

**WASHINGTON STATE DEPARTMENT OF HEALTH
MIDWIFERY ADVISORY COMMITTEE
PUBLIC MEETING MINUTES**

September 10, 2014
9:00 AM

Department of Health – Kent
Creekside Two at CenterPoint
20425 72nd Avenue S. Suite 310, Room 307
Kent, WA 98032

On September 10, 2014 the Midwifery Advisory Committee met at the Department of Health, Creekside Two at CenterPoint, 20425 72nd Ave, S, Suite 310, Room 307, Kent, WA and by webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

SUNITA IYER, ND, LM, CHAIR
COLLEEN DONOVAN-BATSON, CNM
ALI TROMBLAY, LM
ROBERT PALMER, JR., MD
CONSTANCE FREY, LM

MEMBERS ABSENT

ALI LEWIS, MD

GUESTS PRESENT IN PERSON

NO GUESTS WERE PRESENT

GUESTS PRESENT VIA WEBINAR

Wednesday, September 10, 2014 – 9:00 AM – Open Session

1. **CALL TO ORDER**

The meeting was called to order by Sunita Iyer, Chair, at 9:16 a.m.

1.1 Introductions

Committee members, staff, and guests introduced themselves.

1.2 Approval of Agenda

The committee reviewed and approved the agenda as presented.

1.3 Approval of June 11, 2014 Meeting Minutes

The committee reviewed and approved the June 11, 2014 Meeting Minutes as presented.

1.4 Correspondence

There was no correspondence received for the committee to review at this time.

1.5 Announcements

Kathy Weed, Program Manager reported to the committee that work is being done to create an online renewal process for midwives that will allow midwives to renew their credential online and submit their plan for emergency transport. Ms. Iyer asked when the online version would be available. Ms. Weed anticipates the online system to be up and running within a month. Notice of the online renewal system will be posted on the profession website and sent to listserv.

1.6 Other

There were no other items discussed under this agenda item.

2. PROGRAM MANAGER REPORT – Kathy Weed, Program Manager provided information to the committee.

2.1 Current Budget Report

Kathy Weed, Program Manager, presented the updated budget report. Currently the budget is struggling. The program's budget deficit is mostly due to disciplinary cases, which can easily whittle away funds. Ms. Iyer asked about raising licensure and renewal fees. Ms. Schmitt reported that the department is not looking at raising the midwifery licensure and renewal fees at this time. Program staff will continue to monitor and update the committee regarding the program budget. An updated report will be provided at the next meeting.

2.2 Legislative Update / Meet-Me-Call Update

The committee discussed designating a committee member to act as the representative for the legislative meet-me-calls. Ms. Weed explained that the purpose of the calls is to go over bills that are introduced during the legislative session. The calls are on Tuesday mornings and last approximately 30 minutes

each. The committee designated Sunita Iyer to participate in the calls. The meet-me-calls will begin in January 2015.

2.3 Bylaws

Ms. Weed presented a draft copy of bylaws to the committee for review. The committee reviewed the bylaws and amended item 1A under Article V – Meetings. The committee changed the word “at” to “by” in the first line of item 1A to read:

“The committee shall *by* its last meeting each year, set a schedule of regular meetings for the upcoming year.”

The committee voted to approve the bylaws as amended.

2.4 Licensing statistics – number of active and pending licenses

Committee members were provided an updated report on the midwives licensing statistics and the midwives in training statistics. The reports included the statistics from September 2014 and showed the following:

Midwifery Credentials	September 2014
Active Licenses	112
Active in Renewal	31
Expired Licenses	236
Pending Licensure (Non-Routine Application)	8
Pending Licensure (Initial Application in Process)	11
Suspended License	3
Revoked License	1

Midwives in Training	September 2014
Active (not renewable)	3
Expired (not renewable)	1
Pending Licensure	1

Ms. Weed shared with the committee that the exam had been administered four times since April 2014. Ms. Weed also reported that she would be contacting committee members on an individual basis to ask them to review a few of the clinical questions on the exam.

The committee members were also presented an updated report regarding discipline within the midwifery professions. The report showed the following disciplinary statistics from September 2013 to September 2014:

Midwifery Disciplinary Statistics September 2013 to September 2014		
Profession	Alleged Issue	Number of Cases
Midwife	Patient Care	12
Midwife	Practicing Beyond the Scope of Practice	1
Midwife	Unprofessional Conduct	3
Midwife	Violation of Federal or State Statutes, Regulations or Rules	1
Midwife	Substandard or Inadequate Care	5
Midwife	Negligence	1
Midwife	Patient Abandonment	1
Midwife	Unlicensed Practice	3
Midwife	Failure to Provide Medically Reasonable and/or Necessary Items or Services	2
Midwife	Practicing Without a Valid License	2
Midwife	Health and Safety	1
Midwife	Compliance with Federal, State, or Local Laws	1
Midwife	Patient Neglect	1
Midwife in Training	Practicing Without a Valid License	1
Midwife in Training	Practicing Beyond the Scope of Practice	1

Ms. Tromblay asked about whether there was a report that showed the total number of midwives that had been disciplined. Program staff will look into whether that type of report is available, and will update the committee at the next meeting.

- 2.5 Recruitment update for vacant committee positions – Ms. Weed updated the committee regarding committee member recruitment. Ms. Weed reported that two new members had been appointed to the committee; Ms. Constance Frey, LM, and Carolyn McKinnon, Public Member. Ms Iyer thanked Ms. Weed for her efforts regarding committee member recruitment.

3. NEWBORN SCREENING RULE – Lain Knowles, Interim Office Director, Newborn Screening Program provided information and rule update to the committee.

Mr. Knowles reported that the rule change was a result of legislation that passed in 2014. The rules in chapter 246-650 WAC apply to the collection and submission of specimens

for the purposes of newborn screening identification of heritable conditions. The changes to chapter 246-650 WAC outline responsibilities of birthing attendants, including hospitals and out-of-hospital birthing practitioners.

The committee and Mr. Knowles discussed questions regarding the time of the sample collection and whether early collection is possible, and can a midwife delegate the initial collection to another midwife or PCP/pediatrician, and if other options were available for midwives practicing in rural areas. What happens in the case of Postpartum transfer when the mom/baby are sent to hospital after the birth? What happens when there is a postpartum transfer, and who is responsible? The wording clearly reflects what happens in the hospital but not what midwives do. A request was made to have more information on diseases the lab tests for, and when the optimal collection time occurs.

Members shared with Mr. Knowles that most insurance companies do not reimburse the entire cost of the testing, and questioned who should be billed, the facility or the provider; or are midwives responsible for making up the difference. Committee members noted that as an out-of-hospital provider these issues and similar ones affecting them need to be clarified.

A request was made to inform the entire population of midwives when changes occur with the newborn screening laws and procedures because many midwives were not aware of the recent changes in the collection and billing.

4. **WASHINGTON HEALTH PROFESSIONAL SERVICES** – John Furman, Executive Director, Washington Health Professional Services provided information to the committee.

Information was provided to the committee by Executive Director of Washington Health Professional Services, John Furman regarding the Department of Health's chemically impaired professional services program. The program provides service to approximately 78 professions including midwives. Most participants are referred to the program because of a complaint. Others are referred when there is a "hit" on their criminal background check. The program is confidential and includes a diagnostic assessment, treatment, support/self-help groups, and drug screen testing. If participants are unable to attend in-person, peer support group meetings, the program has contracted with an on-line peer support group. Random drug testing (12 to 18 times per year) is a requirement of the program. Program participants enter an abstinence-based contract for one to five years. Participants are responsible to pay for their enrollment in the program, including the random drug tests, and peer support group. There are three case managers with an average caseload of 170.

5. **OPEN PUBLIC MEETINGS ACT** – Krystl Murphy, Assistant Attorney General provided information to the committee regarding the Open Public Meetings Act (OPMA).

Ms. Murphy gave a presentation and training on the Open Public Meetings Act (OPMA). The OPMA is designed to promote government transparency and accountability. The law applies to any multimember board, commission, council, committee, subcommittee, or other policy or rule-making body of a public agency. Ms. Murphy explained how email conversations could be considered a meeting, and suggested committee members avoid clicking on “reply all” when responding to emails regarding committee business. She also explained that private meetings in small groups to discuss committee issues are not allowed under the OPMA.

6. **DEPARTMENT OF HEALTH BROCHURE** – Program staff provided information to the committee regarding work that has been done on the midwifery brochure.

Committee members reviewed a draft version of the midwifery brochure and suggested changes to the draft. Program staff will make the suggested changes and email the updated draft to Ms. Frey and Ms. Donovan-Batson for further review.

7. **RULES UPDATE AND WORKSHOP** – Kathy Weed, Program Manager, provided committee members information regarding rules activity for 2SHB 1773, Section 3. Discussion surrounded continuing education, data submission and peer review.

8. **AGENDA ITEMS FOR FUTURE MEETINGS**

The committee requested the following items be placed on the agenda for a future meeting:

- Discipline update
- Disciplinary actions and how they affect the budget (presentation from fiscal)
- How the discipline process works (presentation from investigator)
- Rules update
- Brochure with edits update
- Newborn screening and fees
- Update regarding birth assistants

9. **ADJOURNMENT**

The committee adjourned at 12:55 p.m. The next regularly scheduled committee meeting is December 3, 2014 in Kent. Updated meeting information will be posted on the Midwifery website.

Respectfully submitted:

Approved:

Kathy Weed
Program Manager

Sunita Iyer, Chair
Midwifery Advisory Committee