GRIMWOOD, THE BOARD IS IN SUPPORT OF A REASONABLE INCREASE IN LICENSING FEES FOR CERTIFIED DIRECT-ENTRY MIDWIVES. ADDITIONALLY, THE BOARD WOULD LIKE TO SEE THE APPRENTICE PERMIT FEE INCREASE. THE BOARD WOULD BE IN FAVOR OF THE APPRENTICE PERMIT FEE BEING SET AT FIFTY PERCENT OF THE CERTIFIED DIRECT-ENTRY MIDWIVES LICENSE FEE. ALL IN FAVOR, NO NAYS.

TASK: Staff will forward this motion to operations manager, Sara Chambers.

Agenda Item 10 Review Applications

The board reviewed the application by examination for Tara Mae Elrod.

ON A MOTION BY BARBARA NORTON, SECONDED BY JENNIE GRIMWOOD, APPROVE CERTIFIED DIRECT ENTRY MIDWIFE LICENSE TO TARA MAE ELROD, PENDING PASSING THE NARM EXAMINATION AND PAYMENT OF \$1250.00 LICENSE FEE. DR. DOWNING RECUSED HERSELF FROM VOTING. ALL IN FAVOR. NO NAYS.

The board reviewed Apprentice Permit application for Amanda Broderick.

I, CHERYL CORRICK, AS CHAIR OF THE ALASKA BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES, CALL FOR A MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS THE APPLICATIONS IN ACCORDANCE WITH: AS 44.62.310(C)(2) AND (3) AND THE ALASKA CONSTITUTIONAL RIGHT TO PRIVACY PROVISIONS, FOR THE PURPOSE OF DISCUSSION OF APPLICATION FOR APPRENTICE PERMIT FOR AMANDA BRODERICK.

ON A MOTION MADE BY DR. DOWNING, ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE APPLICATION, SECONDED BY DEBORAH SCHNEIDER. ALL IN FAVOR, NO NAYS

ALL BOARD MEMBERS AND STAFF, CONNIE PETZ TO REMAIN IN THE ROOM AND ANY PUBLIC MEMBERS TO STEP OUT OF THE ROOM.

Enter Executive Session OFF record at 2:52 p.m.
Out of executive session back ON record at 3:32 p.m.

**ON A MOTION MADE BY BARBARA NORTON, SECONDED BY DR. DOWNING
APPROVE APPRENTICE PERMIT FOR CERTIFIED DIRECT ENTRY MIDWIFE TO AMANDA
BRODERICK. YES VOTES BY NORTON, DOWNING, SCHNEIDER AND CORRICK WITH
ONE NO VOTE BY GRIMWOOD.**

Agenda Item 11 Peer Review

Board members discussed the peer review reports. Dr. Downing said it was hard to tell based on the peer review reports and peer review summary sheets what the purpose was for the Board in reviewing these documents each year.

Barbara Norton said the point of doing peer review is to identify people who are practicing outside of the scope of their practice and to make sure they are following the regulations. Her frustration, along with Dr. Downing, is why does the Board even look at these reports, as they tell nothing that is helpful or meaningful.

Kaye Kanne said the peer review committee sends a letter to the licensees which tells them what needs improved or how they are doing. Peer review has also educated midwives on how to properly complete charts because in the past it was noted they were not completing them correctly.

In the future, the Board would like Peer Review to provide an overview summary of all licensees and their charts which will give a clear representation of what was reviewed. The overview could identify a compilation of information reported as a whole:

For instance, how many:

- Primary Births reported
- Charts reviewed
- How many emergency transports
- Areas of concern that may need additional education

Staff had not forwarded the June 2012 peer review report to the investigator prior to the board meeting. It was noted some licensed CDM's did not complete their own peer review report paperwork for Peer Review and some CDM's were late in reporting.

The Board chose not to take any action for these potential license violations. It will be stressed stronger at the 2013 peer review reporting period that CDM's are to complete their forms, in full, with a signature and on time.

The Peer Review committee is not to complete a reporting form for anyone, it is the duty of each Alaska licensed CDM to complete their own forms and to submit them to Peer Review by May 1st of each calendar year to give Peer review time to comply according to 12 AAC 14.900(c). Peer review is to submit their reports to staff for the Board by June 15th.

TASK: Barbara Norton will research what other states do as far as how they handle their statutes and the scope of practice for midwifery.

Cheryl Corrick called for a motion to recess the meeting.

**ON A MOTION BY BARBARA NORTON, SECONDED BY JENNIE GRIMWOOD
TO RECESS THE MEETING AT 4:05 P.M. ALL IN FAVOR, NO NAYS.**

Meeting to reconvene on Friday at 9:00 a.m. August 17, 2012.

Friday - August 17, 2012

Agenda Item 12 Call to Order/Roll Call

Cheryl Corrick called the meeting to order at 9:05 a.m.

Present, constituting a quorum of the board:

Cheryl Corrick, CDM, Chair, Fairbanks
Mary 'Jennie' Grimwood, Public Member, Secretary, Cordova
Barbara Norton, ANP, CNM, Anchorage
Peggy Downing, MD, Wasilla
Deborah Schneider, CDM

Staff: Connie Petz

Agenda Item 13 - Public Comment

No Public commented during this allotted time frame.

Agenda Item 14 Regulation Project

The Board telephoned Director, Don Habeger to discuss his concern that the Board appeared to be attempting to move the statute into regulations to make changes which are outside of their authority. Jun Maiquis was also in attendance via telephone.

The Board explained they now understand the legislative process better and they have decided the best approach will be to write a letter to Legislator Cathy Munoz informing her they are in support of legislation to revise AS 08.65.140 Required Practices and support MAA in the efforts for legislative change.

The board reviewed the draft regulations. Only two changes were noted, delete the new section related to scope of practice and change the wording in the new subparagraph 12 AAC 14.470(b)(4)(D) the Neonatal Resuscitation Program (NRP) from the American Academy of Pediatrics, or neonatal resuscitation from the Midwives' Association of Alaska (MAA)

Change the word from to approved by in the new subparagraph as it is consistent with other references and more clearly identifies who is an approved provider.

**ON A MOTION MADE BY BARBARA NORTON, SECONDED BY
DEBORAH SCHNEIDER, TO PREPARE THE REGULATIONS FOR PUBLIC
COMMENT WITH THE CHANGES AS DISCUSSED. ALL IN FAVOR, NO NAYS,
CARRIED UNANIMOUSLY.**

Task: Staff to forward amended regulations on to the regulations specialist to prepare for public comment.

Agenda Item 15 Review Open Book Self Study and prepare for 2012 renewal.

In accordance with 12 AAC 14.430 (e) The board's self study program required in 12 AAC 14.420(a)(2) covers the board's current statutes and regulations in AS 08.65 and 12 AAC 14, and will be revised for each renewal.

The board reviewed the draft open book self-study questionnaire and determined licensees will now be required to cite the appropriate statute or regulation as part of the questionnaire. The Board recognizes that this may take longer to complete but it will also allow the licensees to be certain to be familiar with changes in the statutes and regulations and be able to cite the statute or regulation.

TASK: staff will give the final draft with the revised questions to webmaster to be ready for the upcoming renewal.

Off record - Break: 10:17 a.m. Back on Record - 10:25 a.m.

Agenda Item 16 Correspondence

The board was informed of the Tribal Health section 221 which expressly pre-empts state licensing requirements for a license. The license exemption for licensure in our state is for employees of tribal health programs who hold an active license in any state or jurisdiction. It is similar to the federal law that a person, employed by the federal government may practice on any governmental site or location in the U.S. as long as they hold an active license in at least one state or jurisdiction.

Staff was contacted by an apprentice CDM in writing, asking how the board will handle observes for apprentices, the board said as long as these observes were handled by a qualifying person then the apprentice may count them. It is noted, this also came up during public comment. These observes should be similar, meaning they occurred prior to holding an Apprentice Permit in AK and all supporting documentation must be provided.

Staff was contacted by a CDM asking how to report for Peer Review when she is not practicing in Alaska. The board said that all requirements to maintain a license in Alaska must still be met. Complete the Peer Review report form and submit all births summaries as required to maintain a license in Alaska.

Agenda Item 17 Old Business - Task follow up

Barbara Norton read the letter drafted to Alaska Academy of Physicians regarding the ALSO course by Kaye Kanne. The board approved the letter be sent from the Board.

Task: Staff will send letter on state letter head for the board, signed by Chair, Corrick.

Break off record at 10:17a.m., back on the record at 10:25a.m.

Agenda Item 15 Schedule Meetings

The next two board meetings will be held in Anchorage.
February - One day meeting on Friday, Feb 22, 2013.
August - Two day meeting on August 15-16, 2013.

In accordance with Alaska Statute 08.65.010. (c) The board shall elect a chair and a secretary from among its members to terms of one year.

ON A MOTION MADE BY BARBARA NORTON, SECONDED BY DR. DOWNING, FOR CHERYL CORRICK TO BE THE CHAIR OF THE BOARD. CHERYL CORRICK ABSTAINED FROM THE VOTE. ALL IN FAVOR, NO NAYS, CARRIED UNANIMOUSLY.

ON A MOTION MADE BY BARBARA NORTON, SECONDED BY DEBORAH SCHNEIDER, FOR JENNIE GRIMWOOD TO BE THE SECRETARY OF THE BOARD. JENNIE GRIMWOOD ABSTAINED FROM THE VOTE. ALL IN FAVOR, NO NAYS, CARRIED UNANIMOUSLY.

Task list for meeting follow up

Board: Barbara Norton will research what other states do as far as how they handle their statutes and the scope of practice for midwifery.

Staff:

- Submit approved regulation project to regulation specialist for public comment.
- Open Book Self study questionnaire to Web master for upcoming renewal.
- Forward excerpt from minutes with the board's motion to support increased licensing fees to operations manager, Sara Chambers.
- Forward letters for Cheryl Corrick, one to the Alaska Academy of Physicians for the ALSO course and the other to Representative Kathy Munoz In support of legislative change.

Agenda Item 19 Adjourn Meeting

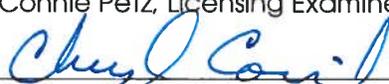
ON A MOTION BY BARBARA NORTON, SECONDED BY DR. DOWNING TO ADJOURN THE MEETING. ALL IN FAVOR, CARRIED UNANIMOUSLY.

Meeting adjourned and off the record at 11:26 A.M.

Respectfully Submitted:



Connie Petz, Licensing Examiner



Cheryl Corrick, CDM Chair