

**BEFORE THE REVIEW COMMITTEE
OF THE AMERICAN MIDWIFERY CERTIFICATION BOARD**

In the Disciplinary Matter of	:
	:
Colleen M. Brezine, CNM	:
	:
	:
Respondent	:

DECISION

On March 25, 2007, the American Midwifery Certification Board (AMCB) was notified of the suspension of Respondent's license to practice nurse-midwifery in the State of Ohio on September 22, 2006. The fact of suspension and the underlying conduct represented possible violations by Respondent of the AMCB Disciplinary Policy.

In accordance with AMCB procedures, the matter was reviewed by an AMCB Board Member, who determined that the matters alleged in the notice of possible violation, if true, could constitute grounds for disciplinary action.

Accordingly, by letter dated January 14, 2008, AMCB notified Respondent that it had initiated a disciplinary proceeding to determine whether good cause existed for imposing discipline under the following provision of the Disciplinary Policy:

- A.7. Limitation or sanction by a federal, state or private licensing board, administrative agency, association or health care organization relating to public health or safety, or midwifery practice and/or;

- A.9 Engaging in conduct which is inconsistent with professional standards, including but not limited to (i) any practice that creates unnecessary danger to a patient's life, health or safety; and (ii) any practice that is contrary to the ethical conduct appropriate to the profession that results in termination or suspension from practice. Actual injury to a patient or the public need not be shown under this provision.

The letter-notice requested that Respondent submit a written answer to these charges within 30 days of receipt of the January 14, 2008 notice. Respondent submitted answer to charges on January 25, 2008.

A Review Committee comprised of three individuals with no prior involvement with the matter or the individual against whom discipline is being considered was duly convened.

The Review Committee has now considered the charges against Respondent and the above-described matters of record. On the basis of the factual findings and reasons set forth below, the Committee unanimously concludes that good grounds for discipline against Respondent exist under sections A.7. and A.9. of the Disciplinary Policy and that the imposition of sanctions is warranted.

FINDINGS

The Review Committee finds the following facts:

1. AMCB (previously known as ACC) was formed in 1991 by the American College of Nurse Midwives (ACNM) as an independent entity to carry on the existing program of ACNM for certifying the competency of individuals as entry-level nurse midwives.
2. AMCB assumed responsibility for discipline of ACNM/AMCB certificants through the Disciplinary Policy, the most recent version of which AMCB adopted December 2003.
3. Respondent was certified by AMCB on June 27, 1997 and recertified on January 1, 2006.
4. On or about July 2002 Respondent:
 - a. performed a vaginal delivery approximately 63 hours after rupture of the membranes without using fetal electronic monitoring electrode;
 - b. failed to consult with her supervising physician regarding the patient's condition other than for induction of Pitocin;
 - c. failed to timely document progress notes in the patient's record
5. Respondent was fined five hundred dollars (\$500.00) by the Ohio State Board of Nursing.
6. Respondent's license to practice as a nurse midwife was suspended indefinitely by order of the Ohio Board of Nursing but suspension was stayed, subject to probationary terms, conditions, and limitations until at least September 2008.
5. Respondent is complying with all requirements mandated by the Consent Agreement between Respondent and the Ohio Board of Nursing.

DISCUSSION

In this matter we are called upon to decide whether and what discipline is warranted against a CNM who's license has been suspended but stayed for negligence in professional work, and/or engaging in unprofessional conduct.

The Committee is persuaded that Respondent understands her error in judgment and has taken steps to improve her knowledge and skills for the future. Respondent is committed to being a good nurse midwife and is willing to take whatever steps necessary to remain as one.

Respondent has shown documentation of compliance with all requirements mandated by the Ohio Board of Nursing, including payment of fine, continuing education, and quarterly reporting by her collaborating physician and employer.

SANCTIONS FOR VIOLATIONS

The Review Committee agrees with the sanctions of the Ohio Board of Nursing and is reassured that Respondent is complying with all requirements imposed. Furthermore, the Review Committee determines that the following sanctions shall be imposed for the violations found:

1. Notification of Restrictions Lifted. AMCB shall be notified when restrictions to Respondent's license are lifted and/or stayed suspension of license is over and full license is reinstated.

3. Notification of Discipline Imposed. The Ohio Board of Nursing shall be notified of the AMCB's agreement with sanctions of Respondent.

Effective: April 8, 2008

REVIEW COMMITTEE

Carol Howe, CNM, DNSc, FACNM, Chair
Nancy Moss, CNM, PhD
Linda Nelson, CNM, MS

Barbara Graves, CNM, MN, MPH, FACNM
AMCB President, Board of Directors