



Janet T. Mills  
Governor

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL  
REGULATION  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

Anne L. Head  
Commissioner, DPFR  
Director, OPOR

January 23, 2024

Senator Donna Bailey  
Representative Anne Perry  
Committee on Health Coverage, Insurance, and Financial Services  
c/o Legislative Information Office  
100 State House Station  
Augusta, ME 04333

*Re: LD 1205 An Act Regarding the Scope of Practice of Certified Professional Midwives and Certified Midwives, Sponsor's Amendment.*

Dear Senator Bailey, Representative Perry, and Members of the HCIFS Committee:

Thank you for the opportunity to share the comments of the Department of Professional and Financial Regulation (DPFR) neither for nor against LD 1205 as amended by the sponsor's amendment.

The HCIFS committee carried over LD 1205 without a public hearing. As a result of the carryover, DPFR received a general request through Rep. Meyer to convene a group of stakeholders to discuss the broader concerns raised by proponents of the bill and to see if there was an opportunity for consensus.

The Department's role was limited to neutral convenor and facilitator of a stakeholder group. The stakeholder group met twice for facilitated discussions. I have included the stakeholder list as well as a copy of the 12/1/23 email sent to Rep. Meyer at the conclusion of the two stakeholder meetings. It is our understanding that following these facilitated discussions, some members of the stakeholder group, on their own, developed this amendment.

As noted in my 12/1/23 email to Rep. Meyer, the stakeholders agreed that a more robust data collection would be desirable. The current statute requires some data collection by the Board of Complementary Health Care Providers, but is not of the nature or form desired by the advocates of 1205.

It is important to note that the Office of Professional and Occupational Regulation (OPOR) does not collect data, other than license application data, from any of its other licensing boards. OPOR does not have the staff or resources to develop expertise in data collection and robust data collection processes. *We, therefore, recommend that the committee repeal the current data collection requirement in Title 32 §12539.*

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We understand and appreciate that Department of Health and Human Service's Office of Data, Research and Vital Statistics, does not have the capacity to undertake the data collection identified in the amendment. However, the Board of Complementary Health Care Providers is also not the appropriate entity to have data collection responsibility as it does not have the expertise and would divert staff time and resources from the Board's core licensing, discipline, and other public safety functions.

During the stakeholder discussions, one data collection possibility mentioned was the free database through the Midwives Alliance of North America. Another possibility might be the Maine Health Data Organization, whose mission it is to collect health care data and make that data available to researchers, policy makers, and the public.

Thank you for the opportunity to share our comments and we would be happy to answer any questions at the work session.

Sincerely,

*Joan Cohen*

Joan Cohen  
Deputy Commissioner, DPFR

*LD 1205 Stakeholder Email List*

|                            |                  |                                    |
|----------------------------|------------------|------------------------------------|
| Participating Stakeholders |                  |                                    |
| Morgan                     | Miller           | CPM                                |
| Heidi                      | Fillmore         | CPM                                |
| Tiffany                    | Carter Skillings | CPM                                |
| Sarah                      | Austin           | Perinatal Outreach Educator        |
| Becky                      | Hunt             | MD                                 |
| Romeo                      | Lucas            | DO                                 |
| Holly                      | Christensen      | CNM                                |
| Elisabeth                  | Erekson          | MD                                 |
| DPR/AAG/Staff              |                  |                                    |
| Joan                       | Cohen            | Deputy Commissioner                |
| Jeri                       | Betts            | Board Manager                      |
| Meagan                     | McLaughlin       | Board Staff                        |
| Megan                      | Hudson-McCrae    | AAG                                |
| Maryann                    | Harakall         | DHHS Maternal Child Health Program |
| Other Interested Parties   |                  |                                    |
| Rep. Michele               | Meyer            | Bill Sponsor                       |
| Katie                      | Harris           | MaineHealth                        |
| Sarah                      | Calder           | MaineHealth                        |
| Lisa                       | Harvey McPherson | Northern Light                     |
| Laura                      | Harper           | Moose Ridge                        |

***Email from DPF to Rep. Meyer Re: Outcome of Final Stakeholder Meeting***

**From:** Cohen, Joan

**Sent:** Friday, December 1, 2023 1:56 PM

**To:** Meyer, Michele <michele.meyer@legislature.maine.gov>

**Cc:** contact@morganmillermidwifery.com; heidibfillmore@gmail.com; hello@tworiverslactation.com; sarah.austin@mainehealth.org; rebecca.hunt@mainehealth.org; romeolucas@gmail.com; hchristensen@northernlight.org; elisabeth.erekson@mainehealth.org; Cohen, Joan <Joan.Cohen@maine.gov>; Betts, Geraldine L <Geraldine.L.Betts@maine.gov>; 'McLaughlin, Meagan' <Meagan.McLaughlin@maine.gov>; Hudson, Megan <Megan.Hudson@maine.gov>; 'Harakall, Maryann' <Maryann.Harakall@maine.gov>; Meyer, Michele <michele.meyer@legislature.maine.gov>; katie.harris@mainehealth.org; Sarah.Calder@mainehealth.org; lmcpherson@northernlight.org; laura@mooseridgeassociates.com

**Subject:** 1205 Stakeholder Meeting 11.30.23

Greetings Rep. Meyer:

I hope you are having a nice time abroad!

I thought it would be helpful to share with you the outcome of the November 30<sup>th</sup> stakeholder meeting.

The November 30<sup>th</sup> meeting identified that the stakeholders would like to find common ground and work together to achieve a path forward. Given the timing between meetings, which included the Thanksgiving holiday, they were unable to meet prior to the Nov 30 meeting. In order to continue the momentum, I recommended that the stakeholders identify a key contact from each interest who can serve as the point person and convenor for conversations. Liz Erekson and Morgan Miller have agreed to serve in that capacity. These conversations will be amongst the stakeholders themselves and anyone else they may wish to include. DPF will not be involved but is willing to be a resource when appropriate. At a point where there is consensus on changes to Board rules, the stakeholders can present those recommendations to the Board for their consideration.

One area of agreement from both sides is an interest in identifying a database that collects information differently than currently established in statute. One data collection possibility suggested at the meeting is a free data base through the Midwives Alliance of North America. Another possibility, which I didn't mention at the meeting but stakeholders may wish to consider, is the [Maine Health Data Organization](#), whose mission it is to collect health care data and make that data available to researchers, policy makers, and the public.

The statute will need to be amended at whatever point data is collected

differently. OPOR does not have expertise in data and does not have the staff or resources to become such an expert. Nor does OPOR collect this kind of data for any other licensing program. We strongly recommend that the statute be amended to remove the Board from the collection effort as it diverts staff time and resources from our core licensing, discipline, and other public safety functions.

While this concludes DPFR's role as ad hoc convenor, I would like to thank all of the stakeholders and staff for their time, expertise and respectful participation over these past two meetings and look forward to hearing about the outcome of their ongoing efforts.

Best,

Joan

**Joan Cohen**

Deputy Commissioner

Department of Professional and Financial Regulation

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