

PROVINCE OF NOVA SCOTIA )  
CITY OF HALIFAX )

IN THE MATTER OF: The Midwifery Regulatory Council  
- and -  
IN THE MATTER OF: Rachel Godwin

### **SUMMARY OF SETTLEMENT AGREEMENT**

Rachel Godwin  
Halifax, Nova Scotia  
MRC Registration No.007

On March 28, 2010 a Hearing Panel of the Midwifery Regulatory Council (“MRC”) accepted a settlement proposal agreed upon by the MRC and Rachel Godwin, as recommended by the Registrar of the MRC.

Ms. Godwin had been practicing midwifery for approximately 15 years prior to applying for a licence in Nova Scotia in 2009. In April 2009 she received a Provisional (Clinical) Licence from the MRC, which required her to be under the supervision of another midwife pending completion of certain clinical requirements.

In April and May, 2010 two complaints were received by the MRC respecting Ms. Godwin’s midwifery practice. As a result, Ms. Godwin’s license was restricted and she was not authorized to conduct home births pending resolution of the complaints.

In the latter part of 2010 the MRC also received information from Ms. Godwin respecting her actions in accessing her own health records and with respect to her actions concerning a prescription she received for herself.

In November, 2010, Ms. Godwin’s midwifery supervisor ended the supervisory relationship, and as a result Ms. Godwin was no longer eligible to hold a licence to practise midwifery.

Following the filing of the complaints and an investigation that included a chart audit and expert opinion reports, a settlement proposal was advanced pursuant to the *Midwifery Act*. In the settlement proposal Ms. Godwin admitted to the formal allegations:

1. Contrary to the standards of midwifery practice and the Code of Ethics, Ms. Godwin on a number of occasions displayed a lack of knowledge, skill and judgment in the care of clients or delivery of midwifery services respecting both pre-natal and post-partum care;
2. Ms. Godwin failed to act with integrity and acted contrary to the Code of Ethics adopted by the Council by:

- (a) providing information to a client she knew to be untrue;
  - (b) directing a staff member to access health information the staff member was not permitted to access;
  - (c) accepting a prescription from a midwife colleague, when she was not under the care of that midwife;
3. Contrary to the standards of midwifery practice on a number of occasions between June 1, 2009 and June 1, 2010, Ms. Godwin failed to accurately or adequately document and chart.

Ms. Godwin admitted that the foregoing allegations amount to professional misconduct as defined in the *Midwifery Act*.

Ms. Godwin agreed to the following disposition of these complaints:

1. She was reprimanded for failing to act with integrity and contrary to the Code of Ethics;
2. Prior to being eligible for re-licensing in Nova Scotia, Ms. Godwin is required to complete an Ethics Course and a Documentation Course approved by the Registrar;
3. Prior to being eligible for re-licensing, Ms. Godwin is required to undertake an assessment of midwifery competencies at either Ryerson University, the University of British Columbia or such other institution as approved by the Registrar. Ms. Godwin further agrees to comply with the recommendations for remediation that may arise from such assessment before being eligible for a licence to practice midwifery in Nova Scotia.

When considering a Settlement Agreement as a resolution of outstanding complaints, it is the mandate of the Hearing Panel to ensure that a Settlement Agreement adequately protects the interests of the public. Various aggravating and mitigating circumstances were considered in this case.

It was noted that there was no prior disciplinary history for Ms. Godwin and that the formal midwifery program was in its infancy in this province.

The Committee determined that the practice and ethical issues raised by the complaints would be adequately dealt with by the proposed disposition. The Hearing Panel believes that the agreed upon disposition adequately balances the interests of the public with the potential for remediation with Ms. Godwin in her return to practice.

Ms. Godwin remains ineligible for a licence pending compliance with the requirements of the Hearing Panel.