

MINUTES

UTAH CERTIFIED NURSE MIDWIFERY BOARD MEETING

November 6, 2012

Room 402 – 4th Floor – 2:00 p.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 2:15 p.m.

ADJOURNED: 3:45 p.m.

Bureau Manager:
Board Secretary:

Debra Hobbins
Shirlene Kimball

DOPL Staff:

Mitchell Jones, Assistant Attorney General

Conducting:

Betty Ann Elliott, Chair

Board Members Present:

Betty Ann Elliott
Angela Anderson
Lisa Kaloczi
Deanne Williams
Kimberlee Thueson

TOPICS FOR DISCUSSION **ADMINISTRATIVE BUSINESS**

DECISIONS AND RECOMMENDATIONS

Welcome and Swearing-in of new Board members: Lisa Kaloczi, Deanne Williams and Kimberlee Thueson:

Dr. Hobbins administered the oath of office to Ms. Kaloczi, Ms. Williams and Ms. Thueson. Brief introductions were made and the new members were welcomed to the Board.

June 11, 2012 Minutes:

Ms. Anderson made a motion to approve the June 11, 2012 minutes as written. Ms. Thueson seconded the motion. All Board members voted in favor of approving the minutes.

Discussion regarding the Consultation and Referral Plan:

Dr. Hobbins stated she believes the Consultation and Referral Plan needs to be signed. Ms. Anderson stated that neither the Consultation and Referral Plan or the Intrapartum Referral Plan needs to be signed by a physician. Ms. Elliott indicated that both plans are only required to be kept on file at the CNMs place of practice. Dr. Hobbins will check the Statute and report back to Board members.

Open and Public Meetings Act training:

Dr. Hobbins presented the Open and Public Meetings Act training. Dr. Hobbins provided background information regarding the training requirements:

- DOPL Licensing Board structure
- public policy
- definitions
- general rule
- notice requirements
- electronic notices
- emergency meetings
- agenda requirements
- minutes and recordings of the open meeting
- closing a meeting
- the record of a closed meeting
- disruptive behavior at a meeting
- voiding a public meeting
- enforcement of the Open and Public Meetings Act
- criminal penalty for closed meeting violations.

Rule Changes:

Dr. Hobbins presented the following changes to the Rule:

- R156-44a-102 Definitions (1). Changed the wording from the American College of Nurse-Midwives to the American Midwifery Certification Board (AMCB), affiliated with the American College of Nurse-Midwives (ACNM).
- R156-44a-102(5). Change the publication date for the "Core Competencies for Basic Midwifery Practice" from May 2002 to January 2008 and the "Standards for the Practice of Midwifery" March 2003 to September 2011.
- Add a new number (6) to R156-44a-102 to add the definition of Intrapartum Referral Plan as worded in the Statute.
- Add to section R516-44a-402 - Administrative Penalties add (27): failure to have and maintain a safe mechanism for obtaining medical consultation, collaboration, and referral with a consulting physician, including failure to identify one or more consulting physicians in the written documents required by Subsection 58-44a-102(9)(b)(iii) initial offense \$500.00 - \$1,000.00; subsequent offense \$500.00 to \$2,000.00. Also add number (28): representing that the certified nurse midwife is in compliance with Subsection (8)(a) when the certified nurse midwife is not in compliance with subsection (8)(a), initial

offense \$500.00 - \$1,000.00; subsequent offense \$500.00 - \$2,000.00.

-R156-44a-502 Unprofessional conduct. Change the wording to read "Unprofessional conduct" includes failure to abide by the "Code of Ethics" published by the American College of Nurse-Midwives October 2008 which is hereby adopted and incorporated by reference.

Ms. Anderson made a motion to accept the changes as stated. Ms. Williams seconded the motion. All Board members voted in favor of the motion.

Dr. Hobbins indicated a Rules Hearing will need to be scheduled. Board members indicated they could meet Tuesday, January 8, 2013; Wednesday, January 9, 2013 or February 6, 2013. However, the two preferences would be either Wednesday January 9, 2013 or February 6, 2013 at 2:00 p.m.

Board members discussed eliminating both the Intrapartum and Consultation and Referral Plans from the application. Board members indicated the CNM could use the privileging form in place of the written plan as long as it has all the information that is listed in Rule and keep it on file at their practice site. Dr. Hobbins questioned if it would be acceptable to keep the form in the application and at the top place "EXAMPLE ONLY, this form not required." Ms. Williams indicated that as long as the form is in the application, the hospitals will require the form to be filled out. Mr. Mitchell Jones, Assistant Attorney General, met with the Board. Board members explained that the statute does not require a physician signature on the intrapartum form and the employers have their own privileging requirement, but are also requiring the form that is in the application. Dr. Hobbins indicated that it is the Division's form and we should be able to take it out of the application. Ms. Williams stated the form is duplication and is not necessary. Employers are only requiring the form because it is on the web site. Mr. Jones indicated that the words EXAMPLE ONLY could be placed at the top of the form. However, the employer can require whatever they want to. Mr. Jones also indicated that the forms could be taken out of the application and the reference in the application to the intrapartum form be

eliminated. Dr. Hobbins indicated that pages 19 and 20 would be taken out of the application. Ms. Williams made a motion that the CNM must have a written intrapartum plan that includes the requirements of the statute at their place of practice and to eliminate the forms on page 19 and 20 of the application. Ms. Kaloczi seconded the motion. All Board members voted in favor of the motion.

Board Survey of Online Disciplinary Documents:

Board members discussed the letter requesting Board member opinion whether DOPL should post its disciplinary documents in a way that restricts a person's ability to find them through a general internet search. For example, individuals could find the documents by searching within dopl.utah.gov, but not through general search engines like Google, Yahoo or Bing. Ms. Anderson made a motion to recommend option number one which reads "We believe disciplinary documents posted on DOPL's website should only be found through a search someone performs within DOPL's website. General internet searches shouldn't be allowed to display or embed disciplinary documents as a search result." Ms. Thueson seconded the motion. All Board members voted in favor of the motion.

Next meeting:

The Rule Hearing will be scheduled for either Wednesday January 9, 2013 or Wednesday, February 6, 2013 at 2:00 p.m.

11/5/2013

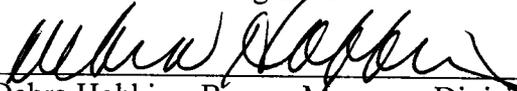
Date Approved



Betty Ann Elliott, Chair
Utah CNM Licensing Board

11/5/2013

Date Approved



Debra Hobbins, Bureau Manager, Division of Occupational & Professional Licensing