



MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

2005 Evergreen Street
Sacramento, CA 95815-5401
Phone: (916) 263-2382
www.mbc.ca.gov

Gavin Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

MIDWIFERY ADVISORY COUNCIL

WebEx Meeting

Thursday, September 12, 2024

MEETING MINUTES

Due to timing for invited guests to provide their presentations, the agenda items below are listed in the order they were presented.

Members Present:

Madeleine Wisner, L.M. Chair
Faith Freeman, L.M. Vice Chair
Kenneth James, M.D.
Tamara Robertson
Mason Wilson-Tanev, L.M.

Members Absent:

N/A

Staff Present:

Aaron Bone, Chief of Legislation and Public Affairs
Sean Eichelkraut, Information Technology Manager II
Douglas Hock, Chief of Licensing
Tonya Morairty, Associate Governmental Program Analyst
Marina O'Connor, Deputy Director
Kathryn Taylor, Staff Services Manager II
Kerrie Webb, Attorney III

Agenda Item 1 Call to Order/Roll Call/Establishment of a Quorum

Madeleine Wisner called the meeting of the Midwifery Advisory Council (MAC) of the Medical Board of California (Board) to order on September 12, 2024, at 1:12 p.m. A quorum was present and due notice was provided to all interested parties.

Agenda Item 2 Public Comments on Items not on the Agenda [Link to Video](#)

There were no public comments on this agenda item.

Agenda Item 3 Approval of Minutes from the May 30, 2024, Midwifery Advisory Council Meeting [Link to Video](#)

Madeleine Wisner asked if anyone had corrections to the March 30, 2024, meeting minutes.

Madeleine Wisner had one correction to agenda item number 10. Agenda item 10 should remove Madeleine Wisner's name and replace it with Faith Freeman, as Madeleine Wisner was not in attendance.

There were no public comments on this agenda item.

Kenneth James made a motion to approve the May 30, 2024, meeting minutes with the requested corrections; s/Madeleine Wisner. Motion carried unanimously. 5-0.

Agenda Item 4 Report from the Midwifery Advisory Council Chair [Link to Video](#)

Madeleine Wisner stated the MAC meetings are the pathway for midwifery stakeholders to speak up on midwifery issues and how the Board regulates the midwifery profession.

Madeleine Wisner gave a detailed history on midwifery in California. She also spoke about birthing centers and how current legislation is affecting midwives.

Madeleine Wisner spoke about licensed midwives and nurse midwives collaborating on issues they face and stated that midwives have been collaborating more than ever on these issues. The collaborating body is Midwifery Access California (MACa). MACa is a multi-stakeholder collaboration between midwifery practices, Medi-Cal health plans, community advocacy organizations, and state and local agencies.

Madeleine Wisner stated she would like to see someone from the Board that interacts with the legislation to join MACa.

Madeleine Wisner announced a need for a Licensed Midwife in the Enforcement Program's Expert Reviewer Program and provided the following information about the program: it's an opportunity to learn about the types of complaints the Board receives, to provide their expertise in reviewing complaints, and to further support the integrity of their profession; the two areas in which midwives may participate are in the Central Complaint Unit where midwife consultants evaluate quality of care

complaints to determine if further investigation is required; the second area is in the Health Quality Investigation Unit (HQUI) where expert reviewers provide expert opinions, onboard cases, and testify at an administrative hearing; application and eligibility requirements are on the Board's website at www.mbc.ca.gov; Interested licensees may also call the Expert Reviewer Program at (916) 263-2500 or the Medical Consultant Program at (916) 263-2502.

The members discussed the chair's report.

There were no public comments on this agenda item.

Agenda Item 5 Update on Midwifery Related Legislation [Link to Video](#)

Aaron Bone stated the legislature has wrapped up their work for this two-year session, which concluded on August 31, 2024. There were hundreds of bills approved by that deadline that are now on the Governor's desk.

Aaron Bone stated he has continued to monitor bills that were introduced and amended those that are awaiting action from the Governor. During these reviews, he has not identified any specific legislation that is impacting midwifery.

There were no public comments on this agenda item.

Agenda Item 6 Report from the Task Force on Medi-Cal Related Legislation [Link to Video](#)

Madeleine Wisner stated fewer than a dozen midwives are actively participating in the Medi-Cal program. She also stated there are errors in the Medi-Cal database where licensed midwives are not correctly identified.

Madeleine Wisner stated midwives face significant obstacles in accessing Medi-Cal reimbursement. She explained that implementing SB 407, which authorizes licensed midwives as providers under the Comprehensive Perinatal Services Program (CPSP) within Medi-Cal, has been delayed due to the lack of regulations mandated by AB1308. These regulations have not yet been established.

Because the regulations do not exist, licensed midwives have not been authorized to become CPSP providers until recently when the Department of Health Care Services (DHCS) made the administrative decision for their program to add CPSP codes to the Medi-Cal allowed codes list for licensed midwives in October 2023. To date, no licensed midwives have been approved as CPSP providers due to the issues with implementation and communication between DHCS, the California Department of Public Health (CDPH), and other relevant entities. Without CPSP provider status, licensed midwives operating birth centers have been unable to meet the specific requirements to obtain alternative birth center licensure from CDPH.

The members discussed the report.

There were no public comments on this agenda item.

Agenda Item 7 Program Update [Link to Video](#)

Tonya Morairty referred Council members to the Licensing Statistics, stating that in the fourth quarter of fiscal year 2023/2024, the Board received three new applications, issued one new license, and renewed 60 licenses.

In the fourth quarter of fiscal year 2023/2024, the Board received 54 Transfer of Planned Out-of-Hospital Delivery to Hospital Reporting forms for licensed midwives.

Tonya Morairty provided the Enforcement statistics for licensed midwives. In the fourth quarter of fiscal year 2023/2024, the Board received 13 complaints and referred three for investigation.

Tonya Morairty stated in the fourth quarter of fiscal year 2023/2024, the Board did not receive any complaints for unlicensed midwives.

Tonya Morairty provided Enforcement statistics for Transfer of Planned Out-of-Hospital Delivery to Hospital Reporting forms for licensed midwives. In the fourth quarter of the 2023/2024 fiscal year, 52 Transfer of Planned Out-of-Hospital Delivery to Hospital Reporting forms were received by the Board and one was referred for investigation.

Tonya Morairty stated in the fourth quarter of the 2023/2024 fiscal year, the Board received two Transfer of Planned Out-of-Hospital Delivery to Hospital Reporting forms for unlicensed midwives and none were referred for investigation.

Tonya Morairty referred Council members to the 2023 California Licensed Midwife Annual Report (LMAR) Summary. In 2023, 604 midwives were expected to submit reports; however, the Department of Health Care Access and Information received only 457, leaving 147 licensed midwives who did not report.

Tonya Morairty stated the total number of clients served during this calendar year was 7,444, a decrease of 782 from last year. The number of clients who left care for non-medical reasons was 368, compared to 453 last year, a decrease of 85. Four sets of multiples were delivered out of hospital.

Tonya Morairty stated the number of planned out-of-hospital births at the onset of labor was 4,958 compared to 5,550 last year, a decrease of 592. And the number of completed births in an out-of-hospital setting was 4,174 compared to 4,697 last year, a decrease of 523.

Tonya Morairty stated pages 11, 12, and 13 of the LMAR report identify the outcomes by county for births, fetal demises, or infant or maternal deaths. Compared to the previous year, fetal demises increased by three, reaching a total of 20. Infant deaths decreased by five, totaling four, and one maternal death was reported, compared to zero last year.

There were no public comments on this agenda item.

**Agenda Item 8 Discussion and Possible Action on 2025 Midwifery Advisory Council
Meeting Dates [Link to Video](#)**

Madeleine Wisner proposed January 23, 2025, April 3, 2025, and September 11, 2025, as the dates for the 2025 MAC meetings. The MAC voted to approve these dates.

There were no public comments on this agenda item.

Tamara Robertson made a motion to choose January 23, 2025, April 3, 2025, and September 11, 2025, for the 2025 MAC meeting dates; s/Faith Freeman. Motion carried unanimously. 5-0.

Agenda Item 9 **Future Agenda Items** [Link to Video](#)

Madeleine Wisner recommended the following agenda items for the next MAC meeting:

- Approval of minutes from the September 12, 2024, MAC meeting;
- Report from the MAC Chair;
- Report from the Task Force on Medi-Cal related issues;
- Update on midwifery related legislation, if applicable;
- Update on the Midwifery Program;
- Selection of one new MAC member to fill a public member vacancy;
- Presentation on midwife access to audiology equipment for newborns;
- Accessibility and sustainability of California midwives;
- Discussion on presentation to the Medical Board; and
- Presentation on the Licensed Midwife Annual Report and opportunities for better data collection.

Agenda Item 10 **Adjournment**

Madeleine Wisner adjourned the meeting at 2:26 p.m.