



MIDWIFERY SCOPE OF PRACTICE ADVISORY COMMITTEE

MEETING MINUTES

November 27, 2012

1:00 p.m. – 3:00 p.m.

Arizona Department of Health Services

150 North 18th Avenue

Phoenix, Arizona 85007

Conference Room 415B

Committee Members Present: Wendi Cleckner, Allyson Fernstrom, Charlotte Gurule, Julie R. Gunnigle, Karen Holder, Mary Langois, Dr. Maria Manriquez and Dr. Jeffery Northup.

Staff Present: Dr. Cara Christ, Patti Cordova, Colby Bower, Rohono Geppart, Patricia Glass, Will Humble, Teresa Koehler and Thomas Salow.

1. Welcome and Introductions

Will Humble, Director of the Department of Health Services called the meeting to order at 1:05pm.

Dr. Cara Christ, Assistant Director requested introductions by all committee members and staff present.

Director Humble explained to the committee that the purpose of the meeting was to look at the rules for licensing midwives and if possible to ease the administrative requirements, and to specifically review the current midwifery scope of practice for possible changes. He recommended data-driven decision making. He also informed members that the committee must adhere to Arizona's Open Meeting Laws. An overview of these statutes will be provided at the next committee meeting for the benefit of the membership. For now, he clarified that any discussions concerning the business of the committee can only take place within the context of a committee meeting. Discussions of committee business between committee members either face-to-face, by phone, or e-mail that occur outside of a committee meeting are statutorily prohibited.

2. Purpose of the Meeting and HB 2247

Dr. Christ referenced House Bill (HB) 2247 and provided summary which included: adopting rules regarding midwifery that reduces the regulatory burden on midwives, adopt national licensure testing standards, possibly expanding the current midwifery scope of practice, and that the Department is exempt from rulemaking requirements.

Dr. Manriquez requested clarification in whether the committee must adopt a change in the current midwife scope of practice. The Department believes it must consider a change but is not mandated to make changes in the current midwife scope of practice. The Department recognizes that language on the agenda could be interpreted to mean otherwise. This is an inadvertent error.

Dr. Christ also referenced the two reports received by the Department, one from consumers and a second from midwives. These reports will serve as a focal point for discussion on the three main areas where the current midwifery scope of practice could be expanded: vaginal birth after cesarean (VBAC), vaginal birth for breech, and vaginal birth for twins/multiples.



(**Correction:** the agenda indicated July 13, 2013 as the date for the Department to complete its rulemaking. The correct date is July 1, 2013.)

3. Review of Handouts

Dr. Christ stated that each member should have copies before them of HB 2247, the reports received by the Department, the current midwifery administrative rules and the applicable statutes A.R.S. §§ 36-751 through 36-760. Members noted that these materials were also mailed to them prior to the meeting. Ms. Christ said that all materials will be posted on the Department's website in the near future so that members and the public could access them.

4. Discussion of Midwifery Scope of Practice

Ms. Langois stated she favored expanding the scope of practice for midwives. She supports women who choose to have out-of-hospital births. She mentioned a summit that occurred in October 2011 regarding the midwife profession. She referenced www.homebirthsummit.org for additional information. She believes the issue is collaboration as the committee moves forward.

Dr. Manriquez stated that she respects the choice of women; however, she believes particular medical situations should be managed, especially VBAC's. Complications from birth, particularly when midwives are in remote areas and a hospital is not nearby, is concerning.

Discussions took place regarding consent forms signed by the birth mother and whether she is fully informed of risks. Differences were noted between the professions of midwifery and obstetrics.

Tom Salow, Acting Deputy Assistant Director, asked the committee if there are certain protocols that could be incorporated into the rules.

Ms. Cleckner mentioned the Certified Professional Midwife (CPM) Model. This model involves education in the three areas of focus.

Discussions took place regarding: uterine rupture, the difference between having recognition of complications and training in managing complications, that less than one percent of the population has uterine rupture, that evidenced-based data is needed to determine if there are particular "dangers" associated with out-of-hospital births.

Dr. Northrup stated that everyone is here to take care of women. Decisions should be made on common sense. He also respects a woman's choice; however, the state cannot endorse rules if it is dangerous. He believes there are different levels of midwifery and training. This should be discussed. He said the agenda "jumps" too soon to the discussion of scope of practice. The understanding of other structures should occur.

Dr. Christ reminded the committee that rules must be applicable throughout the state. Separate rules cannot be written for rural and metropolitan areas.

Ms. Cleckner stated that as a midwife her sense of safety shifts when working in a rural versus a metropolitan area.



Dr. Northrup questioned what action the Board of Nursing takes on a Certified Nurse Midwife (CNM). Can the Board only impact the RN license? Also, he questioned the right to public safety and what was wrong with the rules as they were developed in 1994.

Dr. Manriquez questioned the use of data collected by the Department on the midwife quarterly reports. She thought decisions could be made from this information. Additionally, she noted that retrospective research is not the same as evidenced-based research or randomized controlled trials.

Dr. Christ said the Department would look into gathering this information and determine if we have the resources to analyze this information and provide it to the committee for future use.

Ms. Gunnigle asked what does the term “safe” mean? How do we give consumers a safe choice?

Dr. Northrup stated that hospitals do not want to do VBAC’s because of legal liability, not due to safety.

Ms. Fernstrom said as a consumer she would be happy to sign an informed consent. It was her legal right to have this choice. She accepted the personal responsibility to be informed of the risks.

Ms. Manriquez questioned whether all women would understand the risks.

Discussions took place regarding: should there be stipulations if the scope of practice were expanded, training and experience is necessary and should be discussed.

Ms. Fernstrom believes only four states in the nation, including Arizona, do not allow midwives to perform VBAC’s.

Ms. Holder mentioned that she would like to see data – is there other research, data analysis or vital statistics that can be obtained and utilized? Can we compare Arizona data to national data? She questioned the timeline noted in the bill of 30 days to submit to the director recommendations.

Discussions took place regarding consumers who are “demanding” this increase in the scope of practice.

Dr. Christ said the Department would post as much data on the agency website as possible and look into the Department’s ability to analyze data obtain from licensing quarterly reports and vital statistics.

Ms. Holder commented that the report submitted by consumers was well-crafted, the scope of practice area is most controversial and that the rest of the recommendations are good. It was cleaned-up language and more fluid. She also stated that the medication list in the report should be reviewed.

Ms. Langois mentioned research that addressed “mixed risk.”

Discussions took place regarding risk and insurance liability, collaborative care and seamless transfers, more information is needed for the committee before dialogue on scope of practice continues, and e-mail and post information on the website before the next meeting.



5. Resources

Dr. Christ mentioned that information concerning the committee such as agendas, meeting minutes, draft rules, reference materials, etc. will be posted on the following website: <http://www.azdhs.gov/als/midwife/index.htm>.

6. Closing Remarks

Dr. Christ permitted several public members to offer comments and limited each presenter to a brief time period.

The meeting adjourned at 2:58 p.m.

DRAFT