

TENNESSEE MIDWIVES ASSOCIATION
STATEWIDE PEER REVIEW COMMITTEE

PURPOSE

The Statewide Peer Review Committee provides a high level of accountability for all Tennessee Midwives Association members who are midwives. It ensures that questions of safety and quality of care are addressed adequately in a supportive manner. Statewide Peer Review provides a formal environment to solve problems and lend support to midwives in difficult situations. The Statewide Peer Review Committee has the ability to decide if further disciplinary action is appropriate.

COMPOSITION OF THE COMMITTEE

The Statewide Peer Review Committee shall consist of the following:

1. A Facilitator appointed by the officers of the Tennessee Midwives Association at the beginning of their term. In the case of a conflict of interest, the officers may appoint a substitute Facilitator.
2. Two members to be chosen by the officer of the Tennessee Midwives Association from the list of practicing midwives who are members of the TMA.
3. Two members to be chosen by the midwife being reviewed from the list of practicing midwives who are members of the TMA.
4. No midwife on the Committee may be a member of the same group practice as the midwife being reviewed, have been present at the occurrence being reviewed, or have a personal or professional relationship with the client involved.

REQUIREMENTS

Appearance before the Statewide Peer Review Committee is mandatory for Tennessee Midwives Association members who are midwives under the following circumstances:

1. When a complaint has been filed in writing against a midwife by the client (the Facilitator's name must be provided in the Informed Choice Document to the client at the onset of care).
2. When a mortality (either maternal or neonatal) has occurred, even if the death occurs during or after transport, or while in the care of an emergency care provider, hospital, or physician.
3. When deemed necessary by decision of a Local Peer Review.

GUIDELINES

1. Review shall be held when required to evaluate the circumstances set forth herein.
2. If a complaint has been made to the Tennessee Midwives Association, the person receiving the complaint shall refer the case to the State Facilitator. The State Facilitator shall notify the midwife within 24 hours of the report of the complaint.
3. If the midwife is required to appear before the Statewide Peer Review Committee by any of the criteria set forth under "Requirements 2 and 3" the same midwife must notify the Facilitator within 24 hours.
4. The Review shall be held within 30 days. The date, time, and place shall be set within by the midwife and the Facilitator so that the midwife is able to attend. The Statewide Peer Review Committee may not meet in the absence of the midwife.
5. Upon request from the midwife, the Tennessee Midwives Association Board may grant an extension of the deadline for appearance before the Statewide Peer Review Committee in cases of extenuating circumstances.
6. Decisions of the Committee will be made by consensus, and a written report of consensus decisions must go to the officers of the Tennessee Midwives Association within 15 days after the Review for implementation. The President shall notify in writing all parties affected by the decision.

PROCESS

1. At the opening of the meeting, the Facilitator is to review the basic guidelines for review:
 - A. The information presented to the Statewide Peer Review Committee is confidential.
 - B. The intention of Peer Review by the Committee is fact-finding. Results are not always punitive, but may be supportive and affirmative. Discussion and questions should at all times be respectful of the midwife and client involved.
 - C. While the midwife presents a case and, if applicable, while her witnesses speak, everyone remains quiet.
2. The midwife must make available the following information:
 - A. Gravida/parity
 - B. Significant history
 - C. Relevant test results
 - D. Other significant information regarding antepartal, intrapartal, or postpartal phase

- E. Consultations with other care providers
 - F. Sequence of events and her actions surrounding the event in question
3. After the midwife presents her case questions may be asked.
 4. The midwife may call anyone present at the event in question to speak on her behalf. Such witnesses may also be questioned when they have finished speaking.

POSSIBLE DECISIONS OF THE STATEWIDE PEER REVIEW COMMITTEE:

1. Support the actions of the midwife.
2. Recommend that the Midwife obtain further education as deemed appropriate.

APPEALS PROCESS

All decisions of the Statewide Peer Review Committee may be appealed. The following procedure shall govern the conduct of Appeals Hearings:

1. All notification required by this section shall be in writing, and shall be sent by certified, return receipt-requested mail or by personal delivery.
2. Should the midwife desire an Appeals Hearing, she must notify the President of the Tennessee Midwives Association within 15 days of receipt of the decision of the Statewide Peer Review Committee.
3. The President of the Tennessee Midwives Association shall set the Appeals Hearing within no less than 15 days and no more than 45 days of the request.
4. The Appeals Board shall be convened by the President of the Tennessee Midwives Association.
 - A. The Appeals Board consists of the President, Vice President, Secretary, Treasurer, and Regional Representatives of the Tennessee Midwives Association.
 - B. No Appeals Hearing may be held without a minimum of 5 Appeals Board members and the appealing midwife present.
 - C. A majority of the members of the Appeals Board must not have been on the Statewide Peer Review Committee whose decision is being appealed. If excusing those members brings the total below 5, the President of the Tennessee Midwives Association will choose substitutes from the list of Tennessee Midwives Association members.
 - D. If the President was at the Statewide Peer Review Committee Hearing being appealed, the Vice President will choose alternates, followed by Secretary, Treasurer, and the appealing midwife's Regional Representative. Alternates may not be chosen by a member of the original Statewide Peer Review Committee.
 - E. No midwife on the Appeals Board may be a member of the same group practice as the midwife appealing, have been present at the original occurrence, or have a professional or personal relationship with the client involved.
5. The midwife shall have the right, but shall not be required to be represented by counsel.
6. All proceedings of all Hearings are recorded. Confidentiality shall be maintained at all times.
7. Decisions of the Appeals Board will be made by consensus. The following decisions may be made:
 - A. Support the actions of the midwife, overturning any disciplinary action decided upon by the Statewide Peer Review Committee.
 - B. Reduce the disciplinary measure to one of lesser severity.
 - C. Support the decision of the Statewide Peer Review Committee and uphold all decisions regarding disciplinary action made by the Statewide Peer Review Committee.
8. The President of the Tennessee Midwives Association shall notify the midwife in writing within 15 days of the Appeals Hearing of findings and grounds for the decision. Said decision shall take effect immediately upon being signed by the President of the Tennessee Midwives Association.