

# BOARD OF NURSING

## Open Session Agenda

January 3, 2024

9:00 a.m.

### OPEN SESSION MEETING NOTICE

*This meeting will be held in person, with alternate usage by WEB-EX. Information on how to access the public portion of the meeting is listed below:*

**Join by Web:**

<https://dcnet.webex.com/dcnet/j.php?MTID=mcc28cf799c8f6eccc4f690b77e9e8b4b>

**Join by Phone:**

1-650-479-3208 (US/Canada)

**Access Code:**

172 969 3891

**Board of Nursing Mission Statement:**

*"The mission of the Board of Nursing is to safeguard the public's health and well-being by assuring safe quality care in the District of Columbia. This is achieved through the regulation of nursing practice and education programs; and by the licensure, registration and continuing education of nursing personnel."*

***This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov)***

**BOARD MEETING PARTICIPANTS:**

<b>BOARD MEMBERS:</b>	
Meedie Bardonille, RN (MB)	
Laverne Plater, RN (LP)	
Rick Garcia, RN, PhD (RG)	
Margaret Green, LPN (MG)	
Kami Cooper, DNP, RN (KC)	
Patricia Howard-Chittams, DNP, RN (PHC)	
Tiffany Simmons, RN (TS)	
<b>BOARD STAFF:</b>	
Teresa (Terry) Walsh, PhD, Executive Director	
Cathy Borris-Hale MHA, RN, Nurse Specialist (Discipline/Practice)	
Melissa Mokel, PhD, RN, Nurse Specialist (Education)	
Concheeta Wright BSN, RN	
Matteo Leib, Office of Government Relations	
Gregory Scurlock, Compliance Officer	
Mark Donatelli, Investigator	
DaNeka Bigelow, Health Licensing Specialist	
<b>LEGAL STAFF:</b>	
Panravee Vongjaroenrat, Assistant General Counsel	

**The Open Session Agenda continues with ‘Board Meeting Participants / Call to Order’.**

## AGENDA

OS-24-01-01	<u>CALL TO ORDER</u>	
OS-24-01-02	<u>ROLL CALL OF BOARD MEMBERS AND STAFF</u>	
OS-24-01-03	<u>AGENDA APPROVAL</u>  Board Action:  Consideration of the Agenda for today’s meeting, Jan. 3, 2024.	Decision
OS-24-01-04	<u>MEETING MINUTES APPROVAL</u>  Board Action:  Consideration of the Open Session minutes from the November 1, 2023.	Decision
OS-24-01-05	<u>REPORTS</u>  A. Board Chair Report  B. Executive Director Report  i. Retirement of Dr. Joyner  ii. Operation Nightingale Update  iii. Maternal Care Professionals Advisory Committee update  iv. License number updates (12/31/2023)  <u>LICENSE TYPE</u> <u># OF LICENSEES ISSUED</u> Certified Nurse Midwife.....164 Clinical Nurse Specialist.....37 Home Health Aide.....6,683 Licensed Practical Nurse.....1,613 Nurse Practitioner.....3,956 Registered Nurse.....36,708 Certified Registered Nurse Anesthetist...180 Trained Medication Employee.....1,040 CNA.....2,756 <b>Total.....53,137</b>	Reports  <

	<p><b>C. Board Attorney Report</b></p> <p><b>D. Legislative Update – <u>Matteo Lieb, Office of Government Relations</u></b></p> <p><b>Access to Emergency Medications Amendment Act of 2023:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Councilmember Henderson introduced the <i>Access to Emergency Albuterol and Glucagon Amendment Act of 2023</i> (<a href="#">B25-0226</a>) on March 20, 2023.</b> <ul style="list-style-type: none"> <li>○ This legislation would designate albuterol and glucagon as emergency medications under the <i>Student Access to Treatment Act of 2007</i>. Under this bill, employees in public schools certified under an administration of medication training program would be authorized to administer albuterol to students suffering or about to suffer an asthma attack and glucagon to students suffering or about to suffer hypoglycemia due to diabetes with or without a medication action plan. Currently, only students with a medication action plan can receive albuterol or glucagon.</li> <li>○ After being amended to amended to broaden DC Health’s authority to determine which emergency medications can be undesignated in schools, the bill passed unanimously on both first reading and on final reading on December 5<sup>th</sup>. It was signed by the Mayor on December 21<sup>st</sup> and will now need to undergo Congressional Review.</li> </ul> </li> </ul> <p><b>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Councilmembers Henderson and Parker introduced the <i>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023</i> (<a href="#">B25-0312</a>) on June 2, 2023.</b> <ul style="list-style-type: none"> <li>○ This legislation would permit non-District residents to serve on health professional licensing boards.</li> <li>○ There would be restrictions, including that the Board Chair and Consumer Members would continue to need to be District residents and no more than 50% of the Board could be made up of non-District residents.</li> </ul> </li> </ul>	<p><b>Report Reports</b></p>
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	<ul style="list-style-type: none"> <li>○ This bill received a hearing on <a href="#">July 13, 2023</a>. DC Health testified during this hearing and expressed support for the need for innovative solutions to fill board vacancies and offered some changes to the bill. It then passed on final reading on November 7<sup>th</sup> and was signed by the Mayor on November 21<sup>st</sup>. It is now undergoing Congressional Review and is expected to become law in early February of 2024.</li> </ul> <p><b>DC Health Director Appointment:</b></p> <ul style="list-style-type: none"> <li>▪ On June 8<sup>th</sup>, Mayor Bowser <a href="#">announced</a> the appointment of Dr. Ayanna Bennett as DC Health Acting Director. <ul style="list-style-type: none"> <li>○ Dr. Bennett is a healthcare and public health executive with more than 20 years of experience in clinical practice, clinical service design, system integration, and quality improvement. Dr. Bennett most recently served as Chief Health Equity Officer and Director of the San Francisco Department of Public Health's Office of Health Equity.</li> <li>○ The Committee on Health held a confirmation hearing on <a href="#">October 5<sup>th</sup></a>. During the roundtable, Acting Director Bennett expressed her eagerness and excitement to take on the role, highlighting her qualifications for the position. The hearing also included testimonies from members of the public who voiced their support for the new director and discussed the key issues they hope the Director will prioritize.</li> <li>○ Director Bennett's nomination was unanimously voted out of the Committee on Health and was then unanimously approved by the entire Council on November 7<sup>th</sup>.</li> </ul> </li> </ul> <p><b>Health Occupations Revision Act (HORA) Update:</b></p> <ul style="list-style-type: none"> <li>▪ DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years.</li> <li>▪ The revised HORA received Mayoral approval and has been introduced in the Council as the <i>Health Occupations Revision General Amendment Act of 2023</i> (<a href="#">B25-0545</a>).</li> <li>▪ This legislation received a hearing on <a href="#">December 7<sup>th</sup></a>. Over 80 witnesses, many of whom were healthcare</li> </ul>	
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<p>OS-24-01-06</p>	<p>professionals, signed up to provide testimony. DC Health's Associate Director of Health Professional Licensing Boards provided testimony in support and answered questions from the Council. This bill will likely be marked up in Committee in March, before which DC Health will work closely with the Council on any potential changes.</p> <p><b>Direct Care Worker Amendment Act of 2023</b></p> <ul style="list-style-type: none"> <li>▪ Councilmember Henderson, along with Councilmembers Allen, Frumin, Nadeau, Parker, Lewis George, Pinto, and T. White, introduced the <i>Direct Care Worker Amendment Act of 2023</i> (<a href="#">B25-0565</a>) on November 6, 2023. <ul style="list-style-type: none"> <li>○ This legislation would combine the existing Home Health Aide and Certified Nurse Aide certifications into a Direct Care Worker certification. Additionally, this bill establishes a minimum wage for these professionals at 120% of the living wage.</li> <li>○ DC Health is evaluating this legislation at the current time. No hearing has been scheduled for this bill.</li> </ul> </li> </ul> <p><b>Clean Hands Certification Economic Expansion and Revitalization Amendment Act</b></p> <ul style="list-style-type: none"> <li>▪ Councilmember McDuffie introduced the <i>Clean Hands Certification Economic Expansion and Revitalization Amendment Act of 2023</i> (<a href="#">B25-0619</a>) on December 16, 2023. <ul style="list-style-type: none"> <li>○ This legislation would remove the Clean Hands requirement from several occupational and professional licenses including any health professional license issued through DC Health.</li> </ul> </li> <li>▪ This bill is not scheduled for a hearing at the current time.</li> </ul> <p><b>E. Education Committee Report</b></p> <p><b>Consent Agenda items from Education Committee:</b></p> <ul style="list-style-type: none"> <li>• <u>Trinity Washington University (TWU) - CNA Program</u></li> </ul> <p><b>Board Action:</b> Review TWU CNA program at ATC</p> <p><b>Education Committee Action:</b> Approve TWU CNA program at Advanced Technical Center (ATC)</p> <ul style="list-style-type: none"> <li>• <u>University of District of Columbia - LPN Program</u></li> </ul> <p><b>Board Action:</b> Review UDC LPN program request</p>	<p>Decision</p>
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	<p><b>Education Committee Action:</b> Approve UDC LPN Program</p> <ul style="list-style-type: none"> <li><u>Kentucky State University Online (KSU) and Chamberlain University – clinical placement of nursing students in DC</u></li> </ul> <p><b>Board Action:</b> Review clinical placement requests for KSU and Chamberlain University</p> <p><b>Education Committee Action:</b></p> <ul style="list-style-type: none"> <li>Approve KSU request for clinical placement of nursing students in DC.</li> <li>Approve Chamberlain request (with conditions) for clinical placement of nursing students in DC stipulating that a maximum of 25 students a year be placed in DC.</li> </ul> <p><b>F. Discipline Subcommittee Report :</b></p> <ol style="list-style-type: none"> <li>PDMP update; no actions at this time</li> </ol>	<b>Report</b>
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#### SETTLEMENT CONFERENCES, HEARING AND INTERVIEW SCHEDULE

OS-24-01-07	None			N/A
	Name		Date/Status	
	N/A			

#### MOTIONS TO CLOSE

<b>OS-24-01-08</b>	<p><b><u>MOTION TO CLOSE</u></b></p> <p><b>Board Action:</b></p> <p>To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b)</p> <p><b>Background:</b></p> <p>Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following:</p> <ol style="list-style-type: none"> <li>To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a);</li> </ol>	<b>Decision</b>
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	<p>2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6);</p> <p>3. To discuss disciplinary matters pursuant to section § 2-575(b)(9);</p> <p>To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b) (14).</p>	
OS-24-01-09	<p><b><u>MOTION TO ADJOURN</u></b></p> <p><b>Board Action:</b></p> <p>To adjourn the meeting</p> <p><b>Background:</b></p> <p>At the end of every meeting a motion to adjourn must be made in open session to close out the business of the Board.</p>	Decision

**This ends the Open Session Agenda.**

# BOARD OF NURSING

## Open Session Minutes

November 1, 2023

9:00 a.m.

### OPEN SESSION MEETING NOTICE

*This meeting will be held in person, with alternate usage by WEB-EX. Information on how to access the public portion of the meeting is listed below:*

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<https://dcnet.webex.com/dcnet/j.php?MTID=mcc28cf799c8f6eccc4f690b77e9e8b4b>

**Join by Phone:**

1-650-479-3208 (US/Canada)

**Access Code:**

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**Board of Nursing Mission Statement:**

*"The mission of the Board of Nursing is to safeguard the public's health and well-being by assuring safe quality care in the District of Columbia. This is achieved through the regulation of nursing practice and education programs; and by the licensure, registration and continuing education of nursing personnel."*

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**BOARD MEETING PARTICIPANTS:**

<b>BOARD MEMBERS:</b>	
Meedie Bardonille, RN (MB)	Present
Laverne Plater, RN (LP)	Present
Rick Garcia, RN, PhD (RG)	Present
Margaret Green, LPN (MG)	Present
Kami Cooper, DNP, RN (KC)	Present
Patricia Howard-Chittams, RN (PHC)	Present
Tiffany Simmons, RN (TS)	Present
<b>BOARD STAFF:</b>	
Teresa (Terry) Walsh, PhD, Executive Director	Present
Cathy Borris-Hale MHA, RN, Nurse Specialist (Discipline/Practice)	Present
Melissa Mokel, PhD, RN, Nurse Specialist (Education)	Present
Concheeta Wright BSN, RN	Absent
Gregory Scurlock, Compliance Officer	Present
Mark Donatelli, Investigator	Absent
DaNeka Bigelow, Health Licensing Specialist	Present
Melondy Franklin, Supervisory Health Licensing Specialist	Present
<b>LEGAL STAFF:</b>	
Panravee Vongjaroenrat, Assistant General Counsel	Absent
Angel Cruz, Assistant General Counsel	Absent

**The Open Session Agenda continues with 'Board Meeting Participants / Call to Order'.**

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BOARD OF NURSING OPEN SESSION MINUTES  
November 1, 2023

	<p>Certified Registered Nurse Anesthetist...178 Trained Medication Employee.....1,493 CNA.....5,154 <b>Total.....56,829</b></p> <p><b>C. Board Attorney Report -</b> <b>D. Legislative Update – Matteo Lieb</b></p> <p><b>Access to Emergency Medications Amendment Act of 2023:</b></p> <ul style="list-style-type: none"> <li>▪ Councilmember Henderson introduced the <i>Access to Emergency Albuterol and Glucagon Amendment Act of 2023</i> (<a href="#">B25-0226</a>) on March 20, 2023. <ul style="list-style-type: none"> <li>○ This legislation would designate albuterol and glucagon as emergency medications under the <i>Student Access to Treatment Act of 2007</i>. Under this bill, employees in public schools certified under an administration of medication training program would be authorized to administer albuterol to students suffering or about to suffer an asthma attack and glucagon to students suffering or about to suffer hypoglycemia due to diabetes with or without a medication action plan. Currently, only students with a medication action plan can receive albuterol or glucagon.</li> </ul> </li> <li>▪ This bill received a hearing on <a href="#">July 13, 2023</a>. DC Health testified during this hearing and expressed support for the bill with recommendations addressing the operational and regulatory authority to define, add, and remove medications by rulemaking.</li> <li>▪ A markup has held on <a href="#">October 10th, 2023</a>, during which it was approved unanimously. The legislation was amended to broaden DC Health’s authority to determine which emergency medications can be undesignated in schools.</li> </ul> <p><b>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:</b></p> <ul style="list-style-type: none"> <li>▪ Councilmembers Henderson and Parker introduced the <i>Health Professional Licensing Boards Residency Requirement Amendment Act of 2023</i> (<a href="#">B25-0312</a>) on June 2, 2023. <ul style="list-style-type: none"> <li>○ This legislation would permit non-District residents to serve on health professional licensing boards.</li> </ul> </li> </ul>	<p><b>Informational</b> <b>Informational</b></p>
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	<ul style="list-style-type: none"> <li>○ There would be restrictions, including that the Board Chair and Consumer Members would continue to need to be District residents and no more than 50% of the Board could be made up of non-District residents.</li> </ul> <ul style="list-style-type: none"> <li>▪ This bill received a hearing on <a href="#">July 13, 2023</a>. DC Health testified during this hearing and expressed support for the need for innovative solutions to fill board vacancies and offered some changes to the bill. It was voted out of the Committee on Health during a markup on <a href="#">September 26<sup>th</sup></a> and was passed on first reading by the Committee of the Whole on October 3<sup>rd</sup>.</li> </ul> <p><b>Opioid Epidemic Roundtable:</b></p> <ul style="list-style-type: none"> <li>▪ The Committee on Health is hosting a public roundtable on October 26<sup>th</sup> at 10:00am to declare the opioid and fentanyl crisis in the District a public health emergency.</li> <li>▪ DC Health will provide testimony during this hearing alongside the Department of Behavioral Health.</li> <li>▪ You can learn more at the following <a href="#">link</a> and watch the hearing on the <a href="#">Council website</a>.</li> </ul> <p><b>DC Health Director Appointment:</b></p> <ul style="list-style-type: none"> <li>▪ On June 8<sup>th</sup>, Mayor Bowser <a href="#">announced</a> the appointment of Dr. Ayanna Bennett as DC Health Acting Director. <ul style="list-style-type: none"> <li>○ Dr. Bennett is a healthcare and public health executive with more than 20 years of experience in clinical practice, clinical service design, system integration, and quality improvement. Dr. Bennett most recently served as Chief Health Equity Officer and Director of the San Francisco Department of Public Health's Office of Health Equity.</li> </ul> </li> <li>▪ The Committee on Health held a confirmation hearing on <a href="#">October 5<sup>th</sup></a>. During the roundtable, Acting Director Bennett expressed her eagerness and excitement to take on the role, highlighting her qualifications for the position. The hearing also included testimonies from members of the public who voiced their support for the new director and discussed the key issues they hope the Director will prioritize.</li> <li>▪ Acting Director Bennett's nomination was unanimously voted out of the Committee on Health and now awaits a vote by the entire Council.</li> </ul>	
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OS-23-11-06	<p><b>Health Occupations Revision Act (HORA) Update:</b></p> <ul style="list-style-type: none"> <li>DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years.</li> <li>The revised HORA is currently going through Mayoral approval.</li> </ul>	Information
OS-23-11-07	<p><b>E. Education Committee Report</b></p> <ul style="list-style-type: none"> <li><b>Summa Prime - CNA Program: Corrective Action Plan (CAP)</b></li> </ul> <p><b>Board Action:</b> Review Summa Prime's proposed CAP.  <b>Background:</b> The Board voted on September 6, 2023, to grant conditional approval to Summa Prime and require that the program submit a CAP. The program pass rates for 2022 was 67%  <b>Decision:</b> CAP status</p>	Decision
OS-23-11-08	<p>Motion to grant Summa Prime until November 15, 2023 to provide a revised Corrective Action Plan to the Education Subcommittee made by Rick Garcia, seconded by Laverne Plater; approved by unanimous vote</p>	Decision
OS-23-11-09	<ul style="list-style-type: none"> <li><b>Trinity Washington University (TWU) CNA Program</b></li> </ul> <p><b>Board Action:</b> Preliminarily approve TWU CNA Program  <b>Background:</b> The Education Committee met on October 4, 2023, reviewed CNA program application, and accepted the Board staff evaluation that the proposal met regulatory requirements and there were no deficiencies. Dr. Carrie O'Reilly (Program Director and Associate Director) will provide program leadership and is interested in faculty and program coordinator candidates with a passion for increasing pathways from nurse aides to professional nursing. They will reach out to alumni who have rehab and LTC backgrounds in addition to posting job advertisement venues.  <b>Decision:</b> Program Status</p> <p>Motion to approve TWU's CNA program made by unanimous vote</p>	Decision

OS-23-11-10	<p>▪ <b>UDC – ADN Program: CAP</b></p> <p><b>Board Action: Review CAP</b></p> <p><b>Background:</b> In response to conditional program approval status based on low NCLEX-RN scores of 58% from 2022, UDC program leadership was requested to provide the full Board with a crosswalk comparing their previous CAP from December 2022 with a CAP that has been vetted by Board staff. References to any ongoing program issues, consultant feedback, and measurable target outcomes for first quarter 2024 will also be presented.</p> <p><b>Decision:</b> CAP status</p> <p>No motion made</p> <p><b>F. Discipline Subcommittee Report :</b></p>	Report
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#### SETTLEMENT CONFERENCES, HEARING AND INTERVIEW SCHEDULE

OS-23-11-11	None						
	<table><tr><th>Name</th><th></th><th>Date/Status</th></tr><tr><td>N/A</td><td></td><td></td></tr></table>	Name		Date/Status	N/A		
	Name		Date/Status				
N/A							

#### MOTIONS TO CLOSE

OS-23-11-12	<p><b><u>MOTION TO CLOSE</u></b></p> <p><b>Board Action:</b></p> <p>To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b)</p> <p><b>Background:</b></p>	Decision
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	<p>Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following:</p> <ol style="list-style-type: none"> <li>1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a);</li> <li>2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6);</li> <li>3. To discuss disciplinary matters pursuant to section § 2-575(b)(9);</li> </ol> <p>To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b) (14).</p> <p>Motion to close and adjourn open session made by Rick Garcia; approved by unanimous vote</p>	
<b>OS-23-11-13</b>	<p><b><u>MOTION TO ADJOURN</u></b></p> <p><b>Board Action:</b></p> <p>To adjourn the meeting</p> <p><b>Background:</b></p> <p>At the end of every meeting a motion to adjourn must be made in open session to close out the business of the Board.</p> <p>No separate motion to adjourn</p>	<b>Decision</b>

**This ends the Open Session Agenda.**

## **D.C. Code § 7-743.01**

The Official Code is current with amendments, repeals, and legislative codifications through March 31, 2023 (D.C. Law 24-330); and with codification assignments made by the Codification Counsel through D.C. Law 24-311

***District of Columbia Official Code > Division I. Government of District. (Titles 1 — 10) > Title 7. Human Health Care and Safety. (Subts. A — L) > Subtitle A. General. (Chs. 1 — 7F) > Chapter 7A. Functions of the Department of Health. (Subchs. I — V) > Subchapter IV. Health Occupation Advisory Committees. (§§ 7-743.01 — 7-743.09)***

### **§ 7-743.01. Generally.**

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- (a) The Department of Health shall oversee the Health Occupation Advisory Committees established under this subchapter.
- (b) All appointments to the Health Occupation Advisory Committees shall be made by the Director of the Department of Health.
- (c) The Department of Health shall provide facilities and other administrative support for the Health Occupation Advisory Committees, as determined by the Director.
- (d) The Health Occupation Advisory Committees shall review applications for licensure to practice upon request of the Board of Medicine. The Health Occupation Advisory Committees shall submit their respective recommendations to the Board of Medicine for action.
- (e) For the purposes of this subchapter, the term:
  - (1) “Board of Medicine” means the Board of Medicine established pursuant to [§ 3-1202.03\(a\)](#).
  - (2) “Health Occupation Advisory Committees” means the advisory committees established pursuant to this subchapter.

### **History**

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(Oct. 3, 2001, D.C. Law 14-28, § 4941, as added May 2, 2015, D.C. Law 20-271, § 202(b), [62 DCR 1884](#).)

Annotations

### **Notes**

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#### **Emergency legislation.**

For temporary (90 days) addition of this subchapter, see § 202(b) of the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Emergency Amendment Act of 2014 (D.C. Act 20-481, Nov. 18, 2014, [61 DCR 12133](#), [20 STAT 4405](#)).

For temporary (90 days) addition of this subchapter, see § 202(b) of the New Columbia Statehood Initiative, Omnibus Boards and Commissions, and Election Transition Reform Congressional Review Emergency Amendment Act of 2015 (D.C. Act 21-7, Feb. 26, 2015, [62 DCR 2646](#), [21 STAT 807](#)).

**Legislative history of Law 20-271.**

Law 20-271, the “New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014,” was introduced in Council and assigned Bill No. 20-71. The Bill was adopted on first and second readings on October 7, 2014, and October 28, 2014, respectively. Deemed approved without the signature of the Mayor on January 29, 2015, it was assigned Act No. 20-615 and transmitted to Congress for its review. D.C. Law 20-271 became effective May 2, 2015.

District of Columbia Official Code  
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End of Document

## **D.C. Code § 7-743.09**

The Official Code is current with amendments, repeals, and legislative codifications through March 31, 2023 (D.C. Law 24-330); and with codification assignments made by the Codification Counsel through D.C. Law 24-311

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### **§ 7-743.09. Advisory Committee on Maternal Care Professionals.**

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(a)

(1) There is established an Advisory Committee on Maternal Care Professionals (“Advisory Committee”) to consist of 7 members as follows:

(A) The Director of the Department of Health, or designee;

(B) Two certified professional midwives, as that term is defined in [§ 3-1201.01](#)(1D);

(C) One doula, as that term is defined in [§ 3-1201.01](#)(6C);

(D) One licensed physician who is an obstetrician certified by the American Board of Obstetrics and Gynecology and who has professional experience working with certified professional midwives or other community-based midwives;

(E) One certified nurse-midwife or certified midwife, as those terms are defined in [§ 3-1201.01](#)(1C) and (1B-i), who has worked in a non-hospital setting or who has professional experience working with certified professional midwives; and

(F) One consumer m

ember who has experience with either midwifery or doula services.

(2) Individuals appointed in accordance with paragraph (1) of this subsection who are required to be licensed or certified shall be licensed or certified to practice their respective professions in the District.

(b) Of the appointees to the Advisory Committee, other than the Director of the Department of Health, 3 shall serve an initial term of 2 years and 3 shall serve an initial term of 3 years. Subsequent appointments shall be for terms of 3 years.

(c) The Advisory Committee shall advise the Board of Medicine on:

(1) Certifying doulas and regulating the practice of doulas in the District;

(2) Regulating the practice of certified professional midwifery in the District and developing guidelines for licensing certified professional midwives that shall:

(A) Be consistent with the standards of practice and ethical conduct established by the National Association of Certified Professional Midwives and the North American Registry of Midwives (“NARM”); provided, that these practice guidelines shall not be interpreted to set, establish, define, enumerate, or otherwise lower the applicable standard of care for a certified professional midwife or certified nurse-midwife;

(B) Define expected standards of practice and conduct;

- (C) Specify a process for a certified professional midwife to obtain appropriate screening and testing for clients, including laboratory tests, urinalysis, and ultrasounds;
- (D) Specify a process for a certified professional midwife to obtain and administer antihemorrhagic agents, including:
- (i) Pitocin, oxytocin, misoprostol, and methergine;
  - (ii) Intravenous fluids, neonatal injectable vitamin K, newborn antibiotic eye prophylaxis, oxygen, intravenous antibiotics for Group B Streptococcal antibiotic prophylaxis, Rho (D) immune globulin, local anesthetic, epinephrine, and terbutaline for non-reassuring fetal heart tones and cord prolapse pending transport;
  - (iii) Globulin, local anesthetic, and epinephrine; and
  - (iv) Other pharmaceutical agents, consistent with either the scope of the practice of midwifery, or a prescription issued by a health professional for a patient-client of a midwife, that are approved by the Board of Medicine;
- (E) Authorize medical device distributors and manufacturers to issue breast pumps, compression stockings and belts, and maternity belts to certified professional midwives;
- (F) Require a certified professional midwife to provide each client with a signed informed consent form that describes the certified professional midwife's qualifications, education, a copy of the certified professional midwife's emergency plan, whether the certified professional midwife carries professional liability insurance, and the benefits and risks of birth in the setting of choice of the patient-client, and maintain a record of each patientclient's signed informed consent form;
- (G) Require a certified professional midwife, subject to the consent of the patient-client, to report the patient-client's data to a national data registry, such as the Midwives Alliance of North America Statistical Registry or the AABC Perinatal Registry;
- (H) Adopt professional continuing education requirements for certified professional midwives consistent with those required by NARM for recertification;
- (I) Establish requirements for peer review consistent with those required by NARM for recertification under which information disclosed for peer review shall be protected in accordance with [§ 44-805](#); and
- (J) Require the certified professional midwife to file a birth certificate for each live birth attended by a certified professional midwife, in accordance with [§ 7-231.08](#).
- (d) Guidelines developed pursuant to subsection (c)(2) of this section shall not be interpreted to set, establish, define, enumerate, or otherwise lower the applicable standard of care for a licensed physician, licensed naturopathic physician, certified professional midwife, certified nurse-midwife, certified midwife, doula, or licensed basic or advanced emergency medical technician.
- (e) Guidelines currently approved by the Board of Medicine under [§ 3-1202.03](#), shall remain in effect until revised guidelines are submitted to and approved by the Board of Medicine.

## History

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(Oct. 3, 2001, D.C. Law 14-28, § 4949, as added June 17, 2020, D.C. Law 23-97, § 3, [67 DCR 3912](#); Mar. 16, 2021, D.C. Law 23-251, title III, § 302, [68 DCR 1234](#); Sept. 21, 2022, D.C. Law 24-170, § 4, [69 DCR 9207](#).)

Annotations

## Notes

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**Effect of amendments.**

The 2021 amendment by D.C. Law 23-251 added “but these practice guidelines shall not be interpreted to set, establish, define, enumerate, or otherwise lower the applicable standard of care for a certified professional midwife or certified nurse-midwife” in (c)(2)(A); and added (c)(2)(K) and made related changes.

The 2022 amendment by D.C. Law 24-170 rewrote the section.

**Emergency legislation.**

For temporary (90 days) repeal of D.C. Law 23-97, § 6, see § 7078 of the [\*Fiscal Year 2021 Budget Support Emergency Act of 2020 \(August 19, 2020, D.C. Act 23-404, 67 DCR 10098\)\*](#).

For temporary (90 days) repeal of D.C. Law 23-97, § 6, see § 7078 of the [\*Fiscal Year 2021 Budget Support Congressional Review Emergency Act of 2020 \(October 26, 2020, D.C. Act 23-426, 67 DCR 12848\)\*](#).

**Legislative history of Law 23-97.**

Law 23-97, the “Certified Professional Midwife Amendment Act of 2020,” was introduced in the Council and assigned Bill No. 23-202, which was referred to the Committee on Health. The bill was adopted on first and second readings on Jan. 7, 2020, and Mar. 3, 2020, respectively. After mayoral review, it was assigned Act No. 23-202 on Mar. 31, 2020, and transmitted to Congress for its review. D.C. Law 23-97 became effective June 17, 2020.

**Legislative history of Law 23-251.**

Law 23-251, the “Prescription Drug Monitoring Program Query and Omnibus Health Amendments Act of 2020,” was introduced in the Council and assigned Bill No. 23-890. The bill was adopted on first and second readings on Dec. 1, 2020, and Dec. 15, 2020, respectively. After mayoral review, it was assigned Act No. 23-609 on Jan. 14, 2021, and transmitted to Congress for its review. D.C. Law 23-251 became effective Mar. 16, 2021.

**Legislative history of Law 24-170.**

Law 24-170, the “HIV/AIDS Data Privacy Protection and Health Occupation Revision Clarification Amendment Act of 2022,” was introduced in the Council and assigned Bill No. 24-207. The bill was adopted on first and second readings on June 7, 2022, and June 28, 2022, respectively. After mayoral review, it was assigned Act No. 24-489 on July 25, 2022, and transmitted to Congress for its review. D.C. Law 24-170 became effective Sept. 21, 2022.

**Editor’s notes.**

Section 5 of D.C. Law 23-97 provided that the Mayor, pursuant to subchapter I of Chapter 5 of Title 2 [ [\*§ 2-501\*](#) et seq.], shall issue rules to implement the provisions of the act.

Section 6 of D.C. Law 23-97 provided that the act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

Section 7078 of D.C. Law 23-149 repealed D.C. Law 23-97, § 6.