MINUTES

UTAH
CERTIFIED NURSE MIDWIFERY
BOARD MEETING

January 19, 2012

Room 464 – 4th Floor – 8:45 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:09 a.m.

ADJOURNED: 10:36 a.m.

Bureau Manager: Debra Hobbins
Board Secretary: Shirlene Kimball
Division Director: Mark Steinagel

Conducting: Debra Penney

Board Members Present: Debra Penney, Betty Elliott, Linda Cornaby, Honey Newton, Angela Anderson

Guests: Rep. Derek Brown, Legislature; Deborah Kim, UT DOH Newborn Screening

TOPICS FOR DISCUSSION	DECISIONS AND RECOMMENDATIONS
ADMINISTRATIVE BUSINESS December 1, 2011 Minutes:	The December 21, 2011 Minutes were approved as written. All Board members voted in favor of approval.
Deborah Kim, APRN, MSN Utah Department of Health Newborn Screening:	Ms. Kim met with Board members to discuss Newborn screening, which is required by law. Newborn screening identifies genetic problems early. In addition, the Newborn Screening Program offers outreach education, tracking and follow-up. Ms. Kim stated 37 different diseases are included in the testing. Ms. Kim reported there where a total of 53,000 births in Utah last year, approximately 900 were midwife attended births, and 100 of those 900 babies were not screened. Ms. Kim also indicated that there were 1104 babies who were not born in the hospital.

Twenty-five percent of these births came from southern Utah, with additional births from central Utah. Ms. Kim indicated the Department of Health would like to reach all midwives to make them aware of the law. Ms. Newton indicated Ms. Kim should contact the CNM Educational programs and the LDEM educational programs and make them aware of the screening and reporting issues.

Statute Update:

Ms. Newton reported there were several meetings between the ACOG and the Utah Medical Association regarding changes to the Nurse Midwife Practice Act. Ms. Newton stated that the most recent proposed Statute changes were reviewed. These meetings were to develop language to clarify that CNMs do not need a physician signature in order to have a license to practice in Utah. The current language has been interpreted to require a signature. Ms. Newton indicated that this interpretation has created problems for CNMs who now can not attend births or who must pay very high fees to the physician who agrees to sign an agreement. Ms. Newton also stated there are physicians who want to work collaboratively with CNMs but do not because of the fear of increased liability or because their malpractice policy only allows them to sign an agreement with CNMs who are covered by the same malpractice carrier.

Ms. Newton stated they would like the new definition to read: "An intrapartum practice plan provides written guidelines by which a certified nurse-midwife, who is not credentialed and privileged through a hospital, consults, collaborates and refers patients. For hospital intrapartum care, the nurse midwife's hospital privileging form satisfies this requirement."

Ms. Newton reported the CNMs submitted their suggestions along with a letter to the UMA during the first part of January. The CNM group received a response on January 16, 2012 and both sides met January 17, 2012 to review the CNM language and the UMA suggestions. The only changes were to section 58-44a-102(4)(c) and eliminate the wording "under a practice plan" and to eliminate section (9). The wording that would be eliminated in (9) would be "Practice and referral plan means a written plan entered into with a consulting physician and detailing

guidelines by which a certified nurse midwife consults, collaborates, and refers patients."

Ms. Newton reported the primary concern of UMA were those individuals who deliver outside of the hospital. The UMA suggested section 9 read: An "Intrapartum practice plan" provides written guidelines by which a certified nurse midwife who is not credentialed and privileged through a hospital consults, collaborates, and refers patients. For hospital intrapartum care, the nurse midwife's hospital privileging form satisfied this requirement. Rep. Brown questioned whether or not the CNM can deliver outside the hospital? Ms. Penny stated yes, the CNM could attend outside the hospital, but the CNM usually does not attend outside the hospital or birthing Center due to insurance issues. Ms. Anderson stated the Statute doesn't address delivering outside of the hospital so if the CNM wanted to deliver outside the hospital, he/she could.

Mr. Steinagel stated he would like the CNMs to take out the statement in the letter presented that the Division of Occupational and Professional Licensing supports the bill. Mr. Steinagel stated the Division can not take a position and has to remain neutral. Ms. Newton stated she would eliminate the wording in the letter that the Division is in support of the changes. Mr. Steinagel stated he is encouraged that the CNMs have spoken with all the parties involved. Dr. Hobbins stated that while the Division remains neutral on legislation, she finds no fundamental concerns with the language in the draft legislation that would affect DOPL or the public's health and safety. Mr. Steinagel stated there may be some misunderstanding regarding LDEMs and they may need to clarify that it only includes the CNMs.

Rep. Brown stated that the charge from the government is to find out where we can reduce paperwork. He indicated this is also a business issue as well because it would allow those CNMs in rural areas to practice even if there is no physician to sign. Mr. Steinagel stated that the Board can not take a position, but as a private individual, a Board member can take a position. Rep. Brown questioned if anyone on the Board has a problem with the letter. He would

like to indicate that all Board members agree with the wording in the letter. Board members indicated they do not have a problem. Ms. Penny made a motion to approve the letter. Ms. Elliott seconded the motion. All Board members voted in favor of the mothon.

Ms. Newton stated the letter and draft rules will be send to CNMs and other interested parties.

Next meeting:

The next meeting will be scheduled for Tuesday, November 6, 2012 at 9:00 a.m.

11/5/2013
Date Approved

Betty Ann Elliott B. Elliott
~~Debra Penny~~, Chair, Utah CNM Licensing Board

11/5/2013
Date Approved

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