

State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
DIVISION OF LICENSING AND BOARD ADMINISTRATION

Midwifery Council

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PUBLIC MEETING MINUTES
1:00PM on Friday, May 13, 2022

The regularly scheduled meeting of the New Hampshire Midwifery Council was held at 7 Eagle Square on May 13, 2022. The public also had access through the Zoom link provided on the Council's website.

Members present:

Sherry Stevens, NHCM, Council Chair (SS)

Heidi Rinehart, M.D. (HR)

Mark Carney, M.D. (MC)

Beth Gaby, NHCM (BG)

Absent:

Kate Hartwell, NHCM (KH)

Others Present:

Jenna Wilson, Board Administrator

Jessica Whelehan, Board Administrator

Attorney Michael Haley, Counsel, NHDOJ AGO

PUBLIC SESSION:

Chairperson Sherry Stevens (SS) called the meeting to order at 1:10PM. SS welcomed **Beth Gaby** to the Council as the newest member after appointment and confirmation by the Governor and Executive Council.

1. REVIEW OF PUBLIC MINUTES: HR requested that "industry standard" be changed to "public health standard" in time 3e. On motion of HR and second by MC, the Council voted*unanimously to approve the minutes of the meeting held on April 8, 2022, as amended.

2. LICENSURE

- a. **Allura Gayle Eckey:** On motion of HR and second by SS, the Council voted to conditionally approve the application provided that the applicant send OPLC the month and year of graduation, month and year of dates of attendance at school, and address the error with "2017-2015" for the date of employment after preceptorship.
- b. **Mary Lawlor:** SS tabled this renewal application because it is incomplete. Ms. Lawlor is missing 0.5 hours of continuing education; license will remain active and current and will not lapse on 6/8/22 until the Council reviews the completed application on 6/10/2022.

*all votes are unanimous unless indicated otherwise.

NON-MEETING: at 1:53PM, HR requested a non-meeting to obtain legal advice from Attorney Michael Haley. The Council returned to public session at 1:55PM.

- c. **Jessica Davis:** On motion of SS and second by HR, the Council voted to approve Ms. Davis's renewal application.
- d. **Morgan Gaines:** On motion of HR and second by SS, the Council voted to approve Ms. Gaines's renewal application.

2. ADMINISTRATIVE RULES:

- a. The Council continued discussion regarding the definition of "**significant morbidity**" as it relates to required reporting of Morbidity & Mortality events. SS believes that by basing reporting threshold on hospital stays, it will fail to capture the type of events that need review. This would focus hospital transfers which are not necessarily indicative of a problem. GB suggested significant morbidity could be defined as a consequence of complications of a serious nature which requires co-management. GB and SS a compromise about reporting hospital transfers *except* for pain management, failure to progress, or maternal fatigue. MD and HR discussed the institutional accountability that doctors and nurses have at medical facilities. Investigations of M&M reports by the Council is a primary way that NH midwives are held accountable when births occur outside of a medical facility. While peer reviews and honest self-reporting is helpful, there appears to be a need to review more home births. I may be helpful if the reporting requirements increase so that the Council reviews more M&M event reports because some of the volume will be easily dismissed at face value without in depth investigation. SS suggested the Council table the conversation until another meeting in the interest of having enough time for other matters.

NON-PUBLIC SESSION

On motion of SS and second by HR, the Council voted to by rollcall vote to enter non-public session at 2:44PM for the purpose of discussing investigations of alleged licensee misconduct and other confidential Council business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Council's executive and deliberative privileges.

RESUME PUBLIC SESSION: Chairperson Sherry Steven announced the Council was back in public session.

SEAL THE MINUTES OF THE NON-PUBLIC SESSION

On motion of SS and second by MC, the Council voted to by rollcall vote to seal the minutes of the non-public session 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 Council member or render the proposed action ineffective.

ADJOURNMENT: On motion of HR and second by SS, the Council voted to close the meeting. Chairperson Sherry Steven adjourned the meeting at 3:21PM.

Next meeting: June 10, 2022, at 8:30AM