

**STATE BOARD OF MIDWIFERY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Conference Call Minutes of 4/24/2013**

**BOARD MEMBERS PRESENT:** Barbara N Rawlings - Chair  
Paula Wiens  
Cathy Ward  
Clarence William Blea M.D.

**BOARD MEMBERS ABSENT:** Kyndal May Verveckken

**BUREAU STAFF:** Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Eric Nelson, Board Prosecutor  
Cherie Simpson, Management Assistant  
Mary Miles, Technical Records Specialist I

**OTHERS PRESENT:** Kris Ellis, Benton & Ellis  
Tony Smith, Benton & Ellis

The meeting was called to order at 9:05 AM MDT by Barbara N Rawlings.

**APPROVAL OF MINUTES**

A motion was made by Ms. Wiens to approve the minutes of 3/21/2013. It was seconded by Ms. Ward. Motion carried.

**LEGISLATIVE REPORT**

Ms. Hall gave the legislative report. She reminded the Board that Law changes need to be submitted by August 1 and rule changes need to be submitted by August 15 for the 2014 Legislative Session.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a negative cash balance of \$84,722.09 as of 3/31/2013. Ms. Hall presented the Board members with three possible scenarios for fee increases.

A motion was made by Ms. Ward to submit to the 2014 Legislative Session a proposed fee increase. The proposed fees would be:

- Application fee \$200
- Original license fee \$800
- Annual renewal fee \$850.

It was seconded by Dr. Blea. Motion carried.

## **DISCIPLINE**

Mr. Nelson presented a Stipulation and Consent Order in case MID-2012-3. Ms. Wiens made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Dr. Blea. Motion carried.

Ms. Ward recused herself from discussion and voting.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

A motion was made by Ms. Ward to approve the Bureau's recommendation and authorize closure in cases I-MID-2013-1, 2, 3. It was seconded by Ms. Wiens. Motion carried.

## **EXECUTIVE SESSION**

Dr. Blea made a motion that the Board enter executive session to discuss pending litigation with counsel per Idaho Code 67-2345(1)(f). The purpose of the executive session was to discuss case MID-2012-1. It was seconded by Ms. Wiens. The vote was: Dr. Blea, aye; Ms. Wiens, aye; Ms. Ward, aye; and Ms. Rawlings, aye. Motion carried.

A motion was made by Ms. Wiens to come out of executive session. It was seconded by Ms. Ward. The vote was: Dr. Blea, aye; Ms. Wiens, aye; Ms. Ward, aye; and Ms. Rawlings, aye. Motion carried.

Mr. Ellsworth presented to the Board for discussion case MID-2012-1.

A motion was made by Ms. Wiens to adopt the hearing officer's Findings of Fact and Conclusions of Law. The Board found that Respondent committed eight violations. And as discipline the Board ordered that she shall pay \$500 for each violation, she shall pay the fees and costs incurred by the Board to investigate and prosecute this matter and Respondent's right to renew or reinstate her cancelled license is revoked. It was seconded by Ms. Ward. Motion carried.

A motion was made by Ms. Wiens that the Board's attorney draft and to authorize the Board Chair to sign the Final Order. It was seconded by Dr. Blea. Motion carried.

## **WRITING PRACTICE GUIDELINES**

The Board discussed practice guidelines and what the content should include. Ms. Wiens will provide examples of guidelines for the Board to consider.

## **MID-2012-2**

The Board reviewed the practice guidelines submitted by Sherry Riener.

A motion was made by Ms. Wiens to reject Ms. Riener's guidelines and ask her to submit revised guidelines within 60 days. It was seconded by Ms. Ward. Motion carried

## **VBAC CONSENT FORMS**

The Board reviewed the VBAC consent forms that Dr. Blea provided. It was determined to keep the forms on file for future reference. Ms. Wiens will also provide a copy of her VBAC consent form for reference.

## **CURRICULUMS**

The Board reviewed several program curriculums.

A motion was made by Ms. Ward that if an institution is accredited by MEAC, then the program is acceptable to qualify for Idaho licensure. It was seconded by Dr. Blea. Motion carried.

## **MEDICAID INFORMATION**

The Board discussed adding two questions regarding Medicaid clients to the Birth Statics form.

## **POSSIBLE LAW AND RULE CHANGES**

Ms. Ellis updated the Board members regarding possible law and rule changes. The Idaho Midwifery Council is beginning to work on the possible changes and sunset review. Ms. Ellis will bring a draft back to the Board in June for review.

**NEXT MEETING** has not been scheduled

## ADJOURNMENT

A motion was made by Ms. Ward to adjourn the meeting at 12:20 PM. It was seconded by Ms. Wiens. Motion carried.

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Barbara N Rawlings, Chair

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Paula Wiens

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Cathy Ward

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Clarence William Blea M.D.

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Kyndal May Verveckken

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Tana Cory, Bureau Chief