



February 1, 2024

Dear Alaska Senate Labor and Commerce Committee,

The National Association of Certified Professional Midwives is writing in opposition to the Governor of Alaska, Mike Dunlevy's, Executive Order #130 and in support of House Bill #175.

Independent professional occupational licensing boards, such as the Alaska Board of Certified Direct Entry Midwives, play a critical role in the self-governance of professions. A volunteer board composed of professionals who are experts in their field, and who have the most knowledge and experience to carry out the board's functions, are critical to effective regulation of their profession. A government agency staffer who manages multiple professions' occupational licensing and regulatory functions, cannot be expected to be an expert in a multitude of different professional fields. The Board of Certified Direct Entry Midwives' functions go beyond administering the processing of licenses, midwifery expertise is required. Certified Direct Entry Midwives (CDMs) on the Board of Certified Direct Entry Midwives have the expertise to adjudicate and consider complicated practice issues.

Midwifery expertise is especially important for the Board's disciplinary functions that play a vital role in consumer protections. In Alaska's Statutes and Regulations Sec. 08.65.030. DUTIES AND POWERS OF BOARD (a) "the board shall "(4) hold hearings and order the disciplinary sanction of a person who violates this chapter or a regulation of the board..." Only members of the profession have the requisite experience and expertise to look through the details of a disciplinary case and weigh the clinical judgements and specific circumstances; and weigh these in light of Alaska's statutes and rules for Certified Direct-Entry Midwives.

Their expertise and experience is also critical to determining if a CDM being reviewed for disciplinary action has exhibited professional incompetence, failed to keep informed of current professional practices; and determine if disciplinary sanctions should be imposed. Their knowledge and experience is also important to determine if sanctions should include probation and limitation of practice, continuing education requirements, or removal of probation if the deficiencies that required the sanction have been remedied (see Sec. 08.65.110. GROUNDS FOR DISCIPLINE, SUSPENSION, OR REVOCATION OF CERTIFICATION. And Sec. 08.65.120. DISCIPLINARY SANCTIONS). It is impractical to believe a staff person in an agency would hold the needed knowledge and expertise to complete these regulatory functions.

Similarly, Certified Direct Entry Midwives are best positioned to understand the community standard of care, evidence-based practice standards, emerging research on best care practices in midwifery and provide information to the Board to be utilized to keep the CDM regulations current and best serving the needs of patients of CDM's in Alaska. The CDM's on the Board are best suited to the functions required in statutes Sec. 08.65.030. (a) "adopt regulations establishing practice requirements for certified direct-entry midwives under AS 08.65.140."



Additionally, the CDMs on the Alaska Board of Certified Direct Entry Midwives have the understanding of the appropriate educational needs of CDMs. Statute says the Board shall "approve curricula and adopt standards for basic education, training, and apprentice programs... and approve education, training, and apprentice programs that meet the requirements of this chapter and of the board, and deny, revoke, or suspend approval of those programs for failure to meet the requirements" (see Sec. 08.65.030. a (7) (10)). The CDMs on the Board have the knowledge of training, apprenticeship, clinical requirements, and emerging or changing trends in midwifery education that is critical to the regulation of this profession. Without the knowledge and expertise of CDMs on the Board the state could fail to effectively regulate CDMs.

Alaskan's care about having access to CDMs and this access may be reduced if the Board is turned over to a staff member in the Department of Commerce, Community, and Economic Development without sufficient midwifery knowledge, experience, or capacity to administer the regulation of CDMs. The most recent Legislative Audit of the Board of Direct Entry Midwives completed in October 2022 determined the necessity of the Board of Certified Direct Entry Midwives. This audit determined that the Board of Certified Direct-Entry Midwives found the board operated in the public's interest by conducting its meetings in an effective manner, by supporting statutory changes when deemed necessary, and by actively amending regulations.

Moreover, the audit recommendations highlighted the shortfalls of the departments' staffing challenges, in turn contributing to license processing delays as well as delays in addressing issues of public safety. The staffing deficits within the department have been a long-standing issue, and eliminating the Board of Direct Entry Midwives, which are filled on a volunteer basis, would decrease efficiency and threaten public safety.

Keeping the effective regulation of CDM's in Alaska is critical to keeping birthing options available to Alaskan's. Alaskans are more than four times as likely as other Americans to choose a community setting supported by midwives. CDMs attend 60-80% of all out of hospital births in Alaska; therefore, the issue of who oversees midwives in Alaska is an issue for Alaskans. Alaskans value personal freedom and autonomy, and this includes choosing CDMs as their birth attendants. Nationally, midwifery care, which is personalized, place-based and culturally competent care, has been heralded as part of the solution to reducing our nation's maternal mortality crisis and addressing birth outcome inequities. Sole government control and dictation of midwifery regulations without the direction of a Board of CDMs could reduce care quality and restrict birthing options for Alaskan families.

We urge you to oppose Executive Order #130 and support House Bill #175 that will continue the Board of Certified Direct-Entry Midwives. Midwives on the Board of Certified Direct-Entry Midwives are the experts that should be empowered to regulate their practice, not state bureaucrats.



Sincerely,



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*A note on terminology, Direct- Entry Midwives in Alaska are trained in didactic education and clinical apprenticeships that lead to the requisite knowledge, skills, and abilities for entry-level practice; and if they have meet the criteria of the North American Registry of Midwives (NARM) they can sit for the certifying exam to become a Certified Professional Midwife (CPM). The Alaska Board of Certified Direct-Entry Midwives utilizes the NARM's certifying exam for licensure in Alaska but refers to licensed midwives in Alaska as Certified Direct -Entry Midwives (C.D.M). CDM's can become CPM's and NACPM is the professional association that represents CPMs across the United States.