

**MEETING  
of the  
INDEPENDENT PRACTICE OF MIDWIFERY ADVISORY COUNCIL  
of the  
KANSAS STATE BOARD OF HEALING ARTS  
Wednesday, March 24, 2021**

**I. CALL TO ORDER - ROLL CALL**

The Certified Nurse-Midwife Council of the Kansas State Board of Healing Arts (KSBHA) met on Wednesday, March 24, 2021, at the KSBHA offices. The meeting was called to order at 12:00 p.m. by Cara Busenhart. The following Council members attended:

Cara Busenhart, PhD, CNM, APRN	present
Cathy Gordon, RN, MSN, FNP-BC, CNM	present
Chad Johanning, M.D.	present
Manya Schmidt, CNM, APRN	present
Tarena Sisk, CNM	present – joined at 12:27 p.m.
Kent Bradley, M.D.	present

The following staff members were present were: Tucker Poling, Executive Director, Courtney Cyzman, General Counsel and Jennifer Cook, Paralegal to General Counsel.

**II. KSBHA STAFF REPORT**

Four applicants received and four licenses have been issued in the initial licensing cycle. This license type went live in early 2020. Of course, the pandemic came soon after. Given the small numbers of CNM and the narrow niche created by the statute for this particular license, the number of applicants has been quite low, as we all expected and consistent with prior estimates of the council. The current licenses are all well qualified and established practitioners. There have been no application issues or disciplinary complaints or professionalism issues for the council to address with this small licensee group.

**III. NEW BUSINESS**

A few pharmacies have not yet adjusted their policies and/or communicated out to all their pharmacies about this new license and independent prescription authority. Based on account, issues include not honoring prescriptions for various reasons; lack of awareness of new prescription authority; CNM-I title is not being recognized as legitimate. This also effects the ordering of medical supplies. The APRN collaborative agreement is what pharmacies are accustomed to, therefore pharmacies are asking the CNM-I for the name of their collaborative physician in order to fill the prescription. The pharmacies and medical suppliers do not recognize the law. Information and education is needed.

Medical suppliers are not allowing the stockpiling of such needed items as breast pumps because law says CNM-I can “prescribe” not “procure”. Ms. Gordon encouraged looking at DEA designations as it is an indicator of what one can request. The request was to change K.A.R. 100-28b-9 and K.A.R. 100-28b-19 to include the terms “distributing” and “procuring”.

The council would like the terms used such as family planning. This can limit care to pregnancy planning and exclude preventive health care issues that may prevent pre- and post-menopausal women from getting care. The language is not consistent with APRN services.

Regulations to be reviewed for clarification include the title of licensure and the scope of practice. Council to revisit regulation issues after the legislative session because of possibility of other changes to APRN statute(s) regarding scope of practice that could affect this license type.

#### **IV. OLD BUSINESS**

Council was reminded that the following regulations are in place (and a link to these active regs is published on the Board’s website):

- 100-28b-1
- 100-28b-5
- 100-28b-15
- 100-28b-16
- 100-28b-17
- 100-28b-18

The Council was advised that the following regulations that were originally proposed have not been adopted by the Board following public hearings and feedback from some in the CNM community raising concerns about them. Plan is for the Board and council to give further review before moving forward with the approval process:

- 100-28b-7
- 100-28b-11
- 100-28b-12
- 100-28b-14
- 100-28b-19
- 100-28b-20

#### **V. ADJOURNMENT**

The meeting adjourned at 1:30 p.m.