

**Arkansas Maternal
Mortality Review
Committee
Guidance Document**



January 2020



- **Small:** Education and Counseling
 - Community/provider-based health promotion and education activities
- **Medium:** Clinical Intervention and Coordination of Care
 - Protocols
 - Prescriptions
- **Large:** Long-Lasting Protective Intervention
 - Improve readiness, recognition, and response to obstetric emergencies
 - Increase access to long-acting reversible contraceptives (LARC)
- **Extra Large:** Change in Context
 - Improve public transportation
 - Reduce vehicle carbon emissions
 - Ensure available and accessible services
 - Promote environments that support healthy living
- **Giant:** Address Social Determinants of Health
 - Poverty
 - Inequality

Arkansas Maternal Mortality Review Committee

The Arkansas Department of Health (ADH) is responsible for administering the Title V Maternal & Child Health (MCH) Services Block Grant Program which involves monitoring, researching and evaluating health status and conducting activities to identify and address community health problems through the use of the 10 essential health services

(www.cdc.gov/stltpublichealth/publichealthservices/essentialhealthservices.html).

Within the population of women of reproductive age, maternal mortality is an indicator that is monitored by ADH pursuant to A.C.A. § 20-15-2301. Maternal mortality is considered a sentinel (patient safety) event that warrants close scrutiny. An increasing national and state trend in maternal mortality indicates the need to conduct maternal mortality review in order to gain insight into the medical and social factors leading to these events and to prevent future occurrences of maternal mortality.

Scope

The scope of cases for Arkansas review is all pregnancy-associated deaths or any deaths of women with indication of pregnancy up to 365 days, regardless of cause (i.e. motor vehicle accidents during pregnancy, motor vehicle accidents postpartum, suicide and homicide). Deaths are identified from review of death certificates with a pregnancy check box selection and linkage of vital records by searching death certificates of women of reproductive age and matching them to birth or fetal death certificates in the year prior.

Purpose

The purpose of the Arkansas Maternal Mortality Review Committee (AMMRC), also referred to as “the Committee” throughout this document, is to identify and characterize maternal deaths with the goal of identifying and implementing prevention opportunities.

Goals

The goals of the Arkansas Maternal Mortality Review Committee (AMMRC) are to:

- **Perform thorough record abstraction** in order to obtain details of events and issues leading up to a mother's death.
- **Perform a multidisciplinary review of cases** to gain a holistic understanding of the issues.
- **Determine the annual number of maternal deaths related to pregnancy** (pregnancy-related mortality).
- **Identify trends and risk factors** among pregnancy-related death in Arkansas.
- **Recommend improvements to care** at the individual, provider and system levels with the potential for reducing or preventing future events.
- **Prioritize findings and recommendations** to guide development of effective preventive measures.
- **Recommend actionable strategies for prevention** and intervention.
- **Disseminate the findings and recommendations** to a broad array of individuals and organizations.
- **Promote the translation of findings and recommendations** into quality improvement actions at all levels.

Statutory Authority & Protections

The AMMRC is conducted pursuant to A.C.A § 20-15-2301 - A.C.A. § 20-15-2307. See Appendix A for full text of the public health laws that apply.

- **A.C.A. § 20-15-2301** provides authority for the AMMRC to review pregnancy-associated deaths or deaths of women with indication of pregnancy up to three hundred sixty-five (365) days after the end of pregnancy.
- **A.C.A. § 20-15-2302** provides powers and duties to the AMMRC including identify maternal death cases, review medical records, contact family members and other affected or involved persons to collect additional relevant data. All proceedings and activities of the AMMRC are confidential and are not subject to the Freedom of Information Act of 1967.
- **A.C.A. §20-15-2303** provides access to all relevant medical records associated with a case under review by the AMMRC.

Process

Information is gathered from death certificates, birth certificates, medical records, autopsy reports and other pertinent resources. Records are abstracted by a trained abstractor, who prepares de-identified case narratives for review by a committee of experts from diverse disciplines. Review the Logic Model (Appendix B) for more information.

Meeting Structure

The Arkansas Maternal Mortality Review Committee (AMMRC) reviews and makes decisions about each case based on the case narrative and abstracted data. The Committee examines the cause of death and contributing factors and determines:

- 1) Was the death pregnancy-related?**
- 2) What was the underlying cause of death?**
- 3) Was the death preventable?**
- 4) What were the factors that contributed to the death?**
- 5) What are the recommendations and actions that address those contributing factors?**
- 6) What is the anticipated impact of those actions if implemented?**

The Role of the Abstractor

The abstractor represents the AMMRC while out in the field and holds a great deal of responsibility to ensure the protection and confidentiality of the information gathered. The abstractor typically reviews and abstracts information from death certificates, fetal death certificates, medical and hospitalization records, autopsies and social service records. The abstractor will receive assigned cases from the program coordinator and will obtain the information within a defined period of time. The abstractor is responsible for writing the case narrative and providing additional information on each case based on clinical documentation in the records. The abstractor will attend review committee meetings and report to the program coordinator.

Membership

The AMMRC is a multidisciplinary committee whose members represent Arkansas and various specialties, facilities and systems that interact with and impact maternal health. Membership consists of obstetrics and gynecology, forensic pathology, maternal fetal medicine, anesthesiology, nursing, psychiatry, mental/ behavioral health, nurse-midwifery, public health, advocacy and more. AMMRC members are appointed by the Arkansas Secretary of Health. Recruitment of new AMMRC members may occur annually as needed unless a specific type of expertise is required during the year for a case review (Example: domestic violence). Membership will be made up of approximately 20 members.

All AMMRC members will serve in a volunteer capacity and will not receive compensation for participation in the review process. AMMRC members will have a term limit of two or three years for their volunteer stewardship.

AMMRC members who are not Department employees are not covered under the Department's statutory authority to conduct maternal mortality review work. Thus, external members may not:

- Request records themselves
- Follow up on records requested but not received
- Review personal health information that is not de-identified
- Access identified content in the MMRC Data System

Failure to comply with the defined responsibilities will result in termination from the Arkansas Maternal Mortality Review Committee (AMMRC). Members who are terminated from the Committee are ineligible for future participation.

Confidentiality

According to A.C.A. § 20-15-2304, information, records, reports, statements, notes, memoranda, or other data collected by the AMMRC are not admissible as evidence in any action of any kind in court or before any other tribunal, board, agency, or person. A person participating in a review shall not disclose, in any manner, the information so obtained except in strict conformity with such project review. Meetings of the Committee are confidential and are not subject to the Freedom of Information Act of 1967, §§ 25-19-101 et seq., relating to open meetings, subject to subpoena, discovery or instruction into evidence in any civil or criminal proceeding.

Arkansas Maternal Mortality Review Committee Policies and Procedures

Maintaining Confidentiality

AMMRC members will be reminded at the start of each meeting that all information discussed in the reviews must remain confidential and may not be used for reasons other than for the maternal mortality review. All information regarding facilities, providers and families is considered confidential and is not shared.

All individual case materials presented to AMMRC members contain de-identified information. The Confidentiality Agreement Form (Appendix C) must be signed at the start of every meeting.

All AMMRC members must abide by the Health Insurance Portability and Accountability Act's (HIPAA) Privacy Rule when engaging in case review discussions. This rule requires appropriate safeguards to protect the privacy of personal health information and sets limits and rules regarding the release of information without patient consent. All AMMRC members will be reminded at the start of each meeting that they must adhere to confidentiality/privacy and HIPAA standards and may not expose patient-identifying information about a case should they recognize it. AMMRC members may, at any time, request additional information from ADH regarding HIPAA.

ADH will ensure strict compliance with our state statutes, which requires that ADH protect the confidentiality of maternal mortality information, as well as the HIPAA Privacy Rules. To ensure the protection of AMMRC members, individuals, families and providers, the Committee will adhere to the following safeguards:

- All AMMRC meetings will be held in private.
- Members of the public or press will not be allowed at AMMRC meetings. If members of the public or press show up uninvited at a meeting, they will be notified that the AMMRC meetings are not open to the public and will be asked to leave. Members of the public or press will be offered the opportunity to engage with ADH staff about the work at a separate time outside of the AMMRC meetings.
- Case-associated information will only be available for discussion at the AMMRC meetings.

- Agenda and meeting notes may be distributed outside of the meeting time and will not contain case-associated information.
- AMMRC members must meet in person to review information.
- AMMRC members must submit all meeting materials and papers with case-associated notes back to ADH staff at the end of the AMMRC meetings.
- All case summaries reviewed will include de-identified data/information.
- AMMRC members may request to review a de-identified record for additional information pertinent to the case review. The record(s) will be de-identified by ADH staff. Additional information beyond HIPAA requirements may be redacted if it could lead to the identification of a case.

Conflict of Interest

AMMRC members may inadvertently recognize a case regardless of ADH's compliance with HIPAA standards. If this should happen, the member is not required to disclose that they recognize the case but may not discuss the Committee's discussion of the case outside of the AMMRC meeting or with non-AMMRC members. The member may choose to provide additional information that is pertinent to the case review. The member must contact the Abstractor to provide information pursuant to law and protocol versus revealing it in a committee meeting, so the information can be reviewed and provided back to the Committee if necessary.

Agency Conflict Resolution

The AMMRC is not a peer review committee and, thus, does not seek to examine the performance of individual practitioners, hospitals or other agencies. The AMMRC is a professional process aimed at improving systems of care for pregnant and postpartum women. While AMMRC members may have concerns or disagreements regarding a case, the review of maternal deaths is not an opportunity for the Committee to criticize provider or agency decisions. As the appointing agency of the AMMRC, ADH reserves the right to ensure discussions remain focused on the meeting's intended purpose. All information discussed by AMMRC members in the reviews will remain confidential and may not be used for reasons other than intended.

Appendix A

Stricken language would be deleted from and underlined language would be added to present law.
Act 829 of the Regular Session

1 State of Arkansas *As Engrossed: H2/18/19 H2/20/19*

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1440

4

5 By: Representatives D. Ferguson, Bentley, Barker, Brown, Burch, Capp, Cavanaugh, Clowney, Crawford,
6 Dalby, C. Fite, V. Flowers, D. Garner, Godfrey, M. Gray, Lundstrum, McCullough, Petty, Rushing, Scott,
7 Speaks, Vaught, Della Rosa, *Eaves*

8 By: Senators Irvin, Bledsoe, J. English, Elliott, L. Chesterfield

9

10

For An Act To Be Entitled

11

AN ACT TO ESTABLISH THE MATERNAL MORTALITY REVIEW

12

COMMITTEE; AND FOR OTHER PURPOSES.

13

14

15

Subtitle

16

TO ESTABLISH THE MATERNAL MORTALITY

17

REVIEW COMMITTEE.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

23 (a) The General Assembly finds that:

24 (1) Arkansas ranks forty-fourth in maternal mortality compared
25 with other states according to the 2018 United Health Foundation report on
26 the Health of Women and Children;

27 (2) Arkansas currently has thirty-five (35) maternal deaths per
28 one hundred thousand (100,000) live births, compared with the national
29 average of twenty (20) deaths per one hundred thousand (100,000) live births,
30 according to the Centers for Disease Control and Prevention;

31 (3) Thirty-five (35) states in the nation either conduct or are
32 preparing to conduct organized maternal mortality reviews that help prevent
33 maternal death through data collection, data analysis, and implementation of
34 recommendations; and

35 (4) With roughly half of pregnancy-related deaths being
36 preventable, state maternal mortality review committees are vital to



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1 understanding why women are dying during pregnancy, childbirth, and the year
2 postpartum, and to achieving goals of improving maternal health and
3 preventing future deaths.

4 (b) It is the intent of the General Assembly to establish a maternal
5 mortality review committee in the State of Arkansas and to decrease the
6 amount of maternal deaths in the state.

7
8 SECTION 2. Arkansas Code Title 20, Chapter 15, is amended to add an
9 additional subchapter to read as follows:

10 Subchapter 23 – Maternal Mortality Review Committee

11
12 20-15-2301. Maternal Mortality Review Committee.

13 (a)(1) The Department of Health shall establish the Maternal Mortality
14 Review Committee to review maternal deaths and to develop strategies for the
15 prevention of maternal deaths.

16 (2) The committee shall be multidisciplinary and composed of
17 members as deemed appropriate by the department.

18 (b) The department may contract with an external organization to
19 assist in collecting, analyzing, and disseminating maternal mortality
20 information, organizing and convening meetings of the committee, and other
21 tasks as may be incident to these activities, including providing the
22 necessary data, information, and resources to ensure successful completion of
23 the ongoing review required by this section.

24
25 20-15-2302. Powers and duties.

26 The Maternal Mortality Review Committee shall:

27 (1) Review pregnancy-associated deaths or deaths of women with
28 indication of pregnancy up to three hundred sixty-five (365) days after the
29 end of pregnancy, regardless of cause, to identify the factors contributing
30 to these deaths;

31 (2) Identify maternal death cases;

32 (3) Review medical records and other relevant data;

33 (4) Contact family members and other affected or involved
34 persons to collect additional relevant data;

35 (5) Consult with relevant experts to evaluate the records and
36 data;

1 (6) Make determinations regarding the preventability of maternal
2 deaths;

3 (7) Develop recommendations for the prevention of maternal
4 deaths, including public health and clinical interventions that may reduce
5 these deaths and improve systems of care; and

6 (8) Disseminate findings and recommendations to policy makers,
7 healthcare providers, healthcare facilities, and the general public.

8
9 20-15-2303. Access to records.

10 (a) Healthcare providers, healthcare facilities, and pharmacies shall
11 provide reasonable access to the Maternal Mortality Review Committee to all
12 relevant medical records associated with a case under review by the
13 committee.

14 (b) A healthcare provider, healthcare facility, or pharmacy providing
15 access to medical records as described by subdivision (a) of this section is
16 not liable for civil damages or subject to any criminal or disciplinary
17 action for good faith efforts in providing such records.

18
19 20-15-2304. Confidentiality.

20 (a)(1) Information, records, reports, statements, notes, memoranda, or
21 other data collected under this subchapter are not admissible as evidence in
22 any action of any kind in any court or before any other tribunal, board,
23 agency, or person.

24 (2) Information, records, reports, statements, notes, memoranda,
25 or other data collected under this subchapter shall not be exhibited or
26 disclosed in any way, in whole or in part, by any officer or representative
27 of the Department of Health or any other person, except as necessary for the
28 purpose of furthering the review of the Maternal Mortality Review Committee
29 of the case to which they relate.

30 (3) A person participating in a review shall not disclose, in
31 any manner, the information so obtained except in strict conformity with such
32 review project.

33 (b) All information, records of interviews, written reports,
34 statements, notes, memoranda, or other data obtained by the department, the
35 committee, and other persons, agencies, or organizations so authorized by the
36 department under this subchapter are confidential.

1 (c)(1) All proceedings and activities of the committee under this
2 subchapter, opinions of members of the committee formed as a result of such
3 proceedings and activities, and records obtained, created, or maintained
4 pursuant to this subchapter, including records of interviews, written
5 reports, and statements procured by the department or any other person,
6 agency, or organization acting jointly or under contract with the department
7 in connection with the requirements of this subchapter, are confidential and
8 are not subject to the Freedom of Information Act of 1967, §§ 25-19-101 et
9 seq., relating to open meetings, subject to subpoena, discovery, or
10 introduction into evidence in any civil or criminal proceeding.

11 (2) However, this subchapter does not limit or restrict the
12 right to discover or use in any civil or criminal proceeding anything that is
13 available from another source and entirely independent of the committee's
14 proceedings.

15 (d)(1) Members of the committee shall not be questioned in any civil
16 or criminal proceeding regarding the information presented in or opinions
17 formed as a result of a meeting or communication of the committee.

18 (2) This subchapter does not prevent a member of the committee
19 from testifying to information obtained independently of the committee or
20 which is public information.

21
22 20-15-2305. Disclosure.

23 Disclosure of protected health information is allowed for public
24 health, safety, and law enforcement purposes, and providing case information
25 on maternal deaths for review by the Maternal Mortality Review Committee is
26 not a violation of the Health Insurance Portability and Accountability Act of
27 1996.

28
29 20-15-2306. Immunity from liability.

30 State, local, or regional committee members are immune from civil and
31 criminal liability in connection with their good-faith participation in the
32 maternal death review and all activities related to a review with the
33 Maternal Mortality Review Committee.

34
35 20-15-2307. Reporting.

36 (a) Beginning in 2020, the Maternal Mortality Review Committee shall

1 file a written report on the number and causes of maternal deaths and its
2 recommendations on or before December 31 of each year to:

3 (1) The Senate Committee on Public Health, Welfare, and Labor;

4 (2) The House Committee on Public Health, Welfare, and Labor;

5 and

6 (3) The Legislative Council.

7 (b) The report shall include:

8 (1) The findings and recommendations of the committee; and

9 (2) An analysis of factual information obtained from the review
10 of the maternal death investigation reports and any local or regional review
11 panels that do not violate the confidentiality provisions under this
12 subchapter.

13 (c) The report shall include only aggregate data and shall not
14 identify a particular facility or provider.

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/s/D. Ferguson

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APPROVED: 4/9/19

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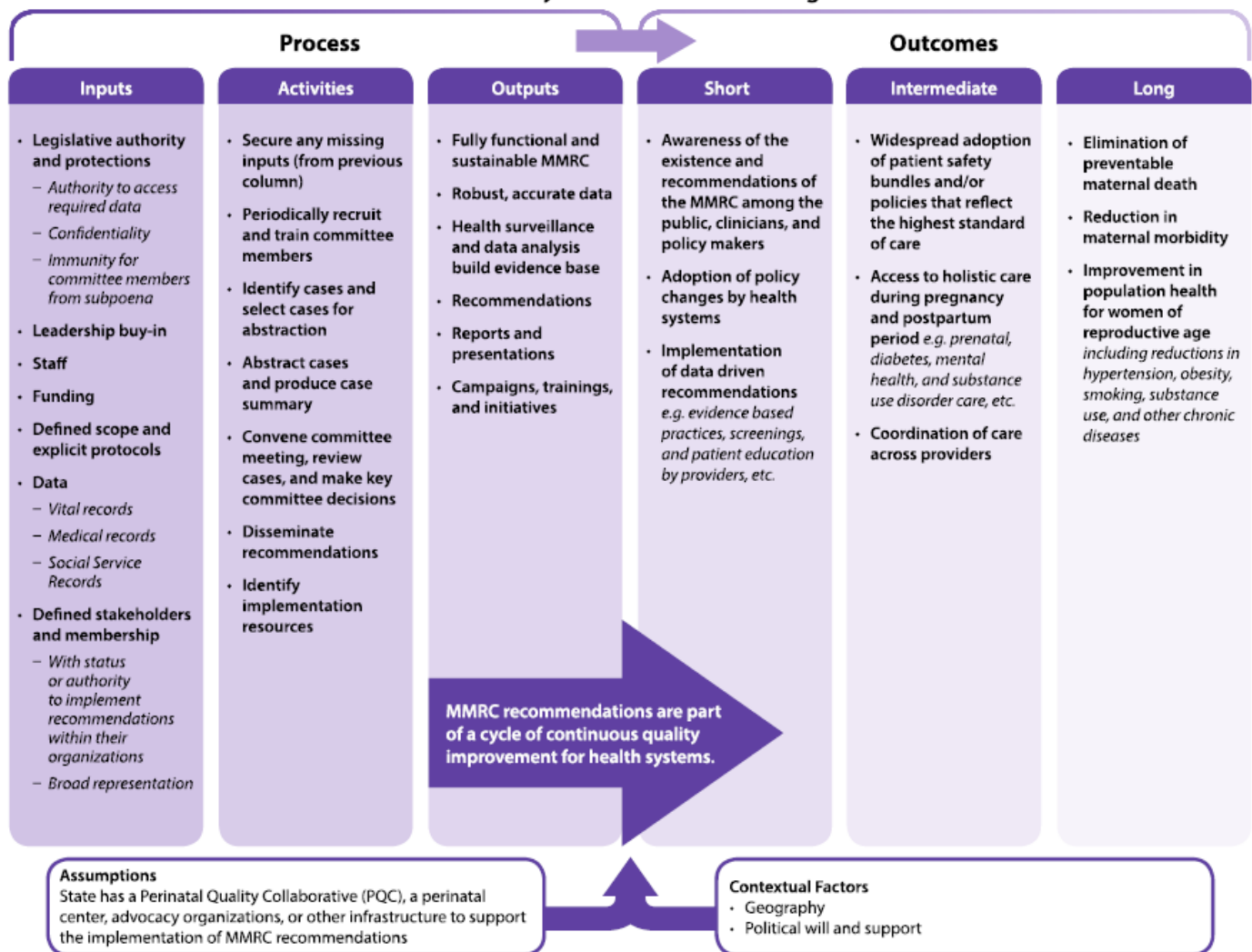
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Appendix B

Maternal Mortality Review Committee Logic Model



Appendix C



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000

Governor Asa Hutchinson

Nathaniel Smith, MD, MPH, Secretary of Health

MATERNAL MORTALITY REVIEW COMMITTEE CONFIDENTIALITY AGREEMENT FORM

The purpose of the Maternal Mortality Review Committee is to conduct a full examination of all pregnancy-associated deaths (both pregnancy-related and non-pregnancy-related) in Arkansas. In order to assure a coordinated response that fully addresses all systemic concerns surrounding an incident, the Maternal Mortality Review Committee must review all pertinent information on each death. This includes reviewing de-identified autopsy reports, coroner's reports, law enforcement reports, hospital and prenatal care records and other information that may have a bearing on the involved family. The records provided to Maternal Mortality Review Committee members will be de-identified of the Health Insurance Portability and Accountability Act (HIPAA) identifiers listed in the Maternal Mortality Review Policies and Procedures.

With this purpose in mind, I the undersigned, as a representative of

agree to all the following:

- I shall maintain the confidentiality of all information secured and discussed in the maternal mortality review and I will not use the information provided for reasons other than maternal mortality review;
- I will not take materials with case identifying information from the meetings; and
- I will not discuss confidential Review Committee information outside of a Review Committee meeting with individuals who are not part of the Maternal Mortality Review Committee.

Print Name

Signature

Date

Appendix D



Arkansas Department of Health

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Governor Asa Hutchinson
Nathaniel Smith, MD, MPH, Secretary of Health

AMMRC Membership Application Form

The Arkansas Maternal Mortality Review Committee (AMMRC) is a multidisciplinary committee whose geographically diverse members represent various specialties, facilities and systems that interact with and impact maternal health. Committee members are appointed by the Arkansas Secretary of Health. Recruitment of new AMMRC members may occur as needed unless a specific type of expertise is required during the year for a case review. AMMRC members do not have a term limit for their volunteer stewardship.

AMMRC Vision: To protect and improve the health and well-being of all Arkansans by eliminating preventable maternal deaths in Arkansas.

AMMRC Mission: Optimal health for all Arkansans to achieve maximum personal, economic and social impact.

Name			
Preferred Phone		Email	
Address		City, State, Zip	
Organization			
Position Title			
Why are you interested in participating on the AMMRC?			
The AMMRC is not designed to be very time intensive (review meetings 2-3 times per year); however, a commitment to active, face-to-face participation is essential. Please provide any reason that you may have a difficult time participating in meetings.			
<input type="checkbox"/> I do not anticipate having difficulties in participating in review meetings.			
<input type="checkbox"/> I do not anticipate having difficulties in participating in reviews <i>with</i> accommodations. (Please describe below).			

Please submit questions and/or the application by email to Erin Gildner at Erin.gildner@arkansas.gov.

<i>Office Use Only</i>	
Appointment Recommendation:	___ Yes ___ No ___ Hold for future placement
Comments:	

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National Websites/Resources

<https://www.reviewtoaction.org>

<https://www.cdc.gov/grand-rounds/pp/2017/20171114-maternal-mortality.html>

<https://safehealthcareforeverywoman.org/aim-program/>