



**SOUTH DAKOTA
BOARD OF NURSING**

**SOUTH DAKOTA
BOARD OF MEDICAL AND
OSTEOPATHIC EXAMINERS**

JOINT BOARDS MEETING MINUTES

TUESDAY, SEPTEMBER 11, 2007

BURGUNDY ROOM, HOLIDAY INN CITY CENTRE, SIOUX FALLS SD

CALL TO ORDER by Presiding Officer Patrick Burchill at 9:02 a.m. Following a moment of silence in acknowledgment of 9/11 of 2001, Roll was called:

BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS MEMBERS PRESENT:

Patrick Burchill; Mary Carpenter, MD; Bernie Christenson; David Erickson, MD; Alex Falk, MD; Robert L. Ferrell, MD; Brent Lindbloom, DO; Milton Mutch, MD; James Reynolds, MD

BOARD OF NURSING MEMBERS PRESENT:

Diana Berkland, RN; Linda Bunkers, RN; Teresa Disburg, RN; Dori Dufault, LPN; John Jones. Public Member; June Larson, RN; Adrian Mohr; Deb Soholt, RN; Patricia Wagner, LPN; Robin York, RN

IN ATTENDANCE:

From SD Board of Medical and Osteopathic Examiners: Margaret Hansen, PA-C, Executive Director; Jane Phalen, Board Staff; Donald Srstka, Attorney; Jan Hines, PA-C; Rodney King, PA-C

From SD Board of Nursing: Gloria Damgaard, RN, Executive Director; Nancy Bohr, RN, Nursing Program Specialist; Linda Young, RN, Nursing Program Specialist; Andrew Albers, RN, Nursing Program Specialist; Kris O'Connell, Attorney; Winora Robles, Recording Secretary

Guests: Pamela Bartine, PA-C; Carla Dieter, CNP; Dean Krogman, SDSMA; Dan Palmer, SDAPA; Kitty Kinsman, SDAPA; Barb Smith, SDSMA; Suan Rooks, CNM; Karen Pettigrew, CNM; Tracy Hummel; Teresa VanderStouwe, CNM; Brittany Novotny, SDNA; Teresa Buell, CNM; Deb Fischer Clemens, RN; Doneen Hollingsworth, Secretary of Health, South Dakota Department of Health

MINUTES FROM THE 2006 Joint Boards Meeting were accepted as presented in a unanimous voice vote.

AGENDA: **Motion** to approve the proposed Agenda was seconded and carried in a unanimous voice vote.

ANNUAL REPORT OF ACTIVITY FOR FY 2006-2007: G. Damgaard reviewed the Annual Report, which had previously been distributed to Board members.

Motion to accept the Annual Report of Activity was seconded and carried in a unanimous voice vote.

CNPs: L. Young presented based on a written report on the number of procedures completed by Certified Nurse Practitioners for previously approved modifications. It has been proposed that a limit be placed on the number of years that CNPs are required to file such written reports; the limit is normally three years. The Board of Medical and Osteopathic Examiners will take the proposal under advisement.

CNM – HOMEBIRTH: Doneen Hollingsworth, Executive Director of the South Dakota Department of Health, was present to address the Joint Boards regarding this matter. D. Hollingsworth strongly urges the Joint Boards, in the interest of public safety, to arrive at an agreement satisfactory to all parties that can be presented to the South Dakota legislature in the form of an Agency Bill. A committee comprised of representatives from the Department of Health, the Board of Nursing, and the Board of Medical and Osteopathic Examiners has recently met to begin the discussion, exploring avenues for CNMs to attend home births. During the legislative process, if amendments were proposed, the Bill should, D. Hollingsworth suggested, be tabled.

It was further suggested that a formal committee be established comprised of representatives from both the Board of Nursing and the Board of Medical and Osteopathic Examiners to draft language. The committee may wish to explore how the matter has been handled in other states, consider the guidelines that have been prepared by the South Dakota chapter of the American College of Nurse Midwives, and include a sunset clause for the purpose of assessing results, keeping in mind that it is important to do what is “medically right.” The safety of mothers and babies is at stake, and protection of their health and welfare is included in the mission of both Boards.

It is estimated that each year in South Dakota, about thirty to fifty babies are born outside of medical facilities; some of those are planned as home deliveries, although a few are not.

Other suggestions for home birth requirements were discussed:

- that a physician and/or healthcare facility, hospital be within a certain distance of the location of the planned delivery;
- that should the mother/child require emergency care, an Emergency Room cannot refuse to provide healthcare service;
- that a relationship between the mother and a physician be established several months before birth;
- to educate the public about the differences between the Lay Midwife and Certified Nurse Midwife, and to make it clear that the medical community does not endorse homebirth.

It was noted that insurance is an issue that must be addressed; this must be considered as a financial as well as a safety issue. Best practices in other states regarding insurance in such matters may also be explored.

Motion: June Larson moved that a subcommittee be formed to draft legislative language to address issues around CNM home deliveries.

The motion was seconded by Deb Soholt, and a roll call vote was taken:

<u>Board of Medicine Members</u>		<u>Board of Nursing Members</u>	
Patrick Burchill	Yes	Linda Bunkers	Yes
Mary Carpenter	No	Teresa Disburg	Yes
Bernie Christenson	No	Dori Dufault	Yes
David Erickson	Yes	John Jones	Yes
Alex Falk	No	June Larson	Yes
Robert Ferrell	Yes	Adrian Mohr	Yes
Brent Lindbloom	No	Debra Soholt	Yes
Milton Mutch	Yes	Patricia Wagner	Yes
James Reynolds	No	Robin York	Yes
4 Yes, 5 No		9 Yes	

The Motion was defeated.

THE JOINT BOARD MOVED INTO EXECUTIVE SESSION FOR PURPOSES OF DISCIPLINE

MITCHELL P. JENNER: Request for Reinstatement. Nursing Program Specialist Andrew Albers shared background on this matter with the Joint Boards. M. Jenner was present to address the Boards.

Motion: Deb Soholt moved that the South Dakota Board of Nursing and South Dakota Board of Medical and Osteopathic Examiners deny the request for CNP reinstatement for Mitchell Jenner.

The Motion was seconded by Robert Ferrell, and a roll call vote was taken, with all members of both Boards voting in the affirmative. Motion carried.

THE JOINT BOARD MOVED INTO OPEN SESSION

CNM – HOMEBIRTH, REVISITED: Mary Carpenter, MD, asked to revisit the issue of CNMs and homebirths. Following further discussion, a motion was proposed.

Motion: Mary Carpenter moved that a subcommittee be formed to look at criteria that might make it possible to draft legislation.

The Motion was seconded by Deb Soholt, and in a unanimous voice vote, the Motion carried.

ELECTION OF 2007-2008 JOINT BOARD OFFICERS:

Motion was made and seconded to elect Deb Soholt as Presiding Officer, and to elect Patrick Burchill as Secretary of the Joint Boards; the Motion carried in a unanimous voice vote.

2008 JOINT BOARD MEETING: Executive Directors Margaret Hansen and Gloria Damgaard will confer to determine a date in 2008 convenient to both Boards.

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:47 a.m.

Patrick Burchill, President