

## DIRECT-ENTRY MIDWIFERY ADVISORY COMMITTEE MEETING

### MINUTES

DECEMBER 16, 2016

The December 16, 2016 meeting of the Direct-Entry Midwifery Advisory Committee was delayed until 10:50 a.m. because of the inability to obtain access to the call-in telephone. In addition, the Chairperson, Alexa Richardson, was delayed in transit.

Those in attendance were: Richard Proctor, Interim Executive Director; Julia Perkins; Elizabeth Reiner; Deana Frank; Sarah Pendley, AAG; Ann Tyminski, Administrator; and Alexa Richardson. Those absent were: Jan Kriebs who unsuccessfully tried to call in; Harold Fox; and Sharon Allen. Kai Parker attended by telephone. Ms. Devaris joined the meeting later.

#### Minutes

The minutes of the November 18, 2016 meeting were read and accepted as amended.

#### Birth Certificates

The second order of business was a discussion of the meeting held between Vital Records and representatives of nurse midwives. Ms. Richardson was not invited to attend but reported on the meeting as it was told to her. Vital Records has decided to not make changes to their regulations regarding filing birth certificates at this time. The past practice of nurse midwives filing birth certificates are in violation of the present regulations that require home births to be filed by the local health officers. Therefore, Vital Records has decided to not continue the practice of nurse midwives filing birth certificates directly. Rather, the nurse midwife is to file a form with the local health officer who will issue the birth certificate. This practice will also be used by direct-entry midwives who become licensed. Discussion ensued about this turnabout in the process of filing birth certificates. It causes great difficulties for the new parents who must prove their child was the result of a live home birth. The issuance of a birth certificate takes a longer period of time. Ms. Frank pointed out her own experiences with her newborn baby. To add him for coverage, the insurance company requires a birth certificate. Hers is being delayed, and the insurance company has graciously given a brief grace period. However, gathering the appropriate forms, obtaining the birth certificate from the local health officer, and caring for a newborn and two other children poses quite a problem.

The Committee decided to ask the Board of Nursing to authorize Richard Proctor, Interim Executive Director, to contact Geneva Sparks, Registrar, Vital Records, to learn the proper procedures to obtain birth certificates for babies delivered by direct-entry midwives. The memo to the MBON is to summarize the meeting held on November 21, 2016 as the Committee knows it, to give the MBON an understanding of the problem such as the difficulties for new parents of home-birther babies, insurance problems, many forms to file, lengthy time to receive birth certificates.

### Website and Database

Mrs. Tyminski informed the Committee that the DEMs website has been updated to include a call for consumer member applicants. In addition the application for licensure has been added to the website along with directions for obtaining criminal background checks. Two applications have been received. As for the licensure database, the last information she was able to obtain was that the programming of the database was 75% complete. She has enlisted the aid of the Acting Deputy Director, Keva Jackson-McCoy, to find out exactly when the database will be operable.

### Review of Consumer Applications

The Committee had received five applications for the consumer member position. Although applications will be accepted through December 30, 2016, the Committee previewed those five. Three were set aside because the applicants were directly participating in a commercial or professional field related to the practice of direct-entry midwifery, specifically being a childbirth educator. Ms. Devaris explained that consumer members should be members of the public who are not connected in any way with home births. Although members of the Committee felt it would be helpful to have a consumer member who understands their practice, Ms. Devaris said that consumer members who sit on health occupation boards very quickly learn the scope of practice and become excellent advocates for the public. The Committee agreed that two of the five applications could be sent forward to the MBON at its January meeting. Additional applicants, if any, will be reviewed at the January meeting and all acceptable applications will be forwarded to the MBON with the Committee's recommendation.

### Letter to New Licensees

A draft letter to be approved by the MBON to be sent to all newly licensed direct-entry midwives was presented. The letter was the combined efforts of Mrs. Tyminski and Ms. Pendley. It congratulates the new licensee and informs that the practice is governed by laws including the statute and regulations. The letter states the responsibility of the licensee to be familiar with the statute and regulations and to practice accordingly. It further informs the licensee that various forms needed in their practice are found on the website. Finally, the licensee is advised to commence planning how to meet the continuing education requirements for the renewal of a license. After review, the Committee accepted the letter with a few changes to be made by Ms. Pendley. The letter will be prepared for a final review in January and then presented to the MBON at its January meeting.

### Memo to BON re Birthing Center Regulations

A memo to the MBON requesting approval for requesting certain changes to the Office of Health Care Quality's Birthing Center regulations was reviewed and approved. The Direct-

Entry Midwifery Advisory Committee's suggested amendments are outlined in a copy of the regulations that is attached to the memo. Basically it requests inclusion of direct-entry midwives, in addition to nurse midwives, in those regulations.

Inquiry from Vital Records

Mrs. Tyminski reported on a telephone call she had received from Elaine Tretter at Vital Records. Ms. Tretter has informed her that she was told by a new mother that someone who performs home deliveries has suggested that she would not need licensure because she would be "grandfathered in". Mrs. Tyminski responded that there is no grandfather clause in the Act. The Committee felt that this is a small community, and perhaps the new mother did not understand correctly what was said. The Committee felt that all persons who would be practicing direct-entry midwifery in Maryland will apply for licensure.

Other Business

The Committee requested that the January agenda include a discussion of continuing education for renewal of licenses.

Ms. Devaris explained the legislation being introduced in the 2017 session as it pertains to the Nurse Practice Act. She said most of the changes were a cleanup of the Act and that the proposed legislation also includes the right to appoint more than one hearing committee to further reduce the backlog of disciplinary cases. She told the Committee that their section of the Nursing Practice Act did not include any proposed changes this year. However, she urged the Committee to begin thinking of proposed changes in their statute for the 2018 legislative session. That item will also be placed on the January agenda.

Adjournment

There being no further business, the meeting adjourned at 12:15 p.m.

Respectfully submitted,

Ann E. Tyminski, Administrator

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