

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :  
: ADMINISTRATIVE INJUNCTION  
REBEKAH KNAPP, :  
RESPONDENT. : **ORDER 0002366**

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Division of Legal Services and Compliance<sup>1</sup> Case No. 12 UNL 128 (RMA)

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Rebekah Knapp  
202 East Main Avenue  
Fertile, MN 56540-4022

Wisconsin Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Wisconsin Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Rebekah Knapp (Respondent) is not and has never been licensed to practice midwifery in the State of Wisconsin, has never been granted a temporary permit to practice midwifery, and has never been licensed to practice as a midwife or as a nurse-midwife in the State of Wisconsin. Respondent is not licensed to practice midwifery in the State of Minnesota. Ms. Knapp reported her address to the Wisconsin Department of Safety and

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<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

Professional Services (Department) as: 202 East Main Avenue, Fertile, MN 56540-4022. She indicated that her email address is: babycatcher98@yahoo.com.

2. Except where specified, the events set forth below occurred in the state of Wisconsin.

3. In 2010, Midwife A, a Wisconsin-licensed midwife, provided services to Citizen A. Citizen A currently lives in, and at the time lived in Superior, Wisconsin. The pregnancy ended in December 2010, with transfer of care to a high-level tertiary care system several weeks before the due date for several clinical reasons.

4. Citizen A became pregnant again and asked Midwife A to assist with the birth. The licensed midwife declined, and strongly advised Citizen A to seek hospital-based care and delivery.

5. In July 2012, Citizen A arranged for services from two volunteer doulas, and had not yet arranged for a midwife.

6. Sometime after July 2012, Respondent agreed to provide midwifery services to Citizen A, in exchange for whatever fee Citizen A was able to pay. Respondent did not see any reason Citizen A should not have a home birth. Respondent lived in Minnesota, at least 3 hours away from Citizen A's Superior residence.

7. Citizen A began having contractions on August 29, 2012. Two volunteer doulas arrived at Citizen A's Superior home at approximately 8:00 p.m.

8. Respondent arrived at Citizen A's home at approximately 1:00 a.m. on August 30, 2012. Respondent determined that Citizen A was dilated at 6 cm, and that Citizen A was in active labor. Between early morning on August 30, 2012 and the afternoon of August 31, 2012, Respondent checked the baby's heart rate and position, as well as Citizen A's dilation "a few times".

9. Respondent and the two doulas attended Citizen A for approximately 38 hours, through the afternoon of August 31, 2012. When contractions subsided, Citizen A sent Respondent and the two doulas home.

10. On September 1, 2012, at approximately 7:30 p.m., Citizen A's contractions recommenced. Citizen A began to give birth and then the baby's shoulders became stuck and one of the doulas called an ambulance.

11. Citizen A had summoned Respondent before the doulas arrived back at the residence at around 7:30 p.m. Respondent did not arrive at Citizen A's home until the ambulance was loaded and ready to depart, at approximately 11:50 p.m.

12. Citizen A was transported to a Minnesota hospital, where her baby died. Respondent went to the hospital to support Citizen A and remained until after 6:30 a.m. on September 2, 2012.

13. On January 16, 2013, in a telephone conversation at 218/689-4582, Respondent told a Division investigator that she had not been retained to act as Citizen A's midwife. However, Respondent admitted that she met with Citizen A, one time, in Minnesota, for a prenatal appointment.

14. Wisconsin Stat § 440.9805(3) defines the practice of midwifery to mean "providing maternity care during the antepartum, intrapartum and postpartum periods."

15. Respondent has engaged in the practice of midwifery without a credential in violation of Wis. Stat. § 440.982(1).

16. Respondent neither admits nor denies the conduct alleged set forth above. However, Respondent agrees that she will not practice midwifery in the State of Wisconsin, nor hold herself out as one so authorized, with or without financial remuneration, unless and until she is licensed pursuant to Wis. Stat. § 440.982.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above constitutes the unlicensed practice of midwifery, contrary to Wis. Stat. § 440.982.

#### ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed by the Department of Safety and Professional Services to practice midwifery, Respondent is enjoined and prohibited from the practice of midwifery in the State of Wisconsin.

3. Unless and until Respondent is properly licensed by the Department of Safety and Professional Services to practice midwifery, Respondent is enjoined and prohibited from the holding herself out as one who practices midwifery in the State of Wisconsin.

4. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

5. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit, including but not limited to a district attorney or the Department of Justice, for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 29<sup>th</sup> day of March, 2013.

By: Michael J. Berndt

Michael J. Berndt, Chief Counsel

On behalf of the Department of Safety and Professional Services