



Health Licensing Office  
Board of Direct Entry Midwifery



January 07, 2016  
700 Summer Street NE, Suite 320  
Salem, Oregon

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**MINUTES**

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**MEMBERS PRESENT**

Colleen Forbes, chair  
James di Properzio, vice-chair  
Wendy Smith  
Kelli McIntosh  
Niamh Charles  
Sarah Taylor  
Stephanie Elliott

**STAFF PRESENT**

Sylvie Donaldson, Interim Director and Division Manger  
Bob Bothwell, Regulatory Operations Manager  
Heather A. Vogelsong, Assistant Attorney General  
Samie Patnode, Policy Analyst  
Sarah Kelber, Communications Coordinator  
Anne Thompson, Policy Analyst  
Doreen Davis, Administrative Specialist  
Trampus Schuck, Investigator/ Inspector  
Nathan Goldberg, Investigator/ Inspector  
Maria Gutierrez, Board Specialist

**MEMBERS ABSENT**

**GUESTS PRESENT**

**Call to Order**

Colleen Forbes called the meeting of the Board of Direct Entry Midwifery to order at 9:26 a.m. Roll was called.

Sylvie Donaldson, interim director and division manager noted the following amendments to the agenda:

- Remove item number 3, and 4 from the agenda.

**Items for Board Action**

**Approval of Agenda:**

James di Properzio made a motion with a second by Stephanie Elliott to approve the agenda. Motion passed unanimously.

**Approval of Minutes:**

Stephanie Elliott made a motion with a second by Wendy Smith to approve the minutes for October 22, 2015. Motion passed unanimously.

**Approval of course and consultants for file number 12-7039**

Board members reviewed the following list of possible courses in risk assessment submitted by Rowan:

Risk Assessment for Midwives

Taken on July 8, 2015

4 continuing education hours

Best Practice Fetal Surveillance

Taken on May 2, 2014

4 continuing education hours

Best- Birth Emergency Skills Training

Taken on September 16 and 17, 2013

13 continuing education hours

**MOTION:**

Stephanie Elliott made a motion with a second by Kelli McIntosh to approve courses, and consultants. Motion passed unanimously.

**Deliberate on Contested Case – Contested Case Number 12-6787**

- The Board of Direct Entry Midwifery left the public meeting to deliberate on a contested case number 12-6787 under ORS 192.690(1) at 9:32 a.m. on January 7, 2016.
- The public meeting reconvened at 9:46 a.m. it was noted that no decisions were made and no votes taken.

**Items for Board Action – Contested Case Number 12-6787**

- To issue amended proposed order.

**MOTION:**

Niamh Charles made a motion with a second by Stephanie Elliott. Motion passed unanimously.

**Reports:**

**Policy Report:**

Samie Patnode, policy analyst, reported on the following:

Scope of practice clarification – well women care

“Well women care” for a client who is not prenatal, intrapartum or postpartum is not included in the definition. An example is, giving a pap smear to a woman who is not pregnant and is not within the postpartum period does not fit under this statutory definition and is not covered by the DEM license. Postpartum care is within the definition of direct entry midwifery in ORS 687.405. In OAR 332-015-0000,

the Board of Direct Entry Midwifery has defined postpartum as the period of time immediately after and up eight weeks following the birth of the baby.

**Communications:**

Donaldson clarified HERC guidance and board rules as noted below:

Per OAR 332-015-0000, Oregon’s Board of Direct Entry Midwifery (Board) “determines practice standards, education and training, and provides consultation to the Health Licensing Office on all disciplinary issues in accordance with ORS 687.405 to 687.495.” The laws and rules governing the licensees of the Board can be found at [http://www.oregon.gov/OHLA/DEM/Pages/Midwifery\\_Laws\\_Rules.aspx](http://www.oregon.gov/OHLA/DEM/Pages/Midwifery_Laws_Rules.aspx).

The mission of the Health Evidence Review Commission (HERC) is to “[review] clinical evidence in order to guide the Oregon Health Authority (OHA) in making benefit-related decisions for its health plans. Its main products are the Prioritized List of Health Services, used by the legislature to guide funding decisions for the Oregon Health Plan, and evidence-based reports on specific topics of interest to Oregon health payers and providers as well as members of the public.”

HERC recently released coverage guidance regarding planned out-of-hospital birth, which can be found here: <http://www.oregon.gov/oha/herc/Pages/blog-home-birth.aspx>  
Though the Board of Direct Entry Midwifery and HERC are both under the umbrella of the OHA, their statutes and rules are separate.

It should be noted that the Board’s practice standards or administrative rules differ from the coverage guidance recommended by the HERC in some areas. If a licensed direct entry midwife bills the Oregon Health Plan for a patient, generally OHA would follow HERC’s coverage guidance, not the practice standards adopted by the Board. Learn more about HERC and see its laws and rules at <http://www.oregon.gov/oha/herc/Pages/About-Us.aspx>.

**Public Comment**

No public comment was received.

**Executive Session:**

- The Board of Direct Entry Midwifery entered executive session pursuant to ORS 6192.660(2)(f) at 12:23 p.m. on January 7, 2016 for the purpose of considering information or records exempt from public inspection. Records to be considered related to complaint files.
- Executive session concluded and the board reconvened regular session at 2:53 p.m. it was noted that no decision were made and no votes were made in executive session.

**Items for Board Action – Complaint file number 11-6546**

- Issue an amended proposed order.

**MOTION:**

Wendy Smith made a motion with a second by James di Properzio. Motion passed.

The settlement in 11-6546 is to include the following:

- 1 year suspension of license
- 1 year supervision, and chart review

The board chair to work with the AAG on the writing terms, and final language in the settlement offer.

**MOTION:**

James di Properzio made a motion with a second by Wendy Smith. Motion passed with four ayes votes and two opposed.

**Other Board Business**

The meeting adjourned at approximately 3:05 p.m.

Minutes prepared by Maria Gutierrez, Board Specialist