

Statement of Allegations

Lucia D'Amore
(COIN 351C)

The Member

1. At the material times, Lucia D'Amore (the "Member") was a duly registered member of the College of Midwives of Ontario practising midwifery at Burlington & Area Midwives (the "Practice").

The Client

2. The "Client" was a client of the Practice.
3. On November 8, 2019 at approximately 8:32 a.m., the Client delivered a baby by caesarean section.

Post-Partum Care Provided by the Member to the Client

4. On November 9, 2019 at approximately 10:00 a.m., the Member attended at the hospital for the Client's day 1 post-partum appointment.
5. On November 9, 2019 at approximately 11:30 a.m., the baby had routine bilirubin testing at the hospital at 27 hours of age. The bilirubin result was 88 umol/L.
6. The Client and baby were discharged from hospital at approximately 8:00 p.m. on November 9, 2019.
7. On November 11, 2019, the Member attended at the Client's home for the day 3 post-partum appointment. The Member documented that the baby's skin/jaundice was tinged to the umbilicus.
8. It is alleged that the Client raised concerns with the Member about the baby's jaundice at the day 3 post-partum appointment and that the Member advised the Client that the Member was not concerned (or words to that effect).
9. On November 13, 2019, the Client paged the Member in advance of the scheduled day 5 post-partum appointment.
10. The Member spoke with the Client prior to the appointment on November 13, 2019. It is alleged that during this call the Client raised concerns with the Member about the baby's jaundice and asked if the Member could check the baby's bilirubin at the appointment.
11. On November 13, 2019 at approximately 5:00 p.m., the Member attended at the Client's home for the day 5 post-partum appointment. The Member documented that the baby's eyes were yellow and that the baby's skin/jaundice was moderate to the umbilicus.
12. It is alleged that the Client and her husband raised concerns with the Member about the baby's jaundice during the day 5 post-partum appointment. It is alleged that the Client asked the Member to test the baby's bilirubin. It is alleged that the Member advised the Client that the Member was not concerned (or words to that effect).

13. The Member had the testing equipment with her but did not arrange to test the baby's bilirubin at or following the day 5 post-partum appointment.
14. Following the above events, on November 14, 2019 between approximately 6:30 a.m. and 7:30 a.m. the Client called an ambulance. The baby was taken to the hospital and initial bloodwork showed a bilirubin of 864 umol/L. The baby was admitted with severe hyperbilirubinemia. The baby died in hospital on November 20, 2019.
15. It is alleged that the Member failed to appropriately manage the baby's jaundice, in particular by failing to arrange to test the baby's bilirubin at or following the day 5 post-partum appointment on November 13, 2019.

Professional Misconduct Alleged

16. It is alleged that the above conduct constitutes professional misconduct pursuant to clause 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, and as defined in one or more of the following paragraphs of section 1 of Ontario Regulation 388/09, made under the *Midwifery Act, 1991*:
 - a. Paragraph 2 (Failing to maintain a standard of practice of the profession); and/or
 - b. Paragraph 47 (Engaging in conduct or performing an act or omission relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional).