

Oregon woman's midwife license revoked

Accused of falsifying birth certificates, misconduct, practicing without a license

By SEAN HART
EO Media Group

Sherry Dress, a midwife based in Grant County, has had her license revoked for misconduct, but claims she has done nothing that cannot be explained.

Dress, 69, was accused of falsifying birth certificates and submitting a fraudulent Medicaid claim. Her Oregon direct-entry midwifery license, which expired in September 2015, was revoked.

She recently reached a settlement to repay \$20,000 to the Department of Human Services for Medicaid overpayments.

Dress is also awaiting trial in Washington on new charges of practicing midwifery without a license — after pleading guilty to the same in May 2016, after being issued a cease-and-desist order by the state in 2013.

Dress said she simply could not afford to continue fighting the Oregon cases but plans to plead her case in court in Washington. She said she did not break Washington law because she offered her services for free, accepting only “gratuitous” reimbursements for expenses, as a Christian ministry.

“I’m a very passionate, loving person, and this is what I do,” she said. “I love delivering babies, and I love taking care of people. As a loving Christian woman, I believe that God called me to do this.”

Oregon license revocation

Oregon’s Board of Direct Entry Midwifery accused Dress of falsifying five birth certificates between May 2014 and May 2015. For each, Dress certified the children were born at her Canyon City residence, when they were born in Pasco or Walla Walla, Washington. Dress told the *Blue Mountain Eagle* she did list Oregon as the birthplace for Washington births under “special circumstances.”

In one of the five cases, she said, the mother planned to drive to Grant County so Dress could bill an Oregon insurance provider for the services, which she could only do for births in Oregon. However, the baby came before the mother made it to Oregon, so Dress said she listed Oregon so she could still submit the bill.

Dress said, in her professional experience, the exact place of birth is not always listed on a birth certificate. When she worked as a registered nurse in California in 1971, she said the hospital was often listed as the birthplace, even for babies born in ambulances, vehicles, abandoned

buildings or other places without addresses at the Mexican border.

She also said, in two of the five cases for babies born in June 2014, the clients contacted her six months later, requesting that she help acquire the birth certificates because they had not yet been able to get them from the state.

“It was wrong of me to give them Oregon birth certificates when I did in fact deliver them in Washington, but I didn’t know it was serious,” she said. “I did not know it was a felony. I thought it was more important to get them a birth certificate.”

Dress said she wanted to explain her actions before the Board of Direct Entry Midwifery “midwife to midwife” but was not allowed to do so. The case was referred to the Office of Administrative Hearings.

Dress withdrew her request for a hearing on the case March 7, resulting in the final order by default including the license revocation and about \$8,500 in penalties.

She also withdrew a request for a hearing on another case for submitting a false Medicaid claim, stating she was present for a birth she did not attend in October 2014, resulting in about \$4,400 in penalties.

Dress said she performed prenatal and postpartum care, but the mother delivered the baby at home when Dress was not present and later visited a hospital without informing her. She said she filled out the paperwork for global billing — including everything from prenatal to postpartum care, including the delivery — but it raised a red flag when the hospital also submitted a bill.

Dress’ attorney told her the legal costs to continue appealing the cases would likely cost as much as the penalties, so she decided to move on.

Certifying the profession

The first child Dress delivered as a midwife in Oregon was already a teenager when the state developed a midwife licensing program in 1993.

Dress said she helped initiate the licensing program in Oregon so insurance companies could reimburse midwives as they do hospitals for births and was one of the first to be licensed the same year the program began. She served on the Oregon Board of Direct Entry Midwifery for nine years, the last year as the chair. Her Oregon attorney, Hermine

Hayes-Klein, said Dress had been a traditional home birth midwife for more than 40 years and had safely delivered more than 3,000 babies.

“Ms. Dress was a midwife before midwives were a legally recognized profession. ... Like many other traditional midwives in the U.S. who have attempted to keep up with the changing rules and paperwork requirements of new and evolving licensure schemes, Ms. Dress has been accused of falling afoul of State regulatory compliance,” Hayes-Klein said. “Through such allegations, the skills and services of many valuable midwives can be laid to waste, and maternity care options for rural communities reduced or eliminated.”

Dress said she believed the goal was to end home births so all babies are born in a medical setting.

“It’s open season on midwives,” she said. “The bottom line is I’m the oldest, most experienced midwife in the Northwest. They want to do away with home birth.”

She said she started the home birth movement in southern Washington decades ago. She said she has trained at least 12 midwives and is very popular among her clients.

“I’m delivering babies of babies I’ve delivered now,” she said. “There’s never been a problem ever.”

A stillborn boy

Dress described the allegations against her as lies and said it was politically motivated, “fabricated from an incident that happened a year and a half ago” in which a mother she assisted in Walla Walla in 2015 had a stillbirth after arriving at a hospital when labor during the planned home birth failed to progress.

The mother, Sarah Magill, told the *Union-Bulletin* newspaper Dress should serve jail time for the death and that Dress’ methods should have raised numerous red flags.

“We should have known not to trust someone who is in such conflict with modern medicine,” she said.

The coroner who listed the cause of death as prolonged labor with fetal hypoxia — insufficient oxygen — said he believed the child could have lived if Dress acted differently during labor, according to the *Union-Bulletin*.

Dress told the *Eagle* she did nothing wrong and disputed many of the claims in the article. She said more than an hour of fetal monitoring at the hospital showed a heartbeat and no signs of oxygen deprivation. Dress never faced charges for the stillbirth.

Previous Washington cases

Dress admitted to the *Eagle* the state of Washington issued a cease-

and-desist order, prohibiting her from practicing midwifery without a license, in 2013. That’s when she began listing Oregon as the birthplace for some Washington births, she said, because her access to Washington’s online birth registry was revoked.

After the order was issued, Dress claimed she obeyed the Washington law by offering her services for free as a Christian ministry. She said she began requiring clients to sign a waiver indicating that she is not licensed and does not charge for midwifery, only seeking reimbursement for expenses.

“I say, ‘What can you afford? This is how much it costs for me to drive to you,’” she said. “I’ve been paid between \$500 and \$2,500 for my expenses. If they only have \$20, that’s all they give me. I truly believe that my patients are not my provider. I believe that God is and that he will provide.”

Dress said her full price in Oregon ranges from \$3,900-\$4,500 for prenatal, delivery and postpartum care, though Medicaid only pays about \$2,000.

Dress pleaded guilty to practicing without a license in Walla Walla District Court in May 2016, stemming from the Magill incident, but she maintained she “didn’t do anything illegal.” She said her lawyer suggested she take a plea deal minutes before a court appearance, and regretfully, she did.

The terms of her two-year probation include not performing midwifery in Washington, and she said she has not done so — even as a gratuitous ministry — while on probation.

Pending trial

With a new lawyer, Dress vowed to fight the new charges against her in Washington, two counts of practicing without a license, one a gross misdemeanor and the other a felony.

The *Tri-City Herald* reported she pleaded not guilty March 15 to both charges related to two Kennewick, Washington, births whose families were given incorrect birth certificates.

Dress said she has 50 letters of support from previous clients, and she is prepared to argue her case at trial June 5 in Benton Superior Court.

In Oregon, no license is required for a traditional midwife, who can charge for services provided, but the person cannot advertise as a midwife and must disclose the lack of licensure to the patient. Dress said she has continued to operate as a traditional midwife since her license expired in 2015. Even now, a young family is staying at her residence where they welcomed their first child Sunday morning. The baby boy and his mother already share a common experience.

Dress delivered the mother in a home birth 21 years ago.

HERMISTON Council to hold special meeting on conference center

Will meet Tuesday, 6:30 p.m. at city hall

By JADE MCDOWELL
East Oregonian

The Hermiston city council will have a special meeting Tuesday to decide whether to take over operations of the Hermiston Conference Center.

The meeting will be at 6:30 p.m. at city hall, 180 NE Second Street, and will include an opportunity for public comment at the beginning. The discussion was originally scheduled for the April 10 city council meeting but was postponed due to three city councilors and the mayor being unable to attend.

The city currently contracts with the Greater Hermiston Area Chamber of Commerce to run the conference center, but city staff have proposed not renewing the contract for 2018 and turning over operation of the center to the parks and recreation department.

The plan that will be presented to councilors on Tuesday would include offering the chamber free office space in the basement of the old Carnegie Library next to the Hermiston Public Library. The city is currently remodeling the space to include multiple offices, a reception area and a conference room and hopes to someday turn the upstairs portion into a museum and visitors center.

The parks and recreation offices would be moved to the conference center, and the building department offices currently in the Carnegie Library would move across the street to the former parks and recreation offices in city hall.

A memo to the city council explaining the plan and the reasoning behind it noted that the change was spurred by the building of the Eastern Oregon Trade and Event Center.

“Bringing conference/community center operations in-house will allow the city to take a more direct role in marketing the facility in a way that compliments the EOTEC rather than competes with it,” the memo said. “Additionally, this will save the chamber from being in the very difficult position of trying to operate the facility at a profit when many of the large profitable events are moving to the EOTEC.”

The full memo can be found online at www.hermiston.or.us/city-council-meetings.

In a news release, the chamber stated that it will continue its efforts in supporting local businesses whether it is operating out of the conference center or not.

Contact Jade McDowell at jmcdowell@eastoregonian.com or 541-564-4536.

BRIEFLY

J.C. Penney store closure delayed

PENDLETON — The clock hasn’t struck midnight yet for J.C. Penney in Pendleton.

The company plans to close 138 stores across the country, including locations in Pendleton, La Grande, The Dalles and Astoria. Liquidation was supposed to begin Monday, but has instead been pushed back to Monday, May 22.

Michelle Mizerka, Pendleton store manager, confirmed the news Thursday. Corporate officials say stronger-than-expected traffic and sales have led to the postponement, though Mizerka said she could not discuss business locally.

J.C. Penney still intends to close the stores July 31 — about six weeks later than originally announced.

The store on Pendleton’s Main Street is the oldest J.C. Penney still operating at its original location nationwide. The closure will affect 20 associates.

Woman’s car found same day it was reported stolen

PENDLETON — A Pendleton woman reported her car stolen Wednesday morning, and a few hours later it was discovered sitting in someone’s garage across town.

Carrie Oglesbee called police around 7 a.m. to report her 2007 Honda Civic missing.

“The lady whose garage it was in called,” said Oglesbee, a circulation representative for the *East Oregonian*. “She said her door was slightly open, and that’s how she found it.”

Sgt. Tony Nelson with Pendleton police said the vehicle was recovered around 11 a.m. Wednesday.



In this March file photo, a customer walks into the J.C. Penney store on Main Street in Pendleton. The store will remain open for another month, with liquidation now slated for May 22.

Oglesbee said the car was locked when the thieves took it. She said no windows were broken, but the car was slightly scuffed up and she could still put the key in the ignition.

“And there were footprints all over the back,” she said. “I don’t know what they were doing walking on the car.”

Oglesbee said everything in the trunk had been pulled out and dug through. A few things were stolen as well, such as some cash and two St. Christopher medals that belonged to her and her late husband.

“Those meant a lot to me, because my husband’s passed away,” she said.

Good Shepherd offering 24/7 virtual doctor appointments

HERMISTON — Residents of Umatilla County and Morrow County can get their symptoms diagnosed via smartphone after the opening of the Good Shepherd Virtual Care Clinic.

Good Shepherd Health Care System announced Thursday that the new virtual clinic will be open 24 hours a day, offering patients the opportunity to receive

diagnoses and prescriptions by clinicians via phone or computer for \$35 per session. The session can also include scheduling for follow-up appointments at Good Shepherd’s brick and mortar clinics if needed.

Patients can begin accessing the service immediately on their computer by visiting www.gshealth.org/virtualcare. On April 20 an Android and iOS app will launch for smartphones and tablets.

The Good Shepherd Virtual Care Clinic uses software, staffing and operations services from Carena. According to a news release from Good Shepherd, the providers for the virtual clinic will follow all of GSHCS’s practice guidelines and will help local patients stay in-network for care.

Jim Schlenker, chief operating officer of GSHCS, said in a statement that access to affordable healthcare is part of Good Shepherd’s mission.

“By creating the Good Shepherd Virtual Care Clinic, we are able to utilize the latest technology to meet the health needs of our community by providing 24/7 urgent access to health care services,” he said. “Now, wherever you live in Umatilla

and Morrow counties and the communities we serve in Washington state, you’re only a click or phone call away from receiving urgent medical care.”

Student brought gun to Nixyaawii, taken into custody

MISSION — A student brought a gun to Nixyaawii Community School on Wednesday and struggled with officers who tried to search him.

According to information from principal Ryan Heinrich, Confederated Tribes of the Umatilla Indian Reservation police responded to the school after receiving an anonymous tip that a male student may be carrying a gun.

The student, who was not identified, was brought into a conference room by school administration. A tribal officer asked the student if he was carrying a weapon and if the officer could search him.

“A struggle ensued,” wrote Heinrich.

After the student was detained, a pistol was found in his backpack, according to Heinrich. The student was taken into tribal police custody.

“There were no threats to any of the students,” wrote Heinrich. “The student was not out of the conference room at any time during this incident.”

Heinrich said the student is a minor, but would not release his age.

There are about 60 students enrolled at Nixyaawii, which is a charter high school in the Pendleton School District.

Roberts to leave Desert View

HERMISTON — Desert View Elementary School principal Michael Roberts will step down at the end of

this school year, and take a position as the director of elementary education curriculum at the Scottsdale Unified School District in Scottsdale, Arizona.

Roberts has been with the Hermiston School District for four years, all as the principal of Desert View. Previously he served as an assistant principal in Prosser, Washington. He is originally from Pendleton.

“It was just one of those opportunities I couldn’t pass up,” Roberts said. He added that he’s looking forward to the new job, but was sad to leave Desert View.

“It kind of stinks,” he said of his departure. “The kids and teachers at Desert View are exceptional.”

Scottsdale Unified School District has about 14,000 students.

Roberts is the third administrator to announce they will leave the Hermiston School District at the end of this year. Sunset Elementary School Principal Devin Grigg will leave the district to pursue a small business in Phoenix, Arizona, and Director of Special Programs Jon Mishra will begin work as the superintendent of the Waitsburg School District in Washington.

CHUCK CLOSE
at the Pendleton Center for the Arts
March 10 - April 29 / FREE Admission