



## Midwifery Council Public Meeting Minutes

January 13, 2023 at 8:30 AM EST

7 Eagle Square Concord NH 03301

### Attendan

#### Present:

Members: Mark Carney, Elizabeth Gaby, Kathryn Hartwell (remote), Heidi Rinehart, Sherry Stevens

Guests: Elizabeth Eaton, Jenna Wilson

#### I. Call To Order

Sherry Stevens called the meeting to order at 8:39AM and announced Kathryn Hartwell's remote attendance was authorized by RSA 91-A:3 III, (a) because her physical attendance at the meeting was not reasonably practical due to childcare. Pursuant RSA 91-A:3 (e), a member participating in a meeting remotely is deemed to be present at the meeting for purposes of voting. All votes taken during the meeting must be by rollcall vote. Kathryn Hartwell identified herself and confirmed she could clearly hear and be heard via Zoom; she indicated there were no adults in the room with her.

#### II. Review of Public Minutes

**Motion:** to approve the public minutes of the 12/9/2022 meeting as presented.

Motion moved by Heidi Rinehart and motion seconded by Sherry Stevens. Passed by roll call vote.

#### III. Public Appearances - None

#### IV. OPLC and/or Board Administration Updates

Jenna Wilson notified the Council that the new Director of the Division of Board Administration and Licensing is Attorney Bethany Cottrell, and the new Administrator in Licensing is former senior board administrator Ashley Czechowicz.

#### V. Old Business

#### VI. New Business

##### A. Council Leadership

**Motion:** To nominate Kathryn Hartwell to be the Chairperson of the Midwifery Council effective at the next meeting.

Motion moved by Sherry Stevens and motion seconded by Mark Carney. Passed by rollcall vote.

- B. Martha Testerman introduced herself to the Council and indicated she is in process of applying to be the Public Member of the Midwifery Council. Ms. Testerman is a Certified Labor Doula and Certified Childbirth Educator.

## VII. Licensure

- A. HARTWELL, Kate - Renewal

**Motion:** to approve the application for renewal contingent upon receipt of email from the applicant indicating they are using Council Membership for CE credit pursuant to Mid 406.06 with proof of appointment.

Motion moved by Sherry Stevens and motion seconded by Heidi Rinehart. Passed. [Kathryn Hartwell recused and did not participate]

- B. GABY, Beth - Renewal

**Motion:** to approve the application for renewal.

Motion moved by Heidi Rinehart and motion seconded by Sherry Stevens. Passed by rollcall vote [Elizabeth Gaby recused and did not participate]

- C. JONES, Bryn - Renewal

**Motion:** to approve the application for renewal contingent upon receipt of a peer review the midwife presented in the past 2 years.

Motion moved by Sherry Stevens and motion seconded by Mark Carney. Passed by rollcall vote.

- D. FELDHUSEN, Adrian - Renewal

**Motion:** to approve the application for renewal.

Motion moved by Sherry Stevens and motion seconded by Heidi Rinehart. Passed by rollcall vote.

- E. HOLDING, Alex - Reinstatement

**Motion:** to approve the application for renewal contingent upon receipt of CPR *skills* training; the BLS card submitted with the application only covered the classroom portion of the course.

Motion moved by Heidi Rinehart and motion seconded by Sherry Stevens. Passed by rollcall vote.

VIII. Administrative Rules & Legislative Topics


- A. HB 346 - An act relative to the right of any infant born alive to appropriate medical care and treatment.

 [HB 346.pdf](#)

**Motion:** to take a position on the bill and submit the following testimony to the House Judiciary committee: "The midwifery council opposes this bill. There are circumstances in which a pre-viable fetus or a peri-viable fetus is born with a heartbeat but for whom resuscitation efforts would be futile. It criminalizes the clinical judgement and care of licensed health care providers who appropriately pivot from futile heroic resuscitation efforts to providing condolence and palliative care to traumatized parents and tiny babies."

Motion moved by Heidi Rinehart and motion seconded by Sherry Stevens. Passed by rollcall vote.

- B. LSR 2023-0994 - An act relative to the signature authority of an APRN or a certified midwife.

 [LSR 2023-0994.pdf](#) (No bill number assigned. No bill text available.)

The Council requested that OPLC track this LSR/bill because the text has not been made available yet; the Council cannot determine if it applies to the practice of Midwifery without additional information.

- C. Mid 400 update (M&M definition and reporting form)

Tina Kelley sent an email indicating the changes to Mid 400 are scheduled to go to JLCAR on 1/20/2023.

- D. Mid 500 - Planning ahead

**Motion:** to create an ad hoc rule drafting committee, comprised of Heidi Rinehart and Elizabeth Gaby, to begin writing proposed changes to Mid 500 for the Council to review and made further changes. A

Motion moved by Sherry Stevens and motion seconded by Mark Carney. Passed by rollcall vote.

IX. Non-Public Session

Non-Public session is conducted for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

**Motion:** to enter non-public session at 10:02AM for the reasons outlined above, Motion moved by Sherry Stevens and motion seconded by Mark Carney. Passed by rollcall vote.

X. Resume Public Session

The Board resumed public session at 11:07AM

XI. Seal the Minutes of the Non-Public Session

Minutes of the non-public session are sealed to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

**Motion:** to seal the minutes of the non-public session for the reasons outlined above. Motion moved by Sherry Stevens and motion seconded by Heidi Rinehart. Passed by rollcall vote.

XII. Adjournment

Sherry Stevens adjourned the meeting at 11:08AM.

*Next meeting: February 10, 2023 at 1:00PM.*