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Midwifery Liaison Committee
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PUBLIC SESSION MINUTES

April 19, 2010

A meeting of the New Jersey Midwifery Liaison Committee was held on April 19, 2010 at the Board of Medical Examiners' Office, 140 East Front Street, 2nd Floor Conference Room, Trenton, New Jersey. The meeting was convened in accordance with the provisions of the Open Public Meetings Act with previous notification having been sent to the Secretary of State. The meeting was called to Order by Karen Criss, Chair of the Committee at 12:30 P.M.

I. ROLL CALL

Present:

Karen Criss, C.N.M. (Chair), G. Louise Aucott, C.N.M.,
Dr. Fred Silverberg and Karen Shields, C.N.M.

Dina Aurichio, C.P.M. - **via telephone**

Excused:

Christine Danser, C.N.M.

Excused:

William V. Roeder, Executive Director

Also Present:

Charles Manning - **via telephone**
Steven Flanzman, Deputy Attorney General
Maria A. Bertorelli, Administrative Assistant

II. MINUTES: Approval of the Public Session Minutes of December 21, 2009.

Louise Aucott moved, seconded by Karen Shields to vest in Ms. Criss to review and approve the December 21, 2009 Public session minutes. **Motion passed unanimously.**

III. APPOINTMENTS

Victoria Hedley License #25MW00000700

The Committee reviewed a letter, along with a curriculum vitae received from certified professional midwife Victoria Hedley, interested in filling the vacant position on the Committee.

Chair advised that the administrative office received a telephone call from Ms. Hedley that due to personal reasons she must withdraw the request submitted to be considered in filing the vacant position on the Committee.

IV. CORRESPONDENCE

Kelley Gilger License #25ME00036400

A consent order was filed where in Ms. Gilger's license was suspended for a period of one year, three months of which were served as an active suspension, commencing April 10, 2007. The Order was based on findings that Ms. Gilger prescribed Tussionex, a schedule III controlled dangerous substance, to a co-worker, without having any midwife-patient relationship with the individual whom the prescription was written for, no patient records were maintained, no physical examination was conducted to support the prescribing.

Ms. Gilger was assessed, a civil penalty of \$2,500 and ordered to reimburse costs of \$3,643.66, finally it was requested for her to attend a course in professional practice ethics. Ms. Gilger has complied with all requirements on the Consent Order, including the monthly payment plan of fines, current balance is \$2,951.61.

The Committee reviewed and considered a letter received from Ms. Gilger requesting the Committee to consider reducing the fines imposed or lowering her monthly payments due to her economical situation.

Louise Aucott moved, seconded by Karen Shields to send Ms. Gilger a letter advising her that the Committee approved lowering her monthly fine payment plan from \$102.00 to \$50.00. Also to submit for review the last three years of income tax returns and any documents which could be used in support to established her economic hardship, to be considered in the reduction or relieving her of the remaining balance of the fines incurred.
Motion passed unanimously.

V. RULES AND REGULATIONS

The Committee reviewed Executive Order #2, all State agencies are required to: “ identify those regulations and processes that impede responsible economic development as a result of:

- I) providing insufficient or contradictory guidance (inter and intra-agency) to applicants for permits, thus leading to delay or denial of the permit applications; or
- ii) exceed legislative intent or federal standards without well-documented cause, thus placing the state at a competitive disadvantage in attracting investment and jobs.”

Regulatory Analyst Charles Manning listed rules that have been identified by staff as

possibly falling into the Executive Order # 2 criteria, and proposed the following:

- AMEND 13:35-2A.4(a)5 Rule requires applicants to submit CV
- AMEND 13:35-2A.4(a)6 Requires three signed, dated and notarized photos

Regulatory Analyst, Charles Manning via telephone addressed the Committee regarding the proposals.

Karen Criss moved, seconded by Louise Aucott to accept the proposed changes to N.J.A.C. 13:35-2A.4(a)5 and N.J.A.C. 13:35-2A.4(a)6. **Motion passed unanimously.**

VI. OLD BUSINESS

A. PREPARATION OF BIRTH CERTIFICATES FOR THOSE BORN IN A RESIDENCE. *(This item was last seen before the Committee October 14, 2009, where The Committee reviewed an e mail received from Joseph A. Komosinski, State Registrar, in respond to information obtained by the Committee that he had instructed local registrars that blank birth certificates to record home births are not to be handed out to Midwives in batches. Each home birth is to be provided one birth certificate and if one makes a mistake, the “bad” certificate must be returned before a new blank certificate will be issued, also his instructions required a number of new procedures relating to home births. For example, Midwives have been informed that some of their clients who have had prior home births, went to the Registrar and were told they could not get a certified copy because they needed a copy of the midwife’s license and a letter attesting to the pregnancy, as well as a number of documents to verify proof of residency for the parents and the child. Mr. Komosinski e mail states that there are no new regulations, that the only change put in place by his office for security reasons were to limit the handling out of blank certificates in unmonitored large batches. Committee member Aucott stated that the email does not resolve the ongoing problem in obtaining the proper forms from the local registrar).*

Ms. Aucott feels that to avoid the ongoing problem that Midwives are having with the local registrar’s in obtaining the proper forms, some changes need to occur. Midwives should be allowed to obtain a password and proper training to access the electronic birth certificate system. Currently the only offices that have access are local vital statistics offices and hospitals.

The Committee requested to send a letter inviting Mr. Komosinski to attend the next scheduled meeting on June 21, 2010, to further discuss matter.

VII. ADJOURNMENT

At 1:15 p.m. Louise Aucott moved, seconded by Karen Shield to move into Executive Session for review of 2 Old Business items and Approval of Minutes.