



MEDICAL BOARD OF CALIFORNIA
Licensing Program

MIDWIFERY ADVISORY COUNCIL

Lake Tahoe Room
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815
(916) 263-2382

August 20, 2009

MINUTES

Agenda Item 1 Call to Order/Roll Call

The Midwifery Advisory Council (MAC) of the Medical Board of California was called to order by Chair Faith Gibson at 11 :45 a.m. A quorum was present and due notice had been mailed to all interested parties.

Members Present:

Faith Gibson, L.M., Chair
Karen Ehrlich, L.M.
William Frumovitz, M.D.
Barbara Yaroslavsky

Members Absent:

Ruth Haskins, M.D.
Carrie Sparrevohn, L.M.

Staff Present:

Anita Scuri, Supervising Senior Counsel, Department of Consumer Affairs (DCA)
Billie Baldo, Management Services Technician
Licensing Operations Deborah Pellegrini, Chief, Licensing Program
Frank Valine, Staff Services Manager I
Licensing Operations Kurt Heppler, Legal Counsel, (DCA)
Ramona Carrasco, Analyst, Central Complaint Unit
Robin Jones, Analyst, Licensing Operations
Sophia Kong, Staff Programmer Analyst Information Systems Branch
Teena Arneson, Staff Services Manager I Central Complaint Unit

Members of the Audience:

Andrea Ferroni, L.M.
Claudia Breglia, L.M., California Association of Midwives (CAM)
Lesley Nelson
Rachel Ferrell, L.M.
Shaana Keller, Morns in Bloom
Tenoya Jackman, CAM
Tosi Marceline, L.M.

Agenda Item 2 Approval of Minutes of the April 2, 2009 Meeting

It was M/S/C (Yaroslavsky/Ehrlich) to approve the minutes from the April 2, 2009 meeting with amendments.

Agenda Item 3 Licensed Midwife Annual Report

A. 2008 Report

Faith Gibson had several comments to make regarding the 2008 midwife annual report summary of aggregate data. These included for Section P --error in the reporting of five maternal deaths when in fact the one page summary, as submitted for the Medical Board's annual report to the legislature, listed "0" maternal deaths for 2008. Also, the total numbers as printed in column (A) do not add up to (B) and (C). The Council requested the Total column (currently column A) to be moved to the right of the other two columns to ensure correct addition, from right to left. The Council requests that the Office of Statewide Health Planning and Development (OSHPD) will make these corrections.

Deborah Pellegrini reported that MBC staff work with OSHPD to clarify/verify these numbers. In addition, the Council requested OSHPD to categorize the types of comments they received from the midwives to ensure the Council considers incorporating these issues into future surveys. In addition, the Council requested correction of the data in the one page summary submitted by the Board to the legislature on an annual basis. The area to be corrected is "Complications resulting in the mortality of the mother, and also, the Complications resulting in the mortality of the infant".

B. 2009 Report -Final Review of Recommended Changes

Robin Jones presented the proposed 2009 midwifery annual report online version to the Council. Input from Council members and members of the public included:

- A request to clarify cut-off date for submission of the online version;
- Specify that the last name entered to register for an online identification MUST be the same as that listed on the license;
- Add a link to this online area for the midwives to view the Summary as prepared by OSHPD;
- Once the report fields are labeled as completed, then the option bar to send the report on to OSHPD will appear --once you click on this, then a box will appear asking you

if you are sure you want to submit this report to OSHPD. This request is being made to ensure that there is an additional safety net in place before the midwife submits her survey to OSHPD as the FINAL version, while that can no longer be edited or changed.

Dr. William Frumovitz, the newest MAC member, was welcomed by the Council members.

Barbara Yaroslavsky requested that a link be added to the midwifery home page on the Board's website for ease of access to the MAC meeting dates and times. In addition, a request was made to add one central link on the MBC website for midwives to locate the annual report (both the online and paper version(s)). Questions arose regarding what is considered the "county of birth". Is this the county where the mother resides or is it the county where the baby is delivered? Decision --the county where the BABY is delivered.

Ms. Gibson and Ms. Ehrlich discussed edits that they would like to see incorporated into the 2009 Midwifery Annual Report. For example, remove the term "N/A" from all fields where entered.

Agenda Item 4 Licensed Midwife Disciplinary Action Statistical Data

Teena Arneson presented statistical data to the Council. The Council requested that another column added to this table that includes the cumulative numbers of licenses that are in effect for each fiscal year.

Ms. Scuri explained intricacies of the disciplinary process and how she and Miss Arneson arrived at the numbers presented in the table. Ms. Scuri also responded to questions from Council members regarding unlicensed activity.

The Council requested to have totals at the bottom of each column of data for ease of comparison. The Council asked for further detail regarding disciplinary actions taken against midwives.

Ms. Scuri explained the difference between a records request from a Council member and one from the public.

The Council suggested that the Chair direct MBC staff to gather this information and report it back to the Council. A Public Records Request may be sent in by the public to the Board requesting further detail in disciplinary cases regarding Licensed Midwives.

Agenda Item 5 Parameters for an Educational Program that would provide Remedial Training as a Term and Condition of Probation in a Quality of Care Case

Robin Jones presented an overview of the materials gathered to date from other states and the Board of Registered Nursing. Council members will receive packets of these materials when a date is set for the Task Force meeting.

Ms. Gibson and Ms. Ehrlich agreed to give MBC staff three dates to choose from for the

Task Force meeting in September or October 2009. These dates will be shared with Dr. Haskins as well.

Agenda Item 6 Future Council Meeting Dates for 2010

The Council agreed upon the following meeting dates for 2010: January 7, 2010; April 8, 2010; August 12, 2010.

The Council approved the dates subject to a change if these dates create major problems for the members who were absent from the meeting. Motion is approved by Council consensus.

Agenda Item 7 Agenda Items for Next Meeting

1. MBC Enforcement staff statistics.
2. 2008 Annual Report, as submitted by the Medical Board to the Legislature.
3. Follow up with OSHPD to research responses to Section P of the 2008 Annual Report Summary, in relation to the number of maternal deaths. A suggestion is made to republish the corrected report.
4. Data regarding unlicensed activity (if it exists).
5. Educational remediation.

Agenda Item 8 Public Comment on Items Not on the Agenda

Rachel Farrell, LM, is currently involved in the opening of an Alternative Birth Center in Marysville, CA. She has issues regarding Health and Safety Code section 1204.3 and is seeking input from the MAC. This regulation requires the presence of two attendants at all times during birth; one of them shall be either a physician/surgeon or CNM. Is it possible to amend this code section to include Licensed Midwives or Certified Professional Midwives or Physician Assistants or other qualified individuals? Ms. Farrell indicates that she will be working with the Legislature to try to remedy this language.

Ms. Yaroslavsky mentioned that there is currently a demonstration project regarding alternative birth attendants in place in Southern California. She reported a demonstration project that Planned Parenthood is involved with and she believes it is focused in the area of non-physician births.

Agenda Item 9 Adjournment

The meeting adjourned at 1:52 p.m.