Colorado Maternal Mortality Review Policies and Procedures

I. Overview

The Maternal Mortality Review Committee (MMRC) is a multi-disciplinary committee focused on reviewing causes of maternal death in Colorado. The committee and associated efforts are housed within the Maternal Wellness Program at the Colorado Department of Public Health and Environment (Department).

The purpose of the review is to determine the causes of maternal morbidity and mortality in Colorado and identify public health and clinical interventions to improve systems of care. Maternal mortality includes deaths occurring during pregnancy up through one year post delivery. Information is gathered from death certificates, birth certificates, medical records, autopsy reports, and other pertinent sources of information. Records are abstracted by a trained abstractor and de-identified case summaries are reviewed by a committee of experts from diverse disciplines.

The goals of the committee’s reviews and associated maternal mortality work are to:

   a. Determine the annual number of maternal deaths related to pregnancy (pregnancy-related mortality).
   b. Identify trends and risk factors among pregnancy-related deaths in Colorado.
   c. Develop actionable strategies for prevention and intervention.

This review process is intended to be educational and prevention-oriented in nature. The following steps are taken to ensure an effective review of each case:

   a. Share, question and clarify all case information
   b. Determine whether the death could have been prevented
   c. Identify possible risk factors
   d. Discuss recommendations to decrease, modify or eliminate associated risk factors
   e. Discuss whether the pregnancy or the act of being pregnant in the past year contributed to the death or increased the risks associated with the death

II. Statutory Authority

The maternal mortality review is conducted pursuant to C.R.S.§ 25-1.5-102(II), C.R.S. § 25-1-122(2) and Board of Health rules and regulations pertaining to the reporting of selected causes of morbidity and mortality in Colorado (6 CCR-1009-8). The Department may have access, without patient consent, to medical records of fatalities that occur in association with pregnancy or for up to one year postpartum for which an autopsy was not performed or the Department determines was insufficient to fully determine the risk factors for the death.

III. Committee Structure
The MMRC is comprised of providers and prevention practitioners from across the Denver Metro Area, including Department staff members and external stakeholders. Representation includes obstetrics and gynecology, forensic pathology, nurse-midwifery, maternal fetal medicine, anesthesiology, nursing, psychiatry, mental/behavioral health and public health.

Committee members are appointed by the Department. Recruitment of new MMRC members will occur annually as needed unless a specific type of expertise is required during the year for a case review (example: domestic violence). Interested individuals must complete a membership application that will be reviewed by Department MMR staff members (Attachment I: MMRC Application). This application will be revised annually as needed to reflect current vacancies within the committee. The Department will engage the MMRC to identify and recruit interested individuals; however, the Department will maintain the authority to appoint the membership.

The MMRC membership will not exceed 25 members, excluding Department MMR staff. MMRC members do not have a term limit for their volunteer stewardship.

IV. Committee Member Responsibilities

All MMRC members will serve in a volunteer capacity and will not receive compensation for their participation in the review process.

MMRC 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:

a. Request records themselves  
b. Follow up on records requested but not received  
c. Review personal health information that is not de-identified  
d. Access CDPHE’s Maternal Mortality Review Data System

Failure to comply with the defined responsibilities will result in termination from the MMRC. Members who are terminated from the MMRC are ineligible for future participation.

All MMRC members must annually sign the Department MMR Confidentiality Statement (Attachment II: MMRC Confidentiality Statement). This will be done at the start of each calendar year and forms will be electronically retained and considered effective as long as the relevant hard case files exist. Committee 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 MMRC members must abide by the Health Insurance Portability and Accountability Act’s (HIPPA) 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 MMRC members will be reminded at the start of each meeting that they must adhere to HIPAA standards, and may not expose patient-identifying information about a case should they recognize it. A MMRC member may, at any time, request additional information from Department regarding HIPAA.

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

a. All MMRC meetings will be held in private. The MMRC is not a policy-making body, and thus is not subject to the open meeting requirements of Colorado Revised Statute § 24-6-402.

b. Members of the public or press will not be allowed at MMRC meetings. If members of the public or press show up uninvited at a meeting they will be notified that the MMRC 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 Department staff about the work at a separate time outside of the MMRC meetings.

c. Case-associated information will only be available for review and discussion at the MMRC meetings.
   i. Agenda and meeting notes may be distributed outside of the meeting time and will not contain case-associated information.
   ii. MMRC members must meet in person to review information.
   iii. MMRC members must submit all meeting materials and papers with case-associated notes back to Department staff at the end of the MMRC meetings.

d. All case summaries reviewed will be redacted per HIPAA privacy standards (Appendix III: HIPAA Identifiers).

e. A MMRC member may request to review a de-identified record for additional information pertinent to the case review. The record(s) will be de-identified by Department staff. Additional information beyond HIPAA requirements may be redacted if it could lead to the identification of a case.

VI. Conflict of Interest

A MMRC member may inadvertently recognize a case regardless of the Department’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 MMRC meeting or with non-MMRC members. The member may choose to provide additional information that is pertinent to the case review, but must adhere to HIPAA privacy standards, including ensuring that none of the eighteen (18) HIPAA core identifiers are relayed (Appendix III: HIPAA Identifiers).

VII. Agency Conflict Resolution

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

Should MMRC members have concerns about foreseeable harm to future patients, MMRC members may relay their concerns to the Department staff leading the maternal mortality work. These Department staff members will report the concerns to leadership and legal staff and the Department will move forward according to Department-wide policies. Members of the MMRC may not individually report a provider based on information they have learned as part of the MMRC. Failure to comply with this will result in termination from the committee.