

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

In the Disciplinary Matter of:

Jamie Sagebiel, CNM

On May 18, 2015, AMCB President Cara Krulewitch informed you in a letter that, since on June 20, 2013 both your Texas registered nurse and advanced practice nursing licenses had been suspended “due to non-compliance with the Texas Peer Assistance Program for Nurses (TPAPN),” AMCB was “enforcing a temporary suspension of your AMCB Certification effective immediately.” Your AMCB certification remains suspended and is due to expire on 12/31/2016. According to AMCB’s records you have not completed any requirements for re-certification or paid any of your annual certification maintenance fees.

In the same letter, President Krulewitch also informed you that in accordance with AMCB’s Disciplinary Policy, a Discipline Review committee had been appointed to review your certification status related to the orders from the Texas Board of Nursing. The Disciplinary Review Committee was asked to determine whether good cause existed for imposing discipline under the following provisions of the Disciplinary Policy.

A.5 Habitual use of alcohol or any other substance of abuse, or any physical or mental condition that impairs competent and objective professional performance.

A.7 Limitation or sanction by federal, state or private licensing board, administrative agency, association or health care organization related to public health or safety or midwifery practice.

A.9 Engaging in unprofessional conduct, 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 Disciplinary Review Committee, comprised of the three individuals was convened. The Disciplinary Review Committee has now considered the documents and the above described matters of record. On the basis of the factual findings and reasons set forth below, the Committee unanimously recommends to the AMCB Board of Directors that your AMCB Certification be permanently revoked

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 has assumed responsibility for discipline of ACNM/ACC/AMCB certificants through the Disciplinary Policy, the most recent version of which AMCB adopted June 2007 and Revised 2012.

3. Respondent was initially certified by AMCB (formerly ACC) on August 12, 2011 and her certification will expire December 31, 2016. Respondent has not completed any requirements for re-certification nor paid any of the required certificate maintenance fees.

Initial Findings: Initial materials submitted to the Disciplinary Review Committee resulted in the following initial findings.

1. On June 2, 2013, an Agreed Order by the Texas Board of Nursing signed by Ms. Sagebiel stipulated that the Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPANP) due to repeated instances during 2012 of working under the influence of opioids and/or alcohol and positive urine drug screens for opioids and/or alcohol.
2. On April 22, 2014, the Board of Nursing of the State of California issued an Order to revoke the Registered Nurse license of Jamie Lyn Sagebiel (aka Jamie Schumann) on May 22, 2014 based on the action of the Texas Board of Nursing entitled, *In the Matter of Nurse-Midwife with Prescriptive Authorization, and Registered Nurse License Number 648038 Issued to Janie Sagebiel*.
3. On August 12, 2014, the Texas Board of Nursing ordered an immediate suspension of Ms. Sagebiel's registered nurse license number 648038 and advanced practice registered nurse license number 121011 due to non-compliance with the Agreed Order issued to her on June 20, 2013 (effective date of June 2, 2013 agreed order). According to the *Order of Temporary Suspension*, Ms. Sagebiel's non-compliance was "the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPANP) participation agreement in that she engaged in the use of Oxazepam as evidenced by her submission of a specimen for a drug screen with results positive for Oxazepam. Additionally, Respondent admitted to using Valium several times and to drinking alcohol."
4. On January 22, 2015, in an *Opinion and Order of the Board*, the Texas Board of Nursing revoked Janie Sagebiel's licenses (AP121011 & 648038) to practice nursing in the State of Texas. Further, the "Respondent is not eligible to petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order. Further, upon petitioning for reinstatement, Respondent must satisfy all then existing requirements for relicensure." The revocation was ordered due to the Respondent's failure to appear at a hearing for which she was legally notified on September 22, 2014, and her failure to provide evidence of meeting the requirements of the TPANP.

Subsequent Findings: Based upon the initial findings, the Disciplinary Review Committee requested additional materials from Ms. Sagebiel resulting in the additional findings.

1. Respondent did not respond to President Krulewitch's letter of May 18, 2015, in which she was given 30 days to respond to the possible violations of the AMCB Discipline Policy.

2. On December 17, 2015, an e-mail was sent by AMCB on behalf of the Discipline committee. This was opened by Ms. Sagebiel on December 17, 2015 but no response was received.
3. On December 17, 2015, two letters matching the content of the e-mail described in #2 were sent by FEDEX from AMCB to Ms. Sagebiel, one with signature required and the other without. The first package (Tracking #775226679996 *no signature required) was delivered and retrieved "Recipient no longer there". The second package (Tracking #775226713470 *adult signature required) was returned "Adult recipient unavailable".

Discussion

In this matter we are called upon to decide whether and what discipline is warranted against a CNM who has been unable to meet the stipulations of a prior state sanction on her license to practice nurse-midwifery and her non-responsiveness to both the Texas Board of Nursing and AMCB.

Sanctions For Violations

The Disciplinary Review Committee is persuaded that based on Ms. Sagebiel's non-compliance with the TPAPN and her non-responsiveness to both the Texas Board of Nursing and AMCB, in all likelihood she remains significantly impaired due to drug/alcohol addictions. Therefore, the Disciplinary Review Committee recommends to the AMCB Executive Committee for Discipline that, consistent with AMCB's mission to protect and serve the public, Jamie Sagebiel's certification as a nurse-midwife be immediately revoked.

Effective: 4/9/2016

REVIEW COMMITTEE

Nancy Lowe, CNM, PhD, FACNM, FAAN, Chair
Barbara Graves, CNM, MN, MPH, FACNM
Nancy Reedy, CNM

Cara Krulewitch, CNM, PhD, FACNM
AMCB President, Board of Directors