

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

March 17, 2015
9:00 AM

Department of Health – Kent
Creekside Two at CenterPoint
20425 72nd Avenue S. Suite 310, Room 306
Kent, WA 98032

On March 17, 2015 the Midwifery Advisory Committee met at the Department of Health, Creekside Two at CenterPoint, 20425 72nd Ave, S, Suite 310, Room 306, Kent, WA and by webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

COLLEEN DONOVAN-BATSON, CNM
ALI LEWIS, MD
ROBERT PALMER, JR., MD
CONSTANCE FREY, LM
MARGARET OSTERVOLD, PUBLIC MEMBER

MEMBERS PRESENT VIA WEBINAR

SUNITA IYER, ND, LM, CHAIR

MEMBERS ABSENT

ALI TROMBLAY, VICE CHAIR

GUESTS PRESENT IN PERSON

ERIN ELKINS

STAFF PRESENT

TRINA CASTLE, EXECUTIVE DIRECTOR
KATHY WEED, PROGRAM MANAGER
SANDIE PEARSON, PROGRAM REPRESENTATIVE
ERIKA MONTES, PROGRAM REPRESENTATIVE
KRYSTL MURPHY, AAG
DIANE YOUNG, CREDENTIALING MANAGER
JO ANNE MILLER, CREDENTIALING SUPERVISOR

Tuesday, March 17, 2015 – 9:00 AM – Open Session

1. CALL TO ORDER

The meeting was called to order by Sunita Ayer, Chair at 9:10 a.m.

1.1 Introductions

Committee members, staff, and guests introduced themselves. The committee welcomed Margaret Ostervold, Public Member. Ms. Castle introduced Erika Montes to the committee. Ms. Montes will be providing program support at future meetings.

1.2 Approval of Agenda

The committee reviewed and approved the agenda as presented.

1.3 Approval of Meeting Minutes

The committee reviewed and approved the September 10, 2014 and December 3, 2014 Meeting Minutes as presented.

1.4 Correspondence

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

1.5 Announcements, Birth Assistant Legislation Update

Legislation was introduced that would add “Birth Assistants” as a new profession. A Sunrise Review is being conducted regarding “Birth Assistants.” Legislation about “Birth Assistants” is expected to be introduced again during the 2016 legislative session.

1.6 Other

There were no other items discussed under this agenda item.

2. PRESENTATION ON MIDWIFERY DISCIPLINE – Information was presented to the committee by Supervising Staff Attorney, Marlee O’Neill. Ms. O’Neill provided the committee an overview of the complaint, investigative and disciplinary processes. She also explained how Health Professions and Facilities (HPF) works together with the Office of Investigation and Inspection (OII) and the Office of Legal Services (OLS) regarding disciplinary issues.

3. DISCUSSION ON STANDARDS OF CARE – The committee discussed and gave feedback to the department on the standard of care related to the appropriate time frame after rupture of membranes and intervention. – Ms. Weed also provided members a copy of the handout titled “Midwives’ Association of Washington State (MAWS), Indications for Discussion, Consultation, and Transfer of Care, In and Out-of-Hospital Midwifery Practice.” Ms. Weed explained that this topic was something that was discussed during the Case Management Team meetings where incoming complaints are reviewed and

determinations were made as to whether to proceed with an investigation. Committee members discussed that there were many factors to consider regarding the topic. Trina Castle shared that this is an example of why the committee's opinion is so important and how the department relies on community experts when looking at these types of standard of care questions. Colleen Donovan-Batson shared that practice standards on the east side of the state may differ from those on the west side of the state. A suggestion was made that MAWS work on a position statement regarding practice standards relating to rupture of membranes (ROM). Bob Palmer shared that he thinks the professional associations, midwives, and doctors all need to work together on this. Constance Frey agreed that since the department is seeing the topic of ROM come up, having MAWS collaborate with doctors on developing a position statement that the department may refer to as needed in disciplinary matters. Sunita Iyer will to speak with MAWS regarding the position statement. An update will be provided to the committee at the next committee meeting.

4. **THE ROLE OF THE MIDWIFERY ADVISORY COMMITTEE** – Information was provided to the committee by Program Manager, Kathy Weed regarding the role of a committee member. The committee discussed its role and collaboration with the department. Ms. Weed shared that the department is eager to collaborate and improve its partnership with the committee. Ms. Weed also shared she will be working to clarify and update the Washington Administrative Codes (WAC's) relating to the midwifery profession and committee members participation and feedback during this work will be a valuable resource. Ms. Frey commended Ms. Weed and thanked her for the good job she has been doing since taking over the Midwifery Program. Ms. Frey added that members may need to participate more than only at committee meetings, and asked how the members could facilitate communication outside of committee meetings. Ms. Castle shared that sub-committees may be an option; however, before a sub-committee is formed the work the sub-committee will be tasked with needs to be identified. Ms. Frey suggested a sub-committee be formed to assist with drafting rule language and another sub-committee be formed to assist with reviewing and updating exam questions. Ms. Donovan-Batson and Ms. Lewis volunteered to be on the rules subcommittee. Ms. Frey, Ms. Donovan-Batson and Mr. Palmer volunteered to be on the exam subcommittee. Sub-committees will report back to the full committee at a future meeting.
5. **RULES WORKSHOP** – Information was provided to the committee by Program Manager, Kathy Weed. The committee discussed the proposed rule language for renewal requirements and provided feedback to the department. Ms. Weed presented draft rule language for the committee to review regarding the following:
 - Continued competency
 - The draft rule language for continued competency was written to try and align with the North American Registered Midwives (NARM) requirements. Ms. Iyer asked whether the draft rule language also reflected what the liability carriers require. Ms. Frey suggested adding language to the continued competency that

would accept hours participating in peer review in which the practitioner is not the practitioner being reviewed.

- Quality improvement program for midwives
 - Ms. Lewis asked whether the complexity of cases will be looked at and who chooses the cases that will be reviewed.
- Data submission
 - Ms. Weed explained that annually, upon renewal, licensees will be required to verify compliance by submitting an attestation to the department.

Ms. Weed asked committee members to email her any additional comments regarding the draft rule language. She will send the draft rule language out for public comment via listserv.

6. **WASHINGTON STATE SPECIFIC COMPONENT EXAM** – Information was provided to the committee by Kathy Weed, Program Manager and Constance Frey, Licensed Midwife. The committee and the department discussed the history of the exam and the process for maintaining and updating the exam. Ms. Weed and Ms. Frey reported that they had been working on updating the exam. Ms. Frey provided a handout to the committee members that included the following information regarding her review of the current exam and the process:

Current Midwifery State Licensure Exam – Review:

- Currently there are two exam versions that are being administered alternately. Each exam has 75 questions from five subject areas and are distributed as follows:

Subject Area	Exam 1 – Number of questions	Exam 2 – Number of questions
Anatomy and physiology	7	7
Pregnancy	19	18
Labor and delivery	19	20
Newborn	14	15
Postpartum and legal concerns	16	15
Total number of questions	75	75

- Current test banks are not date-stamped so it is not clear when questions were added or deleted
- Some of the current test questions include errors in spelling, grammar, content or are worded incorrectly or answer key is incorrect
- Only two questions address legend drugs
- Only two questions address suturing/lacerations
- Questions relating to prenatal testing are lacking
- Very few questions relating to pregnancy complications and delivery

Review Process Used to Update Current Exams – Specifics:

1. Determine subject areas, and number of questions from each subject
2. Determine the necessity of sub-categories, such as dividing pregnancy into prenatal testing, complications, etc.
3. Use existing test questions that are accurate and correct all spelling and grammatical errors and distribute among appropriate subject areas
4. Determine subject matter that is not currently addressed
5. Distribute question writing responsibility between committee members based on subject matter
6. All questions to be reviewed by all committee members
7. Create two versions of the exam with an outline of the process used to populate future exams from exam banks

Overview/Recommendations:

1. Committee to be formed consisting of a minimum of one licensed midwife, one OB, and one DOH staff member
2. Exam review to be executed over a three-month period, initiated at a quarterly Midwifery Advisory Committee meeting and to be completed by the next MAC meeting
3. Exam questions reviewed every other year to verify accuracy of questions
4. Review process to be outlined in the MAC meeting minutes

Ms. Weed and Ms. Frey thanked committee members for volunteering their assistance by being on the exam sub-committee that was formed earlier during the Item 4 discussion. The sub-committee will update the full committee on its progress at a future meeting.

7. **MIDWIFERY BROCHURE AND FORM** – Information was provided to the committee by Program Manager, Kathy Weed. The committee discussed the proposed brochure and provided feedback to the department. Ms. Weed shared that RCW 18.50.105 states:

“Law requires the secretary, with the advice of the midwifery advisory committee, develop a form to be used by a midwife to inform the patient of the qualifications of a licensed midwife.”

The committee reviewed draft versions of the brochure and form developed by staff to meet the requirements of RCW 18.50.105. The committee members discussed whether to adopt the brochure or the form presented, or to adopt both. Ms. Iyer suggested adopting both so licensees could choose which one worked best in their individual midwifery practice. The committee voted unanimously to adopt both the brochure and form as presented and asked for both to be posted to the midwifery program webpage. Program staff will update the webpage to include the brochure and form.

8. **EXPIRED LICENSE COMPETENCIES** – Information was provided to the committee by Program Manager, Kathy Weed. The committee discussed and provided feedback to the department on competence standards if a credential has been expired three years or longer. A question was asked regarding whether it was necessary to define “active practice.” Committee members asked for more information and voted to defer this item to a future meeting.
9. **EXECUTIVE DIRECTOR REPORT** – Trina Castle, Executive Director provided information to the committee.
 - 9.1 Current Budget Report – Trina Castle, Executive Director, presented the updated budget report. Currently the budget is at a deficit. The budget deficit is mostly due to an extensive and lengthy disciplinary investigation and case that ended in 2014. Committee members asked questions regarding the outcome of the case and whether the funds spent justified the outcome. Ms. Castle reported that the case resulted in the license being summarily suspended. In 2014 there were 13 complaints received, eight of the complaints were for unlicensed practice. Cease and Desist Orders were issued on the eight unlicensed practice complaints. The remaining five complaints had no action taken. Program staff will continue to monitor and update the committee regarding the program budget. An updated report will be provided at the next meeting.
 - 9.2 Legislative Update / Meet-Me-Call Update – Ms. Castle updated the committee on the legislative meet-me-calls and current legislation. House Bill 1285 – Requiring critical heart disease screening for newborns is still alive and working its way through the legislative process. House Bill 1135 – Concerning remediation plans for licensed health and health-related profession to resolve eligible complaints of unprofessional conduct, this bill is still alive and working its way through the legislative process. HB 1135 is a Department of Health sponsored bill.
 - 9.3 Citrix and secure web access accounts for committee members – Ms. Castle reported to committee members that the department is currently moving forward and working on the infrastructure for a secured server that will be used for committee related business. June is the anticipated timeframe to begin issuing committee members Citrix licensing. Citrix is a secure web-based application committee members will use to log into the secured DOH network. Committee members will also be assigned a DOH email address to use when conducting committee related business. Committee members will receive training once the system is in place.
10. **PROGRAM MANAGER REPORT** – Information was provided to the committee by Program Manager, Kathy Weed

- 10.1 Licensing, disciplinary and birth statistics – Diane Young, Credentialing Manager and Joanne Miller, Credentialing Supervisor shared licensing statistics with the committee, including timeframes on how long applications were pending licensure.

Committee members were provided an updated report on the midwives licensing statistics, the midwives in training statistics, and the midwifery disciplinary statistics. The reports included the data from April 2014 and March 2015 and showed the following:

Midwifery Credentials	April 2014	March 2015
Active Licenses	120	122
Active in Renewal	17	31
Expired Licenses	234	245
Pending Licensure	20	13

Midwives in Training	April 2014	March 2015
Active (not renewable)	3	2
Pending Licensure	2	3

Midwifery Discipline	April 2014	March 2015
Suspended	3	2
Active on Probation	2	3

- 10.2 Performance Measures – Credentialing staff shared their internal performance measure of issuing credentials within 14 days of completed applications. The program routinely issues midwifery credentials within 14 days.

Credentials Issued within 14 Days						
(From Last Date of Contact)						
Program	FY14 Q1	FY14 Q2	FY14 Q3	FY14 Q4	FY15 Q1	FY15 Q2
Midwife	71%	100%	100%	100%	92%	100%
Credentials Issued	7	5	1	7	13	6
Issued within 14 days	5	5	1	7	12	6

- 10.3 Business Plan – Ms. Weed presented the committee members with the draft Business Plan. She explained that the Business Plan is a living document and will be reviewed at each meeting. Ms. Weed encouraged the committee members to review and bring back any suggested changes to the next meeting.
- 10.4 NB screening update – Committee members were provided an update regarding the newborn screening. An insurance form is provided in the packet and should be sent in with the sample card. If the client is paying cash, the money should be sent in with the sample card. It's important to identify whether sample is sent in by a midwife or a birth center since birth centers are considered a facility.
- 10.5 Meeting locations and times for 2015 – Ms. Weed reviewed the upcoming scheduled meetings and the meeting locations with the committee. The meeting schedule is as follows:
- June 9, 2015 – location TBD (central area of Washington)
 - September 15, 2015 – Kent
 - December 8, 2015 – Kent

Staff will work on the logistics for the June 9, 2015 meeting and will email travel information to the committee. Updated meeting information will be posted the midwifery web page.

11. **AGENDA ITEMS FOR FUTURE MEETINGS** – The committee requested the following items be placed on the agenda for a future meeting:
- Business Plan
 - Legislative update
 - Expired License – draft policy
 - Subcommittee updates
 - Standard of care topic for discussion
 - Newborn screening – opt out rates
 - Election of chair/vice-chair

12. **ADJOURNMENT**

The committee adjourned at 1:00 p.m. The next regularly scheduled committee meeting is June 9, 2015. Updated meeting information will be posted on the Midwifery website.

Respectfully submitted:

Approved:

Kathy Weed
Program Manager

Sunita Iyer, Chair
Midwifery Advisory Committee