



**Midwifery Advisory Committee
Minutes
March 12, 2014**

DRAFT

Location: **This meeting was held by video conference. The meeting was open to the public at the following locations:**

Department of Health - Tumwater
Town Center 1, Room 362
101 Israel Road SE
Tumwater, WA 98501

Department of Health – Shoreline
Public Health Laboratory
1610 NE 150th Street, Room S4
Shoreline, WA 98155-9701

Department of Health – Spokane Valley
River View Corporate Center, Suite 1500
Room 118
16201 E. Indiana Avenue
Spokane Valley, WA 99216

Board Members Present: Sunita Iyer, ND.LM
Ali Tromblay, LM
Robert Palmer, MD
Ali Lewis, MD

Assistant Attorney General: Elizabeth Baker, Assistant Attorney General

Staff: Trina Castle, Executive Director
Kendra Pitzler, Program Manager

OPEN SESSION:

1. Opening– Sunita Iyer, Chair

- A. Call to order – The meeting was called to order at 9:12 a.m.
- B. Review of meeting protocol – Sunita Iyer reviewed the protocol and teleconferencing procedures.
- C. Introductions – Those attending the meeting introduced themselves.
- D. Order of agenda – The order of the agenda was changed to move item 5 after item 9 and to eliminate item 6.
- E. Correspondence - There was no correspondence for review at this time.
- F. Announcements – There were no announcements at this time.
- G. Other- No further information was discussed at this time.

2. Approval of Agenda and Minutes

- A. Approval of March 12, 2014 agenda - The agenda for March 12, 2014 was approved with changes to the order as noted above.
- B. Approval of December 3, 2013 minutes –The December 3, 2013 minutes were approved as written.

3. Legislative Updates – DISCUSSION/ACTION.

A. Midwives Association of Washington – Updates by Audrey Levine and Valerie Sasson.

Audrey Levine, Midwives Association of Washington State, announced that House Bill 1773 (HB 1773) passed the Legislature on Friday, March 7, 2014. The legislation does several things, including the following:

- Allows licensed midwives to care for newborns up to two weeks of age.
- Requires the Department of Health to write rules to bridge the gap between requirements of national certification of certified professional midwives and state requirements for licensure of licensed midwives.
- Requires a licensed midwife to prove upon renewal that they have completed a minimum of thirty hours of continuing education every three years, proof of participation in a Washington state coordinated quality improvement process and proof of participation in a Washington state coordinated quality improvement program. The

department of health is required to write rules for all of these requirements.

- Allows a licensed midwife to delegate to a registered nurse or a licensed practical nurse selected acts, tasks, or procedures that constitute the practice of midwifery but do not exceed the education of the nurse.

Ms. Levine indicated that MAWS has checked with a data collection agency called MANA Stats. The state of Oregon and Vermont currently require their midwives to report to MANA Stats so MANA Stats is already set up to provide verification of reporting, as they already do so for these states. If the Department determines to use MANA Stats, MAWS would consider building an interface between MANA Stats and OB-COPES. It was noted that the American Association of Birth Centers also have a data collection feature that is used by some midwives in Washington.

Ms. Levine also talked about the need to communicate these new requirements to licensees and new midwives, including ways to comply with the new law. Department personnel noted that they can send notice to all licensees. In addition, MAWS and the Washington Alliance for Responsible Midwifery (WARM) may be able to send notice out. Sherry Hawkinberry, attending the meeting in Spokane, indicated she will reach out to WARM.

B. Legislation Relating to Health Professions – Kendra Pitzler, Program Manager

Kendra Pitzler talked about other legislation this session that pertains to health care licensing. This included ESB 5964, which requires agendas to be posted on-line at least twenty four hours in advance of a meeting. In addition, EHB 2351 allows out of state licensed health care professionals licensed in another jurisdiction to practice in Washington on a limited voluntary basis, providing they meet specific conditions. This volunteer work is limited to thirty days in any calendar year.

4. Program Manager Report – DISCUSSION/ACTION – Kendra Pitzler, Program Manager.

Ms. Pitzler shared with the committee application and complaint statistics. In addition, the committee reviewed the current budget reports.

5. Committee Bylaws – DISCUSSION/ACTION – Sunita Iyer, ND, LM.

Committee members discussed the draft committee bylaws sent to them for review. They agreed that more time was needed to review the draft by-laws. A decision was made to bring this item back to the next meeting for further feedback.

6. Midwifery Assistants – DISCUSSION/ACTION – Sunita Iyer, ND, LM

Committee members talked about the current use of midwifery assistants. Members worried that these assistants may be needed to provide some aspect of care that they are not licensed to perform.

Members also talked about midwives delegating to students but, if those students are acting as midwifery assistants rather than students, those students would not fall under the normal “student exemption” in the midwifery law. Specifically, the law states that nothing shall be construed to apply to or interfere in any way with the practice of midwifery by a person who is enrolled in a program of midwifery as long as the performance of such services is only pursuant to a regular course of instruction or assignment from the student’s instructor and are performed only under the supervision and control of a person licensed in the state of Washington to perform those services.

Members, at the last meeting, talked about the possibility of amending the medical assistant law to allow midwives to delegate to medical assistants. Members again discussed this, indicating that the medical assistant route would be the easiest and fastest way to give midwifery assistants the ability to perform important duties for the midwife that are not currently allowed. They asked if the Department could sponsor this legislation. Trina Castle indicated that the written request for department sponsored legislation is needed by the end of April. Sunita Iyer indicated that she would be willing to work on this.

A motion was made to recommend to the Secretary to sponsor legislation to allow midwives to delegate to medical assistants. The motion was seconded and passed unanimously.

7. 2014 Meeting Dates – DISCUSSION/ACTION – Sunita Iyer, ND, LM

The Committee reviewed the three remaining committee meeting dates for 2014. Those dates are June 4, 2014; September 10, 2014 and December 3, 2014.

The Committee made a decision to change the June 4, 2014 date to June 11, 2014.

8. Complaint Process – DISCUSSION/ACTION – Kendra Pitzler.

Kendra Pitzler explained the Department of Health complaint and discipline process to committee members.

The complaint can be received from any number of sources, including clients, a client's family, other health care practitioners or facilities or other parties that have knowledge of the situation. When a complaint is received, it is entered into the system through our complaint intake unit and sent to the profession's case manager for review.

The case manager puts the case on an agenda for a case management meeting. The case management team includes the case manager and at least one person from the program (such as the executive director and/or program manager), at least one investigator and at least one staff attorney. All parties can contribute to the decision. At this time, a decision can be made to investigate the complaint or to close the complaint. If the complaint is investigated, an investigator will conduct an investigation to obtain the facts. This could include medical records from the midwife, medical records from a hospital or other provider, oral and/or written statements and a response from the midwife.

After the investigation, the case manager will review the file and present it at a case management team. A decision to close, request a legal review or go forward with informal or formal action can be made at that meeting. If a legal review is requested, it is possible the staff attorney assigned may want to consult a committee member for advice. If formal or informal action is requested, it is likely that an expert witness (not a committee member but most likely a licensed midwife) will be obtained to review the file and possibly testify, if needed.

9. Report on Rules Revision of WAC 246-834-220 Credit Toward Educational Requirements for Licensure – DISCUSSION/ACTION - Kendra Pitzler

Committee members discussed the draft rules sent to them for review. They indicated that they needed more time for the review. It was agreed that they would review the rules and respond to Ms. Pitzler by mid-April. At that time, changes can be made. The draft will then be sent to members of the public through the midwifery list-serve for review and response.

10. Future Agenda Items

Committee members agreed that they would like the following topics on the next agenda:

- Bylaws feedback
- Update on Medical Assistant legislation request.
- Update on Legislation and Rules
- Midwifery Brochure
- 2015 Meeting Dates
- Normal items to include the Executive Director Report and the Program Manger Report.

11. Adjournment

The meeting was adjourned at 11:35 a.m.

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