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**OFFICE OF THE LIEUTENANT GOVERNOR
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MEMORANDUM

TO: Jun Maiquis
Department of Commerce, Community and Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor
465.4081

A handwritten signature in blue ink, appearing to be "S. Meriwether".

DATE: January 12, 2017

RE: Filed Permanent Regulations: Board of Certified Direct-Entry Midwives

Board of Certified Direct-Entry Midwives Regulation re: certification by examination, certification by credentials, continuing education, and screening of newborns for congenital heart defects (12 AAC 14.110(c); 12 AAC 14.120; 12 AAC 14.300(c); 12 AAC 14.430(b),(c); 12 AAC 14.530(g))

Attorney General File:	JU2016200386
Regulation Filed:	January 12, 2017
Effective Date:	February 11, 2017
Print:	221, April 2017

cc with enclosures:

Linda Miller, Department of Law
Micaela Fowler, Department of Commerce, Community & Economic
Development
Dianne Blumer, Administrative Regulation Review Committee
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BOARD OF CERTIFIED DIRECT-ENTRY MIDWIVES

The attached four pages of regulations, dealing with certification requirements, review of an apprentice permit application, examination, approved continuing education programs, and infant care, are hereby certified to be a correct copy of the regulation changes that the Board of Certified Direct-Entry Midwives adopted at its June 3, 2016 teleconference meeting, under the authority of AS 08.65.030, AS 08.65.050, AS 08.65.060, AS 08.65.070, AS 08.65.080, AS 08.65.090, AS 08.65.140, and AS 08.65.190 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Certified Direct-Entry Midwives paid special attention to the cost to private persons of the regulatory action being taken.

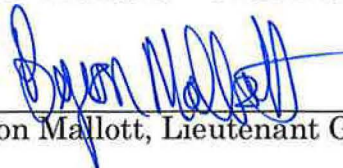
The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: June 3rd 2016
Wasilla, Alaska


Deborah Schneider, CDM, Chair
Board of Certified Direct-Entry Midwives

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on January 12, 2016 at 1125A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: February 11, 2017

Register: 221, April 2017

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Chapter 14. Board of Certified Direct-Entry Midwives.

12 AAC 14.110(c) is amended to read:

(c) In order to be scheduled for review by the board at its next regularly scheduled meeting, a complete application for certification and all supporting documents, including the requirements of (b) of this section, must be received by the division's Juneau office [AT LEAST 30 DAYS] before the [DATE OF THE NEXT REGULARLY SCHEDULED MEETING OF THE] board **will review the application.**

(Eff. 5/11/94, Register 130; am 4/4/2002, Register 162; am 3/2/2003, Register 165; am 5/2/2004, Register 170; am 8/19/2004, Register 171; am 4/29/2006, Register 178; am 6/29/2013, Register 206; am 2 / 11 / 2017, Register 221)

Authority: AS 08.65.030 AS 08.65.050

12 AAC 14.120(a) is amended to read:

(a) The board **may** [WILL] issue a certificate by credentials to practice as a direct-entry midwife to an applicant who meets the requirements of AS 08.65.070 and this section.

12 AAC 14.120(c) is amended to read:

(c) In order to be scheduled for review by the board at its next regularly scheduled meeting, a complete application for certification and all supporting documents, including the requirements of (b) of this section, must be received by the division's Juneau office [AT LEAST 30 DAYS] before the [DATE OF THE NEXT REGULARLY SCHEDULED MEETING OF THE] board **will review the application.**

⑦

12 AAC 14.120 is amended by adding a new subsection to read:

(e) In addition to the requirements of this section, the board may request that the applicant be interviewed by the board, or provide additional information relating to the applicant's previous practice, including additional records and written explanations. (Eff. 5/11/94, Register 130; am 4/4/2002, Register 162; am 8/19/2004, Register 171; am 4/29/2006, Register 178; am 2/11/2017, Register 221)

Authority: AS 08.65.030 AS 08.65.070

“(Publisher: Existing 12 AAC 14.130, including 12 AAC 14.130(g), is unchanged.)”
~~12 AAC 14.130(g) is amended to read:~~

~~(g) In this section, "apprenticeship program preceptor" means an individual who meets the supervisory requirements of AS 08.65.090(b); **has a license in good standing and is not under notice of investigation for a significant delivery of care issue.**~~

~~(Eff. 5/11/94, Register 130; am 12/26/2003, Register 168; am 8/19/2004, Register 171; am 8/19/2009, Register 191; am ___/___/___, Register ___)~~

~~**Authority:** AS 08.65.030 AS 08.65.090~~

*Withdrawn 1/10/2017
SPP XCD*

The introductory language of 12 AAC 14.300(c) is amended to read:

(c) In order to be scheduled for an examination, the following items must be received by the division's Juneau office from the applicant [NO LATER THAN 60 DAYS BEFORE THE SCHEDULED DATE FOR THAT EXAMINATION]:

...

(Eff. 2/18/94, Register 129; am 1/1/2000, Register 152; am 12/9/2001, Register 160; am

⑦

3/2/2003, Register 165; am 8/19/2004, Register 171; am 2/23/2007, Register 181; am

2 / 11 / 2017, Register 221)

Authority: AS 08.65.030 AS 08.65.050 AS 08.65.060

The introductory language of 12 AAC 14.430(b) is amended to read:

(b) A continuing education program sponsored **or approved** by any of the following organizations that meets the requirements of (a) of this section is considered approved by the board:

...

12 AAC 14.430(c) is amended to read:

(c) A self-study continuing education program sponsored **or approved** by one of the organizations listed in (b) of this section that meets the requirements of (a) of this section is considered approved by the board.

(Eff. 5/11/94, Register 130; am 12/9/2001, Register 160; am 4/4/2002, Register 162; am

2 / 11 / 2017, Register 221)

Authority: AS 08.65.030 AS 08.65.080

« Publisher: Existing introductory language of 12 AAC 14.530(a) is unchanged; retain "physician". »

~~The introductory language of 12 AAC 14.530(a) is amended to read:~~

(a) A certified direct-entry midwife shall consult with a **pediatric care provider**

[PHYSICIAN] concerning an infant who

...

Disapproved 1/10/2017
KCK
SPP

12 AAC 14.530(e) is amended to read:

(e) A certified direct-entry midwife shall recommend to the client an evaluation of the infant by a **pediatric care provider** [PHYSICIAN] within one week of birth or sooner if it becomes apparent that the infant needs medical attention.

"Publisher: Existing 12 AAC 14.530(e) is unchanged; retain 'physician'"))

12 AAC 14.530 is amended by adding a new subsection to read:

(g) A certified direct-entry midwife shall ensure that, as close to 24 hours after the birth as feasible, screening for congenital heart defects through pulse oximetry equipment and methods appropriate for use on a newborn is performed on the newborn, unless ^(a parent refuses) screening is refused by one or both parents. (Eff. 5/11/94, Register 130; am 3/2/2011, Register 197; am 2 / 11 / 2017,

Register 221.)

Authority: AS 08.65.030

AS 08.65.140

AS 08.65.190