

MINUTES  
DIRECT-ENTRY MIDWIFERY ADVISORY COMMITTEE  
NOVEMBER 18, 2016

The November 18, 2016 meeting of the Direct-Entry Midwifery Committee was called to order at 10:08 a.m. by Chairperson, Alexa Richardson. Those present were: Committee members, Jan Kriebs; Harold Fox; Julia Perkins; Elizabeth Reiner. Also present were: Sabita Persaud, President, Board of Nursing; Sarah Pendley, AAG, Board Counsel; Ann Tyminski, Administrator; Sharon Allen, Administrative Specialist; and Shirley Devaris, Director of Policy & Legislation. Those present by telephone were: Caitlin McDonough, Deana Frank, and Kai Parker.

Ms. Richardson asked everyone to introduce themselves. After introductions, Ms. Richardson requested that a discussion of Birth Center regulations be added to the agenda. All Committee members were in agreement.

The minutes of the October 14, 2016 meeting were read and accepted with one correction, the expected birth date of Ms. Frank's baby was November, not December.

The first item of business was the informational packet. Ms. Pendley explained to the Committee that much of the information contained in the packet could be interpreted by the licensees as regulatory. Therefore, she recommended that the informational packet not be placed on the web site. Ms. Pendley also explained that it is best not to be too prescriptive in regulations because things change, necessitating the long process of amending the regulations. Although the Direct-Entry Midwifery Advisory Committee regulations include a formulary, the Committee had been advised in the past that a list of medications and their appropriate use would be placed in an informational packet. After a lengthy discussion, it was decided that information would be placed on the Association of Independent Midwives of Maryland (AIMM) website for reference by the Direct-Entry Midwives. Ms. Kriebs felt that AIMM could distribute a packet of information to newly-licensed midwives.

The appropriate forms to be used by licensed Direct-Entry Midwives, such as the data collection form, will be placed on the Direct-Entry Midwifery Advisory Committee portion of the Board of Nursing's website. The Committee also asked that the newly passed regulations be placed on the website. It was decided that new licensees would be sent a letter encouraging them to carefully review the statute and regulations pertaining to their practice rather than mailing copies of the Act and regulations.

On a motion made, seconded and carried, the re-worked informational packet will be released to AIMM, and Mrs. Tyminski will draft a letter to help new licensees in their practice in Maryland.

Ms. Devaris joined the meeting at 10:38 a.m. She said the Secretary had signed off on the DEMs regulations.

The Committee reviewed the letter reporting the Committee's progress to date to the House and Senate Committees that was approved by the Board of Nursing and signed by Richard Proctor, Interim Executive Director. The letter will be sent to the Committees for arrival by December 1 as required by statute since Ms. Devaris had indicated the letter does not have to go through the Office of Governmental Affairs for editing. Mrs. Tyminski said she would send the letter immediately following this meeting.

The issue of birth certificates being signed by the local Health Officer for home births was discussed. Ms. Richardson and Ms. Kriebs explained this is a huge issue, and that a meeting has been set for November 21, 2016 with the Department of Health and Mental Hygiene, Vital Records, and Robyn Elliott, Lobbyist for certified nurse midwives, to resolve the issue. It has been found that the new ruling by Vital Records for birth certificates being issued by local Health Officers is causing many problems for parents of babies born at home.

Mrs. Tyminski said that she had learned from the IT programmer that the licensure database was 75% complete. The information to be placed on the website home page for the Direct-Entry Midwifery Advisory Committee was approved. Ms. Allen was requested to post this information as soon as possible so that applicants to fill the consumer member position can apply, and persons interested in becoming licensed to practice in Maryland can fill out the application online, download it, and mail it to the Board of Nursing with the fee. The Committee hopes to have applications to review at its January meeting.

Ms. Allen explained to the Committee what she is doing to update the web page. The LDEMs application needs a few minor tweaks to make it a PDF fillable form. In-state and out-of-state fingerprint cards are not quite ready because there is a hold-up between the Criminal Justice System (CJIS) and MBON's Background Review Department. They will be available soon along with instructions for use. Ms. Richardson said she would e-mail Ms. Allen all of the forms that are to be placed on the website, including the form that DEMs are required to fill out with the required data collected. The data is to be reported to the Board of Nursing and the legislature annually. Ms. Devaris will send Sharon Allen a copy of the finalized regulations to post on the website.

There was a lengthy discussion regarding the Birthing Center regulations being amended by The Office of Health Care Quality. Originally, OHCQ had requested comments on certain comments offered by other entities which were discussed at the October meeting and approved by the BON at its October meeting. On October 26, 2016 Ms. Devaris sent a memo to Tricia Nay, Director, Office of Health Care Quality, outlining the DEMs comments as follows:

1. The DEMs agree that Direct Entry Midwives should be added to definitions as they can deliver in out of hospital settings and are not limited to home births only.
2. The DEMs do not agree that well women gynecological care should be added to the scope for Certified Nurse Midwives and Direct Entry Midwives because it is already within their scope of practice.
3. The DEMs agree that the amendment adding ultrasound is appropriate but do not

agree that vacuum extractors and forceps should be allowed in a birthing center as these cases should be transferred to a hospital labor and delivery department.

Additionally, the memo noted that the national accreditation for Nurse Midwives is now the American Midwifery Certification Board.

Ms. Richardson had requested additional discussion re the Birthing Center regulations be placed on the agenda. Discussion centered on LDEMs being allowed to establish free-standing birth centers. Presently the regulations for those centers require a supervising midwife or nurse. Since RNs, LPNs, etc. cannot be supervised by LDEMs, that would preclude LDEMs from being directors of such birthing centers. The DEMs would also like to have added to the regulations that every birth can be attended by an LDEM or a Certified Nurse Midwife. After discussion, it was decided that a letter to The Office of Health Care Quality be drafted and reviewed by the Committee at its December meeting. The letter is to include the recommended amendments to the OHCQ Birth Center regulations. Once the letter is approved by the DEMs Committee, it will be placed on the BON agenda for approval prior to being sent to OHCQ. Mrs. Tyminski will draft the letter to be reviewed by Ms. Devaris and Ms. Pendley prior to presentation to DEMs and the MBON.

The final agenda item was to set the calendar for DEMs meetings for 2017. A meeting was set for each month although the Committee may not necessarily have to meet monthly once the licensure process is in place. They will meet the 2<sup>nd</sup> Friday of each month in 2017: January 13, February 10, March 10, April 14, May 12, June 9, July 14, August 11, September 8, October 13, November 17, December 8.

The next meeting of the DEMs Committee will be December 16, 2016 at 10:00 a.m. The meeting adjourned at 11:50 a.m.

Respectfully submitted,



Ann E. Tyminski, Administrator

Sharon Allen, Administrative Specialist