

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

In the Disciplinary Matter of:

Beth Langdon, CNM

Respondent

DECISION

In this matter the AMCB Board of Directors is called upon to decide whether and what discipline is warranted against a CNM who has failed to satisfy the terms of a prior discipline sanction on her AMCB certificate.

Background

On June 5, 2008, the Minnesota Board of Nursing issued a Stipulation and Consent Order against Beth Langdon, CNM on six documented cases of substandard Midwifery care. The Stipulation and Consent Order placed limitations and conditions on Ms. Langdon's nursing license. At such time, Ms. Langdon was issued a restricted nursing license which specified that she could not practice as a CNM until she had successfully completed a Midwifery refresher course approved by the Board of Nursing. The Stipulation and Consent Order also placed a Review of Limitations stating that if Ms. Langdon had not completed a Midwifery refresher course within two (2) years of the Order she may be asked to meet with a review panel to consider amendments to this Order. The Board of Nursing also placed conditions on Ms. Langdon's licensure which included the submission of a performance evaluation by her nursing supervisor to the Board every six (6) months for one year from the date of the Stipulation and Consent Order with documentation proving said nursing supervisor had received a copy of the Stipulation and Consent Order in this case. A second condition was placed on Ms. Langdon's licensure which included Ms. Langdon to submit a self-report to the Board of Nursing every six (6) months for one year from the date of the Stipulation and Order.

On August 25, 2008, Ms. Langdon petitioned the Minnesota Board of Nursing via email to change the requirements outlined in the Stipulation and Consent Order. Specifically, Ms. Langdon could not comply with the Order to complete a Midwifery refresher course through the American College of Nurse Midwives (ACNM) because they required a bachelor degree in nursing and she held an associate degree in nursing, and because she had been unable to purchase malpractice insurance needed to participate in the Midwifery refresher course due to her previous litigations. Ms. Langdon proposed that in lieu of completing the Midwifery refresher course that she be allowed to re-take the National Certification Examination in Nurse-Midwifery by the American Midwifery Certification Board (AMCB) as well as complete the AMCB's Gynecology and Primary Care continuing education module and submit documentation that she had completed AMCB's Primary Care of the Pregnant Woman continuing education module which she had completed in July, 2007.

The Minnesota Board of Nursing agreed to this request.

Ms. Langdon successfully completed the AMCB continuing education modules and also successfully passed the AMCB's National Certification Examination in Nurse-Midwifery on 10/20/2008.

On December 11, 2008, the American Midwifery Certification Board (AMCB) issued Ms. Langdon a Certified, Return Receipt letter (received by Ms. Langdon on 12/17/2008) informing her that Discipline Committee had been formed to review the possibility of whether she had violated the AMCB's Discipline Policy.

During its review the Disciplinary Review Committee requested additional documentation from Ms. Langdon. This documentation disclosed the existence of two (2) medical malpractice settlements while she was employed Woman care, Inc. in St. Petersburg, FL in connection with her failure to diagnose vaginal cancer in one case and a fetal demise in the second case. The documentation also disclosed that Ms. Langdon's employment had been terminated from two (2) separate places of employment for medication errors at one place of employment and six (6) incidents of substandard Midwifery care at the other.

The Disciplinary Review committee spoke with three (3) separate references that provided positive comments regarding Ms. Langdon and her employment and "strongly recommended her for re-employment". It was also noted by the Committee that Ms. Langdon provided all information and documentation requested during this review.

In April, 2009, the Disciplinary Review Committee found that Ms. Langdon had violated the AMCB Disciplinary Policy and imposed the following sanctions for the violations found:

Upon employment as a CNM, Ms. Langdon must meet the following stipulations:

- a. Respondent must notify AMCB of her employment.
- b. Respondent must disclose sanctions imposed by AMCB to her employer.
- c. Respondent must receive a formal orientation to the new practice.
- d. Respondent must develop a mechanism for participation in a formal system of peer review.
- e. Respondent must develop written practice guidelines consistent with the Standards for the Practice of Midwifery. These guidelines must be signed by the consulting physician.
- f. Documentation of the above stipulations must be submitted to the AMCB Discipline Committee within 60 days of employment.
- g. If the above stipulations are not met, Respondent's AMCB certification will be suspended until documentation is received. If documentation is not received within 120 days, AMCB certification will be revoked.
- h. Respondent must submit favorable performance evaluations from her employer to the AMCB Disciplinary Committee at 6 months and 1 year after employment. Unsatisfactory performance reviews will trigger an automatic review by the Disciplinary Committee.

A fine of \$500 is hereby imposed.

Satisfactory completion of the above stipulations will close this Disciplinary proceeding.

On September 20, 2010, AMCB responded to a letter from Ms. Langdon dated May 11, 2010 in which the Respondent described, pursuant to the prior AMCB sanction, her current employment situation in Ketchikan, Alaska. AMCB's response outlined specifically how the employment situation did not meet the stipulations of the AMCB sanctions dated April 2009. Respondent replied on November 15, 2010 explaining continued difficulty meeting those stipulations and also stating: "I would like to leave here as I am uncomfortable with my situation."

The President of AMCB requested that the original Disciplinary Review Committee which recommended sanctions in 2009 review the matter and recommend whether further sanctions were warranted.

On April 7, 2011, Ms. Langdon submitted a letter to the AMCB with her final documentation with regards to the April, 2009 sanctions imposed by AMCB. Ms. Langdon could not comply with the final letter from her employment at A Woman's Place as she was replaced by another CNM and told "don't come back tomorrow, we don't need you". Ms. Langdon also stated she was now "retired and don't plan to seek further employment as a CNM." Ms. Langdon also inquired if she could retire in good standing at that time.

Disciplinary Review Committee Findings and Recommendation

The 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 has assumed responsibility for discipline of ACNM/ACC/AMCB certificants through the Disciplinary Policy, the most recent version of which AMCB adopted December, 2003.

3. Respondent was initially certified by AMCB (formerly ACC) in 1991.

4. Respondent has continued to exercise poor judgment in employment sites.

5. Respondent did make a good faith effort to meet AMCB stipulations but failed to remove herself from an unsafe practice environment.

6. Respondent reported honestly when she was unable to meet AMCB stipulations.

7. Respondent has retired from the practice of midwifery.
8. Respondent's AMCB certificate expires December 31, 2014.

The Committee unanimously concludes that Respondent has failed to comply with AMCB disciplinary sanctions. The Committee finds that Respondent's best course of action would have been to remove herself from an unsafe practice environment. Instead, she remained in the work environment until she was terminated. However, she has ceased the practice of midwifery and no longer presents the risk of unsafe practice to clients. Her certificate will expire in December, 2014.

In light of Respondent's representation that she is permanently retired from the practice of midwifery, the Committee finds no need to impose disciplinary sanctions beyond those already in effect. The Committee recommends that her certification be revoked and that she not be allowed to apply for retired or emeritus status.

Board Discussion

Following full consideration of the Disciplinary Review Committee's finding of facts and conclusions, the Board affirms the Committee's findings and determines that the following final sanctions shall be imposed for the violations found:

Revocation of AMCB certification. Respondent's certification is hereby revoked.

Notification of Certification Status. AMCB will notify the State of Alaska Board of Nursing of the revocation of the Respondent's certification.

Effective: April 12, 2012

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