

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

March 8, 2024

3:20 p.m.

MEMBERS PRESENT

Representative Jesse Sumner, Chair
Representative Mike Prax
Representative Dan Saddler
Representative Zack Fields

MEMBERS ABSENT

Representative Justin Ruffridge, Vice Chair
Representative Stanley Wright
Representative Ashley Carrick

COMMITTEE CALENDAR

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 175

"An Act relating to midwives and the practice of midwifery; relating to apprentice midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of Licensed Midwives; relating to the Board of Licensed Midwives; extending the termination date of the Board of Licensed Midwives; relating to insurance; and providing for an effective date."

- HEARD & HELD

SENATE SPECIAL CONCURRENT RESOLUTION NO. 4
Disapproving Executive Order No. 127.

- CONSIDERED

SENATE SPECIAL CONCURRENT RESOLUTION NO. 6
Disapproving Executive Order No. 129.

- CONSIDERED

SENATE SPECIAL CONCURRENT RESOLUTION NO. 7
Disapproving Executive Order No. 130.

- CONSIDERED

HOUSE BILL NO. 271

"An Act relating to social media and minors; and providing for an effective date."

- BILL HEARING RESCHEDULED TO 3/11/24

HOUSE BILL NO. 327

"An Act relating to the Board of Massage Therapists; and providing for an effective date."

- BILL HEARING RESCHEDULED TO 3/11/24

HOUSE BILL NO. 189

"An Act relating to the sale of alcohol; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 175

SHORT TITLE: BOARD OF LICENSED MIDWIVES

SPONSOR(S): REPRESENTATIVE(S) ALLARD

04/24/23	(H)	READ THE FIRST TIME - REFERRALS
04/24/23	(H)	L&C, FIN
04/26/23	(H)	SPONSOR SUBSTITUTE INTRODUCED
04/26/23	(H)	READ THE FIRST TIME - REFERRALS
04/26/23	(H)	L&C, FIN
02/21/24	(H)	L&C AT 3:15 PM BARNES 124
02/21/24	(H)	-- MEETING CANCELED --
02/23/24	(H)	L&C AT 3:15 PM BARNES 124
02/23/24	(H)	Scheduled but Not Heard
03/08/24	(H)	L&C AT 3:15 PM BARNES 124

BILL: SSCR 4

SHORT TITLE: DISAPPROVE EO 127

SPONSOR(S): RULES

02/12/24	(S)	READ THE FIRST TIME - REFERRALS
02/12/24	(S)	L&C
02/12/24	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/12/24	(S)	Moved SSCR 4 Out of Committee
02/12/24	(S)	MINUTE(L&C)
02/14/24	(S)	L&C RPT 4DP 1NR
02/14/24	(S)	DP: BJORKMAN, DUNBAR, BISHOP, GRAY-JACKSON
02/14/24	(S)	NR: MERRICK

02/14/24 (S) TRANSMITTED TO (H)
02/14/24 (S) VERSION: SSCR 4
02/19/24 (H) READ THE FIRST TIME - REFERRALS
02/19/24 (H) L&C
03/08/24 (H) L&C AT 3:15 PM BARNES 124

BILL: SSCR 6

SHORT TITLE: DISAPPROVE EO 129

SPONSOR(s): RULES

02/12/24 (S) READ THE FIRST TIME - REFERRALS
02/12/24 (S) L&C
02/12/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/12/24 (S) Moved SSCR 6 Out of Committee
02/12/24 (S) MINUTE(L&C)
02/14/24 (S) L&C RPT 2DP 1DNP 2NR
02/14/24 (S) DP: BJORKMAN, BISHOP
02/14/24 (S) DNP: GRAY-JACKSON
02/14/24 (S) NR: MERRICK, DUNBAR
02/14/24 (S) TRANSMITTED TO (H)
02/14/24 (S) VERSION: SSCR 6
02/19/24 (H) READ THE FIRST TIME - REFERRALS
02/19/24 (H) L&C
03/08/24 (H) L&C AT 3:15 PM BARNES 124

BILL: SSCR 7

SHORT TITLE: DISAPPROVE EO 130

SPONSOR(s): RULES

02/12/24 (S) READ THE FIRST TIME - REFERRALS
02/12/24 (S) L&C
02/12/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/12/24 (S) Moved SSCR 7 Out of Committee
02/12/24 (S) MINUTE(L&C)
02/14/24 (S) L&C RPT 5DP
02/14/24 (S) DP: BJORKMAN, MERRICK, DUNBAR, BISHOP,
GRAY-JACKSON
02/14/24 (S) TRANSMITTED TO (H)
02/14/24 (S) VERSION: SSCR 7
02/19/24 (H) READ THE FIRST TIME - REFERRALS
02/19/24 (H) L&C
03/08/24 (H) L&C AT 3:15 PM BARNES 124

WITNESS REGISTER

REPRESENTATIVE JAMIE ALLARD
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented SSHB 175.

MARY YANAGAWA, representing self

Wasilla, Alaska

POSITION STATEMENT: Gave invited testimony in support of SSHB 175 and presented a PowerPoint on the bill.

RACHEL PUGH, Member

Board of Certified Direct-Entry Midwives

Eagle River, Alaska

POSITION STATEMENT: Gave invited testimony in support of SSHB 175.

IDA DARRAUGH, Executive Director

North American Registry of Midwives

Little Rock, Arkansas

POSITION STATEMENT: Gave invited testimony in support of SSHB 175.

ALYSSA DECONTO, Certified Nurse Midwife

Kodiak, Alaska

POSITION STATEMENT: Gave invited testimony in support of SSHB 175.

ANNETTA ATWELL, Chair

Board of Massage Therapists

Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to SSCR 4.

JILL MOTZ, representing self

Homer, Alaska

POSITION STATEMENT: Answered questions during the hearing on SSCR 4.

ACTION NARRATIVE

[3:20:35 PM](#)

CHAIR JESSE SUMNER called the House Labor and Commerce Standing Committee meeting to order at 3:20 p.m. Representatives Prax, Saddler, Fields, and Sumner were present at the call to order.

HB 175-BOARD OF LICENSED MIDWIVES

[3:21:18 PM](#)

CHAIR SUMNER announced that the first order of business would be SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 175, "An Act relating to midwives and the practice of midwifery; relating to apprentice midwives; renaming the Board of Certified Direct-Entry Midwives as the Board of Licensed Midwives; relating to the Board of Licensed Midwives; extending the termination date of the Board of Licensed Midwives; relating to insurance; and providing for an effective date."

[3:21:33 PM](#)

REPRESENTATIVE JAMIE ALLARD, Alaska State Legislature, as prime sponsor, presented SSHB 175. She shared the sponsor statement [included in committee packet], which read as follows [original punctuation provided]:

House Bill 175 aims to enhance access to midwifery care in Alaska by alleviating unnecessary restrictions on licensed midwives. Midwives deliver crucial healthcare services to women throughout pregnancy, childbirth, and the postpartum period. Yet, certified midwives in Alaska face practice limitations that this bill proposes to eliminate.

HB175 intends to retitle the Board of Certified Direct-Entry Midwives to the Board of Licensed Midwives and extend its termination date to 2027. It seeks to align licensing with national certification standards, removing the need for separate state certification and examination.

The bill aims to prevent the Board of Licensed Midwives from enforcing regulations that would curtail midwifery practice. Under this bill, midwives would not require physician supervision or written collaborative agreements to practice, could attend home births, and provide care for six weeks postpartum extending from the current four weeks.

Additionally, HB175 mandates health insurance plans to cover services provided by licensed midwives, ensuring care is both accessible and affordable for Alaska families, significantly reducing healthcare barriers.

In conclusion, HB175 is designed to remove hurdles faced by midwives and the soon to-be mothers depending on them. It seeks a balance between public safety and

the preservation of birth choices and woman-centric care.

[3:24:46 PM](#)

MARY YANAGAWA, representing self, gave invited testimony in support of HB 175. She informed the committee that she is the former president of the Midwives Association of Alaska (MAA) and summarized her professional experience as a midwife. She said HB 175 started because a 2020 legislative audit recommended reforms to the state's midwife board, including updated regulations and statutes to match national standards, a streamlined licensure process, accountability for peer review, and adequate continuing education requirements. She said if passed, SSHB 175 would meet those requirements. She explained that the bill would retitle the Board of Certified Direct-Entry Midwives (CDM) to the Board of Licensed Midwives; implement up-to-date education and licensing requirements; enable midwives to practice to the full scope of their training, certification, and experience, and remove the archaic restriction of "trade;" require insurance companies to cover licensed midwives; and require all preceptors to be nationally vetted and certified. She said SSHB 175 would ensure that the midwife profession flourishes, and that the legacy of Alaskan midwives continues for generations to come.

[3:27:50 PM](#)

MS. YANAGAWA directed attention to a PowerPoint presentation entitled, "HB 175 midwifery" [hardcopy included in committee packet], which provided an overview of the presentation on slide 2.

[3:28:23 PM](#)

MS. YANAGAWA moved to slide 3, "Midwifery Care Demonstrates Several Benefits to Alaskan Women," which read as follows [original punctuation provided]:

- **Significantly lower cesarean section rates** with the care of CDM/CPMs. (6% vs 23% in hospital)
- **CDM/CPMs have had 0 Maternal Deaths** vs the Hospital rates of 6-20 per year. (see Pregnancy - Associated Mortality in Alaska pdf)
- **Significantly fewer low birth weight babies and babies born prematurely** with the care of CDM/CPMs, all

indicators for improved outcomes, especially for vulnerable populations

- Significantly **higher breastfeeding rates (99% at birth and 99% at 6 weeks postpartum)** with the care of CDM/CPMs, with the accompanying demonstrated health benefits for mother and infants extending throughout lifetimes.
- **Higher rates of intact perineum** (without a tear or episiotomy); Lower rates of episiotomy.
- Lower unneeded medical interventions such as induced labor, continuous electronic fetal monitoring, and cesarean birth.
- **Beter experiences with community birth with CDM/CPMs. Lower postpartum depression rates** due to being more satisfied with the personalization of their care, their care environment, quality of their relationship with their midwife, their ability to have a physiologic birth.

[3:31:10 PM](#)

MS. YANAGAWA continued to slide 4, "2023 Facts and Statistics," which read as follows [original punctuation provided]:

- The current statues for midwifery are 30+ years old, need to be updated to meet national midwifery standards.
- 33 Alaskan CDM/CPMs attended 6% of the births in the State. The average in the Lower 48 is less than 1%.
- 94% of Alaskan women who begin care with CDM/CPMs have a vaginal birth.
- 3% Postpartum Maternal Transfer Rate
- 0% Maternal Mortality Rate
- Alaskan CDM/CPMs have a 6% cesarean section rate vs 23% in hospitals.
- 2% Neonatal Transfer Rate
- 0.02% Neonatal Mortality Rate

MS. YANAGAWA proceeded to slide 5, "Name Change of the Regulatory Board," which read as follows [original punctuation provided]:

APRN - Advanced Practice Registered Nurse
CNM - Certified Nurse Midwives

- Majority work in the hospital system.

- They are Registered Nurses who enter the midwifery profession through their nursing degree with additional training in Midwifery.

Licensed Midwives

CDM-Certified Direct Entry Midwives (Alaska)

CPM -Certified Professional Midwives (National Certification)

- They are licensed midwives specifically trained in out-of-hospital births. At the request of the 2020 legislative audit the Board of Certified Direct Entry Midwives made a regulation change requiring all CDMs to also be CPMs to begin the process of meeting all national credentialing standards.

[3:34:17 PM](#)

MS. YANAGAWA concluded on slide 6, "What Does This Bill Do?" Slide 6 read as follows [original punctuation provided]:

- Protects families from the medicalization of childbirth and disempowerment of women.
- Increases access and utilization of out of hospital midwifery care services.
- Enables CDM/CPMs to practice to their full scope of training and certifications.
- The first major update to midwifery statues in over 30 years.
- Updates title from CDM to LM (Licensed Midwives), so they are recognized by all major insurance plans, which will make birthing out of the hospital more affordable and available for more Alaskans.
- Updates licensure requirements and standards to National standards.
- Requires additional training and CEU for midwives.
- Requires preceptors to be Nationally certified.
- Ensures autonomy for CDM/CPMs.
- Makes home births more affordable and available to Alaskan families.
- Restructures state midwifery board by removing its direct competitors.

[3:36:02 PM](#)

REPRESENTATIVE PRAX asked whether delivery with a midwife is covered by insurance in Alaska.

MS. YANAGAWA answered yes, most insurance policies; however, some policies restrict midwifery. She said the bill would statutorily require Alaskan insurance plans to cover midwives.

REPRESENTATIVE PRAX asked whether midwives carry malpractice insurance.

MS. YANAGAWA said some midwives choose to; however, it's not a requirement.

REPRESENTATIVE PRAX referred to the deleted language on page 10, line 7, and asked what conditions were being eliminated.

MS. YANAGAWA did not know the answer.

[3:38:12 PM](#)

REPRESENTATIVE ALLARD offered to follow up with the requested information.

REPRESENTATIVE PRAX surmised that the scope of practice would come into the national accredited training programs.

MS. YANAGAWA stated that the scope of practice would fall under Certified Professional Midwife (CPM), which is the national credentialing.

[3:38:57 PM](#)

REPRESENTATIVE SADDLER asked who issues the CPM credential.

MS. YANAGAWA said the North American Registry of Midwives.

REPRESENTATIVE SADDLER asked how the CPM standard would change existing midwifery practices in Alaska.

MS. YANAGAWA explained that the CDM's current restriction of trade prevents midwives from delivering twins outside a hospital, as well as breeches and vagina birth after cesarean (VBAC).

REPRESENTATIVE SADDLER asked whether there are other differences.

MS. YANAGAWA said most states are using the CPM standard across the board, which allows the training and certification to perform those types of deliveries.

REPRESENTATIVE SADDLER said he had received a number of emails citing a petition that asserts that women are being "forced to do things" and asked what mechanism of force was being referred to.

[3:44:27 PM](#)

MS. YANAGAWA acknowledged that the verbiage in the petition may have come across very strong. She perceived the petition to imply that without access to good midwifery care, women are left with limited options. She explained that if the only option is to go to a hospital where a person may have experienced prior birthing trauma, she may feel like she's being forced into that situation. She added that midwifery care advocates for patient autonomy and informed consent, and much less pressure than a hospital model.

REPRESENTATIVE SADDLER reiterated that women are not being forced to go to hospitals, and if the Executive Orders (EO) were to take effect, women would still not be forced to go to the hospital.

[3:45:53 PM](#)

REPRESENTATIVE ALLARD clarified that the petition came from one individual and questioned the document's accusations. Nonetheless, she emphasized that sometimes, women want to give birth at home in a loving environment. She shared a personal anecdote about giving birth and contrasted the care she received in a private hospital with that of an army facility. She pointed out that some women live an hour and half away from a hospital, and if this bill were to pass, those women would be able to give birth at home.

REPRESENTATIVE SADDLER stipulated that midwifery is good and that families should be able to engage in it if they so choose. Nonetheless, he indicated that his queries revolve around the technical and legal side of the practice.

[3:49:56 PM](#)

RACHEL PUGH, Member, Board of Certified Direct-Entry Midwives, gave invited testimony in support of SSHB 175. She recounted

how the idea for the bill was formed, beginning with recommendations from the 2020 legislative audit. She said the bill would complete those recommendations and help move Alaska midwifery into the twenty first century by updating statutes to the national standard, which benefits the public. She questioned why the committee would choose not to pass the bill.

[3:51:51 PM](#)

IDA DARRAUGH, Executive Director, North American Registry of Midwives, gave invited testimony in support of SSHB 175. She said NARM issues the CPM credential, which is the standard of licensure being proposed in the bill. She explained that the state licensure exam would stay the same, but eligibility requirements would become standardized. One of the biggest advantages, she said, is that evaluation process would be reviewed by a professional at NARM. The CPM certification also requires re-certification every three years with specific continuing education and peer review processes. In addition, the title of "licensed midwife," as opposed to "certified direct-entry midwife," is better recognized by most insurance companies.

[3:55:01 PM](#)

REPRESENTATIVE PRAX asked whether NARM handles disciplinary measures for other states.

MS. DARRAUGH answered yes, there is a disciplinary process; however, if the complaint relates to state regulations, NARM encourages the issue to be settled in state.

REPRESENTATIVE PRAX asked whether skill requirements are included in NARM's certification.

MS. DARRAUGH responded yes, a supervised clinical period of at least two years is required under a registered preceptor who verifies the demonstration of each skill.

[3:58:24 PM](#)

ALYSSA DECONTO, Certified Nurse Midwife, gave invited testimony in support of SSHB 175. She said CPMs inspired her to get into birth work, as they are experts in normal birth, normal pregnancy, trauma informed care, and community health. She said the bill would standardize midwifery in Alaska and allow greater access to competent care.

[4:00:46 PM](#)

REPRESENTATIVE SADDLER questioned the qualitative difference in services provided under the current regulatory regime in Alaska versus the CPM standard.

MS. DECONTO said the national standard allows midwives to be protected from "[falling] victim to disillusion."

REPRESENTATIVE SADDLER questioned the use of the term "disillusion" and asked Ms. Deconto to expand on that.

MS. DECONTO opined that midwives are vulnerable to having limited practice or not being reimbursed by insurance.

REPRESENTATIVE SADDLER sought to confirm that the licensure would provide protection for the profession.

REPRESENTATIVE ALLARD clarified that the bill would not change the scope of practice, it would change the responsibilities.

[4:03:17 PM](#)

CHAIR SUMNER announced that SSHB 175 would be held over.

[4:03:35 PM](#)

The committee took an at-ease from 4:04 p.m. to 4:07 p.m.

SSCR 4-DISAPPROVE EO 127

[4:07:56 PM](#)

CHAIR SUMNER announced that the next order of business would be SENATE SPECIAL CONCURRENT RESOLUTION NO. 4, Disapproving Executive Order No. 127.

[4:08:03 PM](#)

CHAIR SUMNER opened public testimony on SSCR 4.

[4:08:26 PM](#)

ANNETTA ATWELL, Chair, Board of Massage Therapists, testified in opposition to SSCR 4 and urged members to veto EO 127. She said the sunset audit's evaluation debunked the notion of eliminating

the board for efficiency. She said the most notable audit recommendation was an increase in licensure fees, which would be accomplished through the Department of Commerce, Community & Economic Development (DCCED). She explained that the board had consistently focused on efforts to keep safety, professionalism, and the best interests of massage therapists and the public at the forefront. The goal is to continue the training of board members on safety protocols concerning human trafficking and prostitution rings. She stated that the board hosts its colleagues in a town hall meeting each year where much is learned about how to keep the community safe from unsafe practices. She added that licensees can bill insurance companies if they are credentialed with the insurance company.

[4:14:25 PM](#)

REPRESENTATIVE PRAX asked whether insurance companies base their underwriting material on a national standard.

MS. ATWELL did not know the answer.

REPRESENTATIVE PRAX asked whether the national certification board engages in disciplinary action in other states.

MS. ATWELL deferred the question to Ms. Motz.

[4:16:23 PM](#)

JILL MOTZ, representing self, informed the committee that she is the former chair of the state Board of Massage Therapists. She said there are no national organizations that participate in oversight or disciplinary action of message therapists.

[4:17:08 PM](#)

CHAIR SUMNER closed public testimony and announced that SSCR 4 would be held over.

SSCR 6-DISAPPROVE EO 129

[4:17:19 PM](#)

CHAIR SUMNER announced that the next order of business would be SENATE SPECIAL CONCURRENT RESOLUTION NO. 6, Disapproving Executive Order No. 129.

[4:17:30 PM](#)

CHAIR SUMNER opened public testimony on SSCR 6. After ascertaining that no one wished to testify, he closed public testimony and announced that SSCR 6 would be held over.

SSCR 7-DISAPPROVE EO 130

[4:17:56 PM](#)

CHAIR SUMNER announced that the final order of business would be SENATE SPECIAL CONCURRENT RESOLUTION NO. 7, Disapproving Executive Order No. 130.

[4:18:04 PM](#)

CHAIR SUMNER opened public testimony on SSCR 7. After ascertaining that no one wished to testify, he closed public testimony and announced that SSCR 7 would be held over.

[4:18:28 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:18 p.m.