

This letter is in favorable support of Senate Bill 293 (SB0293).

My name is Cara McGilvrey, and I am a proud Marylander. This bill would mean a great deal to me—and, more importantly, to my friend Ashley Lewis. I have known Ashley for over a decade and I have photographed all of her pregnancies and each of her children's newborn photos. When Ashley was pregnant with her third daughter, Nyeli, she asked me to photograph her first home birth. Ashley shared that she felt prepared, that her midwife was licensed, and that the midwife clearly presented herself as a medical professional. I was honored to be considered to document such a intimate and sacred occasion.

This bill would help ensure that midwives who receives monetary compensation for overseeing pregnancies and deliveries must be held to responsible professional standard. At the very least, families should be informed if a provider does not carry liability insurance or if their insurance coverage has lapsed—especially when families are being asked to place trust in that provider for a life-altering medical event.

When I arrived at the Lewis residence after being notified that Ashley was in labor, I quickly began to sense that something was not right. Still, we trusted the midwife, who appeared calm and collected. I am a photographer—what did I know? So I sat patiently—documenting. The ordeal soon began to feel unintentionally violent. I watched my friend endure more than I have ever seen a woman endure. Then it became clear—Nyeli was breech and struggling to descend.

I expressed concern, and this licensed—but unknowingly uninsured—midwife portrayed herself as an “experienced” breech-birth medical expert. Because of this reassurance, my friend was not quickly alarmed. I reminded myself that I was only there to document; I am not a medical professional.

But I saw Nyeli's toes move. And then I didn't. She was stuck from the chest up and her skin began to lose its color. I asked the midwife if I they should call 911, and I was ignored. Soon, without asking again, I dialed 911 myself. I have never prayed harder in my life. The midwife had Ashley pushing in every imaginable birthing position in the short time I was there. Before Nyeli could be fully delivered, her body dangled limp in the air, her head still trapped in her mother's birth canal. I will never be able to erase that image from my mind. The trauma from this midwife's negligence rippled far beyond that bedroom.

The midwife Ashley trusted showed no interest in meeting us at the hospital. In fact, as I rushed out of the driveway to follow the ambulance, she had the audacity to stop me to ask that I retrieve a piece of her “medical equipment” that was with Nyeli. She was smiling when she abandoned Ashley and Nyeli, without any sign of remorse. She did not come to the hospital—not because she couldn't, but because she didn't care to. The hospital team made heroic efforts to save Nyeli, but she could not be revived. As I listened to my friend bare her soul, I slid to the floor in devastation. The knowledge that this tragedy could have been prevented continues to be unbearable. Nyeli died a horrific death.

Nyeli's family filed a civil suit against the midwife and was rightfully awarded millions. But they will never see any restitution for their unimaginable loss because the licensed midwife did not have—and did not disclose that she did not have—liability insurance. This midwife continued to practice midwifery until more than one family sued her for the deaths of their newborns. After the lawsuits were filed the midwife simply liquidated her business and disappeared. She failed to appear for civil court dates, and no criminal charges could be pursued.

So I state again that I am in favorable support of Senate Bill 293 which would state that a midwife who receives monetary compensation for overseeing pregnancies and deliveries must be held to responsible professional standard. At the very least, families should be informed if a provider does not carry liability insurance or if their coverage has lapsed—especially when the family is asked to place trust in that provider for a life-altering medical event. Families deserve transparent disclosure.

Please consider Senate Bill 293, which would require midwives to disclose their insurance status so families can make informed decisions for one of the most significant moments of their lives—pregnancy and birth. Please think of Nyeli when you sign this bill.

Thank you,
Cara McGilvrey

1735 Maryland Ave
Shady Side, MD 20764
Anne Arundel County

(301) 351-6799
clmcgilvrey@gmail.com